

Approved April 14, 2021

THE UNIVERSITY OF WYOMING
SUMMARY MINUTES OF THE TRUSTEES

PUBLIC SESSION
March 24-25, 2021

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

University of Wyoming Mission Statement (July 2017)

We honor our heritage as the state's flagship and land-grant university by providing accessible and affordable higher education of the highest quality; rigorous scholarship; the communication and application of knowledge; economic and community development; and responsible stewardship of our cultural, historical and natural resources.

In the exercise of our primary mission to promote learning, we seek to provide academic and co-curricular opportunities that will:

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

As Wyoming's only public university, we are committed to scholarship, outreach and service that extend our human talent and technological capacity to serve the people in our communities, our state, the nation and the world.

THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
March 24-25, 2021
Via Video Conference
Laramie, Wyoming

As will be reflected in the public and executive session meeting minutes, the Board of Trustees of the University of Wyoming met via video conference, on Thursday, March 25, 2021. Committees met on Wednesday, March 24, 2021. The Board's business meeting was held on Thursday, March 25, 2021.

THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
March 24-26, 2021
Via Video Conference
Laramie, Wyoming

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Business Meeting

Roll Call

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Committee of the Whole

Regular Business

Board Committee Reports [*Scheduled for Thursday, March 25, 1:30 p.m.*]

Trustee Committees

[Note: Committees of the Board will provide reports during the regular work sessions and will not have a formal report to provide during the Business Meeting. Liaisons will provide a written report prior to the regular March 25, 2021, Business Meeting.]

Liaison to Other Boards

- UW Alumni Association Board – Laura Schmid-Pizzato
- Foundation Board – Jeff Marsh & David Fall
- Haub School of Environment & Natural Resources – Michelle Sullivan
- Energy Resources Council – Dave True
- Cowboy Joe – John McKinley

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Information Only Items: *[no action, discussion or work session]*

- Contracts and Procurement Report (per UW Regulation 7-2) – Evans
- Capital Construction Report – McKinley/Mai
- Foundation Monthly Giving Report – Blalock

New Business

Date of Next Meeting: April 14, 2021 (conference call)

Adjourn Meeting

AGENDA ITEM TITLE: Wyoming Planning Association “2020 Planning Project of the Year” awarded to the Pilot Hill Land Use Plan, Sarah Mathews/Marilyn Kite

MINUTES OF THE MEETING:

Justice Marilyn Kite and Pilot Hill, Inc. Executive Director Sarah Mathews introduced a video presentation from the Wyoming Planning Association’s “*2020 Planning Project of the Year*” awarded to the Pilot Hill Land Use Plan. Kite provided a summary update on the progress of the Pilot Hill trail system. Mathews stated the first phase includes approximately 27 miles of trails and reported on discussion of partnership opportunities with the Wyoming Conservation Corps. Kite went on to describe collaborations with the Haub School and other UW entities, and ended her report with recognition to Trustee Kermit Brown for his support of the Pilot Hill Project.

Trustee Kermit Brown spoke about the wildlife activity captured on trail cameras. Trustee Macey Moore expressed her enthusiasm about the project, and in response to Trustee Moore’s inquiry, Mathews stated it was projected that by July 1, 2021, two trail options will be available to visitors.. Trustee David Fall and President Seidel also expressed enthusiasm about the project. Mathews expressed thanks to the University of Wyoming for its support.

AGENDA ITEM TITLE: RSO Recognition - Keepers of the Fire, Ryan O’Neil, Wolf Star Duran, Eric Bennett

MINUTES OF THE MEETING:

Dean of Students and Associate Vice President for Student Affairs Ryan O’Neil introduced Registered Student Organization (RSO) Keepers of the Fire established in 1971. O’Neil reported members of Keepers of the Fire have a rich campus presence and recently joined other RSO’s in developing a land acknowledgement document recognizing use of Native American lands. By way of video presentation, members of Keepers of the Fire described the RSO’s activities and discussed the benefits of, and expressed gratitude for, the Native American Education, Research and Cultural Center. President Ed Seidel described the university’s commitment to strengthening relationships with the Native American community with increased opportunities for research, internships, and through ongoing efforts toward building an inclusive campus. In response to inquiry from Trustee Michelle Sullivan, RSO member Eric Bennett discussed the challenge of keeping students involved and positive during the COVID-19 pandemic. Eric Bennett and Wolf Star Duran also discussed how the RSO is engaged in outreach to Native American tribes in Wyoming and nationally, to provide information about the Native American Education, Research and Cultural Center, and the university’s Summer Institute. Trustee Brad LaCroix requested a copy of the presentation to share with K-12 school districts.

AGENDA ITEM TITLE: COVID-19 Update, Seidel

MINUTES OF THE MEETING:

President Ed Seidel provided the Board an update on the university’s response to COVID-19, sharing information about the number of active cases among the university community. President Seidel stated that Albany County is one of the counties in Wyoming with the lowest number of active COVID cases. President Seidel reported COVID-19 vaccines were available to all university employees as of March 8, 2021, and that UW’s Vaccination Working Group has been cooperating with Albany County and Iverson Memorial Hospital to offer vaccination clinics, and working toward making student vaccine clinics available soon. President Seidel stated that in response to constituent support for an in-person graduation experience, the university has made

plans to conduct its 2021 spring commencement with four hybrid virtual/in person graduations. President Seidel reported that of the 1,800 students graduating in the spring, to date 750 students have requested to participate in an in person component of their graduation ceremony. President Seidel extended congratulations to the various teams' responsible for the planning and coordination necessary to provide this experience. President Seidel stated that in response to the Boards request at its March 10, 2021, "Special" meeting, UW has adjusted its initial plan to allow students and faculty the option of continuing in-person experiences after Spring Break. President Seidel concluded his report by saying that UW is preparing for a more in-person fall semester, with 79% of courses currently scheduled for face to face delivery in the fall 2021 semester.

Trustee David Fall expressed his support for a more in person student experience. In response to his inquiry about faculty and staff vaccination uptake, Vice President and General Counsel Tara Evans discussed the employee online access to voluntary vaccination reporting. Evans went on to discuss university marketing campaigns promoting vaccine uptake.

In response to inquiry from Trustee Carol Linton, President Seidel discussed the process of faculty opt-in with regard to in person course delivery. Interim Provost Anne Alexander went on to describe that there was an emphasis on smaller first year, senior level, and graduate level courses due to the ability to follow COVID-19 in person distancing requirements.

Trustee Macey Moore expressed her gratitude for the work to expand options for in person experiences. In response to inquiry from Trustee Moore, Dean of Students and Associate Vice President for Student Affairs Ryan O'Neil discussed the COVID-19 pass, and explained testing compliance for students.

Trustee Kermit Brown discussed the difficulty predicting future course delivery and residential preferences as the university discusses new UW Campus Housing. In response, President Seidel suggested the intimate college experience that UW offers may be forced to take on some different forms, further stating changes could include living/learning communities, enhancing online experiences to compliment the trend in higher education as faculty have embraced technologies for hybrid/online experiences.

Trustee Brad Bonner expressed some frustration that parents do not have enough information about the university's plans for the fall semester and stated that it needs to step up communications.

AGENDA ITEM TITLE: Campus Mental Health and Wellness Update,

Alexander/O'Neil/Courtney

MINUTES OF THE MEETING:

Interim Provost Anne Alexander discussed the mental stressors of the COVID-19 pandemic experienced by students, faculty, and staff as the pandemic shifted study, work, and daily engagement to online and socially distanced formats. Alexander described the decline in the health and wellness of the UW community, and through a presentation to the Board on campus mental health and wellness, discussed the work of Academic Affairs to gather information and respond to stresses to members of the university campus during the COVID-19 pandemic. Alexander discussed improvement to communication of campus services available to students and employees,

further describing the Parent Outreach and Mental Health Resource campaign to engage and connect parents to their UW students.

Trustee Carol Linton commend staff for providing creative solutions during the pandemic and in response to Trustee Linton's inquiry, Dean of Students and Associate Vice President for Student Affairs Ryan O'Neil stated that necessary responses to COVID-19 has allowed for implementation of new strategies around support services. Trustee Jeff Marsh thanked O'Neil for her dedication and hard work. Trustee Michelle Sullivan concurred.

AGENDA ITEM TITLE: Financing/Bond Resolution, Theobald/Jewell

MINUTES OF THE MEETING:

Deputy Vice President for Finance David Jewell discussed administration's recommended issuance of Facilities Revenue and Refunding Revenue Bonds Series 2021 (the "Series 2021 Bonds") for the purpose of providing monies to refund all or a portion of the Board's Outstanding Parity Bonds as defined in a proposed Resolution, and as determined by a Pricing Committee, to facilitate the acquisition and purchase of the Bison Village apartment complex and related facilities. Jewell described the debt is anticipated to be structured to consist of tax-exempt revenue bonds. The Series 2021 Bonds shall mature no later than June 1, 2044 and shall bear interest at a rate or rates resulting in a true interest cost of not to exceed 4.000%. Jewell stated the proposed Resolution authorizes and designates the Pricing Committee to pursue a competitive or negotiated sale by means of a public offering, limited public offering or pursuant to a private or direct placement pursuant to the terms of a bond purchase agreement or a notice of sale. Representatives from the University's bond counsel, Kutak Rock LLP and financial advisors, PFM Financial Advisors LLC, were available to respond to questions from the Board. Chairman Trustee Marsh appointed Trustees John McKinley and Macey Moore to the Bond Pricing Committee.

Financing/Bond Resolution

Approved 3-25-2021 @ 10:26 a.m.

Trustee Macey Moore moved the Board authorize administration to approve and adopt: "A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$83,000,000 OF THE TRUSTEES OF THE UNIVERSITY OF WYOMING, FACILITIES REVENUE AND REFUNDING REVENUE BONDS, SERIES 2021, IN ONE OR MORE SERIES FOR THE PURPOSE OF THE ACQUISITION OF CERTAIN PROPERTY AND FACILITIES DESCRIBED HEREIN AND FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE BONDS SELECTED BY THE PRICING COMMITTEE AND/OR THE ISSUER REPRESENTATIVE, PURSUANT TO W.S. 21-17-402 THROUGH 21-17-450, PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH SERIES 2021 BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH." Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

AGENDA ITEM TITLE: Spring Enrollment Census Day Report, Moore

MINUTES OF THE MEETING:

Associate Vice Provost for Enrollment Management Kyle Moore presented the Spring Enrollment Census Day Report. Moore discussed enrollment figures that included total headcount, transfer student headcount, student credit hours, first time student headcount, headcount by classification,

first time in state and out of state students and transfer in state and out of state student as of February 10, 2021.

Trustee John McKinley stated that to protect future enrollment, it is very important to have a clear message that the university will have in person classes in the fall. Trustee McKinley further urged for clear communication of this message and the supporting plans as previously stated by Board members during the president's COVID-19 report at this meeting.

Trustee Jeff Marsh stated his sense of the Board's desire is in support of in person classes in the fall to the extent that it is safe. Trustee Macey Moore invited administrator response to how the Board can support better communication of fall semester plans. Moore discussed statewide outreach efforts to include the World Needs More Cowboys campaign, as well as signing day events. Kyle Moore further stated his unit will elevate communication that 79.4% of fall classes will be in-person/traditional. In response to an inquiry made by Trustee Carol Linton regarding the percentage of in person course offerings, Moore reported the percentage of 2021 fall semester in person course format is slightly higher than what was offered in fall of 2019.

Associate Vice President of Communications and Marketing Chad Baldwin reported on the efforts of communicating the return to a more traditional semester. Baldwin expressed support for communicating specifics to the university community. President Seidel discussed the potential impact of a video, and other campaign measures to support momentum for a fall opening. Prompted by Trustee Brad Bonner, there was Board discussion around the efficacy of using various advertising channels. Trustee Brad LaCroix invited President Seidel to address K-12 School Superintendents to discuss the university's fall semester plans.

AGENDA ITEM TITLE: Enrollment Management Plan to include Financial Aid, Recruitment Marketing Plan, and Transfer Initiatives (FY23) (approval at May meeting),
Moore/Courtney/Jewell

MINUTES OF THE MEETING:

Associate Vice Provost for Enrollment Management Kyle Moore discussed student recruitment and retention efforts and how these dovetail with a 2022/2023 financial aid strategy. Moore provided a summary of the financial aid strategy approved by the Board at its July 2019 meeting for the 2020-21 academic year. Associate Vice Provost and Dean of Student Success Nycole Courtney provided narrative to *Student Recruitment and Retention Efforts 2020-21* as presented to the Board. This presentation discussed the scope and examples of recruitment and retention efforts leading to the 2021 fall enrollment. Courtney provided examples of digital ads, communication plans and new initiatives for increasing recruitment and retention.

Trustee Elizabeth Greenwood inquired whether testimonies from successful alumni would be a useful recruitment tool, and suggested a "Why Wyoming" campaign to promote success stories. In response, Associate Vice President of Communications and Marketing Chad Baldwin updated Trustee Greenwood on current UW campaign efforts to include the World Needs More Cowboys, and offered to provide new Trustees with links to campaign videos. Courtney reported on an upcoming project that would focus on student connection while enrolled at the university, and opportunity beyond graduation.

Trustee Michelle Sullivan discussed aspiration for the student experience to align with how the university is presented in its campaigns. Trustee Sullivan further expressed the importance of

providing student the experience that they expect. Trustee Sullivan went on to discuss contemplating opportunities to incentivize interconnection and community. Trustee Sullivan stated the need to support young people with personal connections post COVID-19.

Trustee Kermit Brown stated that State Senator Cale Case has championed work to remedy the lack of Wyoming news reach to in the far western and eastern areas of the state, but there are portions of the state that do not receive Wyoming news and radio and recommended special outreach to these areas. In response to inquiry from President Seidel, Chad Baldwin stated that digital advertising is targeted toward specific in state demographics. Baldwin further spoke to various opportunities through small nontraditional news channels. Trustee Brad LaCroix discussed the benefits of in person the World Needs More Cowboys events across the state.

AGENDA ITEM TITLE: Strategic Scenario Planning Update, Alexander
MINUTES OF THE MEETING:

Interim Provost Anne Alexander provided the Board a brief progress update on the university's strategic scenario planning in response to budget reductions. Alexander reminded the Board of the goals to the exercise, which will create the foundation to a strategic plan. Alexander described the exploration of President Seidel's four pillars (to become more inclusive, digital, interdisciplinary, and entrepreneurial) and ways to be responsive to the needs of the state as the institution reorganizes in response to budget reductions, while staying true to the institution's mission. Alexander described the commitment to student experience and success throughout the process and discussed the results of surveys and collection of feedback from the Strategic Scenario Planning listening Sessions. Alexander described the timeline of the portfolio review.

Trustee Macey Moore discussed the strategic planning listening sessions and the benefit of information gathering, and stated consistent themes about the value of education at UW were made clear. President Seidel expressed gratitude to Alexander for leading the strategic scenario planning, further stating that some of the work toward new idea generation has been productive so far, but will continue well past May 2021.

AGENDA ITEM TITLE: Biennium Budget Committee, McKinley/Jewell
MINUTES OF THE MEETING:

Trustee John McKinley reported on the work of the Biennium Budget Committee and provided an update on the discussion of UW Campus Housing. The committee requested administration provide interrelated timelines on bond financing and construction accompanied by a schedule of required decisions. Trustee McKinley reported the committee revisited the discussion of the horse boarding facility that took place at the January 2021 Board meeting, and further considered associated student fees. In response to inquiry from Trustee Carol Linton, Trustee McKinley provided background of the decision-making around appropriate horse boarding fees. Trustee McKinley reminded the Board that the state legislature provided funding for the horse boarding facility, and stated that it would be prudent for the marginal cost to be charged. Trustee Kermit Brown stated his comfort with the proposed \$80.00 monthly fee. Trustee Brown further described the legislative appropriation for the facility fell short of cost. Trustee Brown discussed the ongoing legislative appropriation for the UW rodeo team. Trustee Dave True clarified the committee's recommendation is for one year with a request for a re-examination of the topic in January 2022.

Trustee McKinley provided an update on the capital construction report and stated state capital construction requests will be finalized in May, presented to the Biennium Budget Committee, and then to the Board. Trustee McKinley reviewed the timeline for the May FY22 budget hearings, stating he anticipated a balanced budget at the conclusion of the hearings. Trustee McKinley reported the committee received an update on FY22/23 financial aid strategy, and would revisit the topic in May.

FY2022 Horse Boarding Facility Fee Proposal

Approved 3-25-2021 @ 11:47 a.m.

Trustee John McKinley moved the Board adopt the proposed FY 2022 fee schedule for the horse boarding facility at \$80 per stall per month. Trustee Laura Schmid-Pizzato seconded the motion. The motion passed with a unanimous decision.

Special Projects Reserve Request: Gift/Endowment Matching Funds

Approved 3-25-2021 @ 12:01 p.m.

Trustee John McKinley moved the Board authorize administration to utilize \$1,345,100 of the previously committed funds for matching purposes. Trustee Laura Schmid-Pizzato seconded the motion. The motion passed with a unanimous decision.

AGENDA ITEM TITLE: UW Campus Housing, McKinley/Mai/Newman

MINUTES OF THE MEETING:

Trustee McKinley encouraged the Board to review the presentations provided, and discussed various UW Campus Housing design recommendations from the Exterior Design Advisory Committee (EDAC) on UW Campus Housing to include consideration of the inclusion of a roof deck on the dining facility. Trustee McKinley reported these recommendations and other considerations would be addressed at the Facilities Contracting Committee meeting on April 8, 2021, with a recommendation to the full Board at its May 2021 meeting. Trustee McKinley drew the Board's attention to details related to the housing interior as outlined in the Board materials, providing further update on the Iverson Parking Garage, the 15th Street transit facility, and Lewis Street corridor landscaping. Director of Planning and Design Matt Newman expressed his thanks to Student Affairs, Academic Affairs, and Residence Life for their contribution of information in the presentation.

AGENDA ITEM TITLE: Academic and Student Affairs Committee, Sullivan

MINUTES OF THE MEETING:

Trustee Michelle Sullivan provide an update on the work of the committee, and reported on the committees' discussion of inclusive excellence and "lived" student experiences at UW with Chief Diversity Officer Emily Monago. Trustee Sullivan stressed the importance to investigating ways to continue to develop and cultivate connection across the UW community. Trustee Sullivan described information received from Vice Provost Tami Benham-Deal about the recently established Think Tank charged with exploring ways that UW can support faculty in during the COVID-19 pandemic. Trustee Sullivan reported conversations focused on the tenure and promotion process and creative and research activities, and identifying and addressing the inequity of demands on faculty who are primary caregivers. Trustee Sullivan concluded her report stating the committee received information on proposed revisions to UW Regulation 2-5 (Establishment of a Flexible, Faculty Approved Teacher Effectiveness Evaluating System).

AGENDA ITEM TITLE: Facilities Contracting Committee, McKinley
MINUTES OF THE MEETING:

Trustee John McKinley reported the Facilities Committee will meet April 8, 2021, to discuss UW Campus Housing. Trustee McKinley stated that at its May 2021 meeting, the committee will discuss the capital construction project priority list, and receive an update on the AMK Ranch, and address the corresponding construction and a funding requests for the upcoming construction season.

Budget/Delivery Method- Central Energy Plant, Cooling Tower and Sump Pump Upgrades
Approved 3-25-2021 @ 1:16 p.m.

Trustee John McKinley moved the Board approve to authorize administration to proceed with design and advertising of the Central Energy Plant chiller upgrade project funded via major maintenance with a design-bid-build delivery method, with a budget not to exceed \$3,000,000. Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

Architect Amendment and Guaranteed Maximum Price- Bus Maintenance Facility
Approved 3-25-2021 @ 1:17 p.m.

Trustee John McKinley moved the Board approve to authorize administration to execute a contract amendment establishing the guaranteed maximum price with GH Phipps Wyoming, Inc. not to exceed \$5,989,703.00. Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

Architect Amendment and Guaranteed Maximum Price- Bus Maintenance Facility
Approved 3-25-2021 @ 1:19 p.m.

Trustee John McKinley moved the Board approve execution of an architect amendment with Plan One Architects in the amount of \$75,000.00 for the revised design and construction phases of the project. Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

Science Initiative Building Change Order-Utility Consumption
Approved 3-25-2021 @ 1:20 p.m.

Trustee John McKinley moved the Board approve execution of the CMAR contract change order with GE Johnson Construction Company of Wyoming in the amount of \$314,083. Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

Change Order for Science Initiative- Research Requested Lab Scope Change
Approved 3-25-2021 @ 1:21 p.m.

Trustee John McKinley moved the Board approve execution of the CMAR contract change order with GE Johnson Construction Company of Wyoming in the amount of \$110,635.00. Trustee Brad LaCroix seconded the motion. The motion passed with a unanimous decision.

Change Order for Science Initiative- Lewis Street Project
Approved 3-25-2021 @ 1:22 p.m.

Trustee John McKinley moved the Board approve to proceed with Phase 1 of the Lewis St. landscaping project and execute a contract change order to the Science Initiative CMAR agreement with GE Johnson Construction Company of Wyoming in the amount of \$3,586,303.00. Trustee Brad LaCroix seconded the motion. The motion passed with a unanimous decision.

In response to request from Trustee Jeff Marsh, Trustee McKinley stated funding sources for change order items are all within the construction budget for each project. Trustee McKinley stated the Lewis Street Corridor funding is derived from a variety of project sources to address the Lewis Street landscaping as a whole.

Trustee McKinley provided background on the MOU between the University of Wyoming and the City regarding Lewis street infrastructure and the Board's authority.

Amendment No. 1 to the MOU between the University of Wyoming and the City (Lewis Street Infrastructure)

Approved 3-25-2021 @ 1:27 p.m.

Trustee John McKinley moved the Board approve to authorize administration to execute the Amendment No. 1 to the MOU between the University of Wyoming and the City with regard to Lewis Street Infrastructure. Trustee Kermit Brown seconded the motion. The motion passed with a unanimous decision.

Wyoming and Pilot Hill, Inc.

Approved 3-25-2021 @ 1:33 p.m.

Trustee John McKinley moved the Board approve to execute the Land Access and Use Agreement and Management Agreement between University of Wyoming and Pilot Hill, Inc. Trustee Brad LaCroix seconded the motion. The motion carried. Trustee Kermit Brown abstained from the vote.

Amendment No. 2 to the Agreement between the City of Laramie, Wyoming and the University of Wyoming Regarding Jacoby Golf Course

Approved 3-25-2021 @ 1:35 p.m.

Trustee John McKinley moved the Board approve to execute Amendment No. 2 to the Agreement between the City of Laramie, Wyoming and the University of Wyoming Regarding Jacoby Golf Course as negotiated by administration. Trustee Elizabeth Greenwood seconded the motion. The motion passed with a unanimous decision.

Routine Architectural Amendments

Approved 3-25-2021 @ 1:36 p.m.

Trustee John McKinley moved the Board approve of the change of scope items on page 37 of the Facilities Contracting Committee executive session materials recognizing that the dollar amounts will be covered out of owners' contingency. Trustee Dave True seconded the motion. The motion passed with a unanimous decision.

AGENDA ITEM TITLE: Fiscal and Legal Affairs Committee, Moore

MINUTES OF THE MEETING:

Trustee Macey Moore provided the Board an update on the committee's review of internal audit activity to include audits of the Athletics business office and the Haub School of Environment and Natural Resources change management. Trustee Moore stated the committee received information from Vice President and General Counsel Tara Evans related to Enterprise Risk Management. Trustee Moore discussed the committees' receipt of information regarding subrecipient monitoring process and procedures, the bond issue review and closed her report describing the single audit corrective action plan. In response to request for clarification from Trustee Jeff Marsh, Trustee

Moore stated the committee reviewed the UW Series 2021 Plan of Finance Presentation and the UW Facilities and Refunding Revenue Bond Series 2021. Trustee Brad Bonner stated the football attendance audit had been waived due to the COVID-19 pandemic.

AGENDA ITEM TITLE: Honorary Degrees and Awards Committee, Sullivan

MINUTES OF THE MEETING:

Trustee Michelle Sullivan reported the committee met to discuss award recommendations that will be brought to the Board at its May 2021 meeting. Trustee Sullivan described the disrupted schedule conferring Honorary Degrees due to the COVID-19 pandemic.

AGENDA ITEM TITLE: Legislative Relations Committee, Brown

MINUTES OF THE MEETING:

Trustee Kermit Brown stated the committee met in closed session to discuss the progression of legislation during the 2021 General Session. Trustee Brown provided a brief update on HB 198 University Water System, stating that Associate Vice President of Communications and Marketing Chad Baldwin will be submitting an op-ed outlining the university's position. In response to Trustee Dave True, Trustee Brown advised that latitude for the Legislative Relations Committee to respond without Board approval should be restated.

AGENDA ITEM TITLE: Research and Economic Development Committee, Fall

MINUTES OF THE MEETING:

Trustee David Fall provided the Board a report on committee discussions around the Office of Research and Economic Development workforce requirements and budget implications. Trustee Fall stated the UW Regulation 9-2 working group took a comprehensive look at what the institution needs to provide a robust research enterprise on this campus and reports a need for 43 new positions across campus. Trustee Fall reported the committee received and update on the university's electronic Research Administration systems (eRA). Other updates were provided to the committee on the progress of the Wyoming Innovation Network (WIN), and the work of the Interdisciplinary and Entrepreneurship Pillar Teams. Trustee Fall discussed the ongoing conversations with UCAR leadership, federal agencies including the National Science Foundation, as well as computing companies and potential national lab partners. Trustee Fall went on to discuss the Federal Endless Frontier Act (EFA), a bipartisan bill in Congress that majority leader Schumer and Senator Young are co-sponsoring, proposing to invest \$100 billion dollars over a five year period to create a new Technology Directorate for the designation of regional technology hubs that are centered in urban areas.

Trustee Carol Linton provided further comment related to the EFA. In response, President Seidel provided information about the work of the WIN toward reeducating adults who may need to transfer skills, stating community colleges being crucial to these efforts. President Seidel stated his support of growing the research unit at the university.

AGENDA ITEM TITLE: Vice President and Dean Search Committee, Schmid-Pizzato

MINUTES OF THE MEETING:

Trustee Laura Schmid-Pizzato provided the Board an update on ongoing searches. Trustee Schmid-Pizzato reported Senior Vice President for Academic Affairs and Provost Kevin Carman starts in his role on or before July 1, 2021. She stated the search for Dean of the College of Engineering and Applied Science will begin in the fall of 2023. Trustee Schmid-Pizzato reported

there were four finalists for Dean of the College of Education, and the search for Dean of the College of Business will begin in the fall of 2022.

AGENDA ITEM TITLE: UW Regulation Review Committee, Brown

MINUTES OF THE MEETING:

Vice President and General Counsel Tara Evans reported on the extensive and collaborative review process of UW Regulation 2-10 (Post Tenure Review). Evans stated that no feedback was received on review of UW Regulation 2-205 (Student Records and FERPA).

Approval of modifications to UW Regulation 2-10 (Post-Tenure Review)

Approved 3-25-2021 @ 2:27 p.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 2-10 (Post-Tenure Review) as presented to the Board. Trustee Brad Bonner seconded the motion. The motion passed with a unanimous decision.

Approval of modifications to UW Regulation 2-205 (Student Records and FERPA)

Approved 3-25-2021 @ 2:28 p.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 2-205 (Students Records and FERPA) as presented to the Board. Trustee Elizabeth Greenwood seconded the motion. The motion passed with a unanimous decision.

Thursday, March 25, 2021

Business Meeting

Via Video Conference

Roll Call

The business meeting was called to order at 2:29 p.m. Deputy Secretary, UW Board of Trustees RoseMarie London took roll.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Brad LaCroix, Elizabeth Greenwood, Carol Linton, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan and Dave True. Ex officio Trustees participating: University President Ed Seidel, ASUW President Riley Talamantes, and Wyoming Community College Commission Executive Director Sandy Caldwell. State Superintendent for Public Instruction Jillian Balow was not in attendance. Department of Education Chief Policy Office Kari Eakins attended on her behalf. Governor Mark Gordon was not in attendance. Senior Policy Advisor Lachelle Brant attending on his behalf.

Reports

ASUW Report, Talamantes

ASUW President Riley Talamantes provided a report to the Board describing ASUW activities to include follow up discussion regarding ASUW support for Deferred Action for Childhood Arrivals (DACA) students at the university. Talamantes stated that with assistance from the UW Foundation and collaboration with the International Students and Scholars Office, ASUW will launch a You Fund campaign to fundraise for an endowed scholarship for students who are not citizens of the United States. Talamantes provided update on ASUW scholarship awards, and ongoing projects with the Food Security task force. Talamantes stated the task force initiatives

have been funded through ASUW's budget allocating \$42,000 from Student Success Priorities and has been the primary budget for the Food Share Pantry this fiscal year. Talamantes went on to discuss collaboration with the women on the College Panhellenic Council to host a women in leadership event. Talamantes closed her report summarizing the thoughtful discussions between ASUW and President Seidel about creating a welcoming environment to all students at UW. Talamantes provided information about the April 7, 2021, Town Hall with students and President Seidel to encourage dialogue about experiences as a student on campus.

Staff Senate Report, Stratton

A report from President of Staff Senate Christopher Stratton was not provided.

Faculty Senate Report, Michalak

Faculty Senate Chairman Rudi Michalak provided a summary of the Senate's work toward a recommendation to President Ed Seidel related to modification of UW Regulation 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance). Michalak stated the faculty senate prefers to not modify UW Regulation 2-13 as such is perceived as an "attack on tenure".

Trustee Marsh discussed efforts in response to budget reductions and provided assurance the institution is trying to respond to the budget reductions in the most responsible way possible. In response to inquiry from Trustee McKinley, Michalak clarified the faculty perception of an attack on tenure is in response to the proposed modifications to Regulation 2-13.

Public Testimony *[Scheduled for Thursday, March 25, 11:15 – 11:30 a.m.]*

Committee of the Whole

Board Committee Reports *[Scheduled for Thursday, March 25, 1:30 p.m.]*

Liaisons to Other Boards

Written reports were provided to the Board in advance of the meeting and can be found on the University of Wyoming Board of Trustees website.

OTHER ACTION TAKEN DURING MEETING:

Approval of the Minutes

Approved 3-25-2021 @ 2:29 p.m.

Trustee Macey Moore moved the Board approve the Feb 17, 2021, UW Board of Trustee Conference Call Meeting, March 3, 2021, UW Board of Trustees "Special" Meeting, and March 10, 2021, UW Board of Trustees "Special" Meeting minutes. Trustee David Fall seconded the motion. The motion carried unanimously.

Recognition of outgoing Trustees

Trustee Jeff Marsh awarded former Trustee Mel Baldwin a certificate of gratitude and appreciation for his service to the Board. Trustee Mel Baldwin provided a brief statement of gratitude to fellow members of the Board and of his appreciation for the opportunity to serve.

Trustee Jeff Marsh awarded former Trustee Dick Scarlett a certificate of gratitude and appreciation for his service to the Board. In a statement to the Board, Trustee Dick Scarlett stated he had learned of the Governor's decision not to reappoint him to the Board by way of a press release from the Office of the Governor. Trustee Scarlett stated that it was not his decision to not serve for a second term, further expressing disappointment in what he felt was the Office of the Governor's lack of courtesy. Trustee Scarlett expressed his appreciation for his fellow Board members, and the support of Deputy Secretary RoseMarie London and IT Specialist Lisa Stafford. Trustee Scarlett discussed his long history and association with the University of Wyoming, and the successful initiatives he shepherded on behalf of the university as a member of the Board. He acknowledged the current Trustee officers and their difficult job ahead.

Introduction of New Trustees Carol Linton and Elizabeth Greenwood.

Trustee Marsh invited Trustees Linton and Greenwood to address the Board.

Introduction of Provost and Senior Vice President for Academic Affairs Kevin Carman.

President Seidel thanked outgoing Trustees Mel Baldwin and Dick Scarlett and welcomed new Trustees Greenwood and Linton. President Seidel moved on to introduce incoming Senior Vice President for Academic Affairs and Provost Kevin Carman providing summary biographical and career information.

Kevin Carman addressed the Board provided a summary of his early goals in his role at UW. President Seidel expressed great appreciation to the work of Anne Alexander in her role as Interim Provost. Trustee Jeff Marsh concurred and asked Alexander accept the gratitude of the Board. Carman remarked how gracious and supportive Alexander has been, and that he has invited her to continue on as a member of his leadership team.

Annual Election of Officers

Trustee Macey Moore provided the Nominating Committee's recommendation for the election of UW Board of Trustees Officers. Newly elected Officers will assume their positions on May 1, 2021.

Annual Election of Officers

Approved 3-25-21 @ 1:59 p.m.

Board Officer Nominations Trustee Brad Bonner moved to submit a unanimous ballot as follows: Trustee Jeff Marsh for UW Board of Trustees Chairman, Trustee John McKinley for Vice Chairman and Trustee Kermit Brown for Treasurer, and Trustee Michelle Sullivan for Secretary. Trustee David Fall seconded the motion. The motion passed with a unanimous decision via roll call vote.

Approval of Contracts and Grants Report

Approved 3-25-2021 @ 3:44 p.m.

Trustee David Fall moved the Board approve the Contract and Grants Report as presented to the Board. Trustee Laura Schmid-Pizzato seconded the motion. The motion passed. Trustee Brad LaCroix was absent for the vote.

Fall Semester COVID-19 Board of Trustees Resolution

Approved 3-25-2021 @ 4:25 p.m.

At 3:39 p.m. Trustee David Fall moved to approve A RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF WYOMING:

WHEREAS, the Board of Trustees of the University of Wyoming recognizes the need to continue monitoring the impact of COVID-19 in Wyoming and to adhere to the public health guidelines and directives from the state and federal governments; and

WHEREAS, the Board recognizes the extraordinary work that the University and the President have done to navigate and manage the global pandemic;

WHEREAS, the Board supports the University's intent to return to safe in person instruction; and

WHEREAS, the Board believes in person instruction maximizes the well-being and mental health of each student and the continued success of Wyoming students;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF WYOMING THAT the Board directs the President to fully reopen the University to students, faculty and staff for the fall 2021 semester consistent with the health policy guidelines and directives of the state and federal governments regarding the COVID-19 policy;

BE IT FURTHER RESOLVED THAT the Board directs the President to ensure that at least 75 percent of all student credit hours taught in each College or School are delivered via in person course/instruction; and

BE IT FURTHER RESOLVED THAT the Board directs the President to define in person course/instruction as a minimum of 90 percent of instructional hours have a physical in person component; and

BE IT FURTHER RESOLVED THAT implementation of this resolution shall do no harm toward a student's progression towards a degree; and

BE IT FURTHER RESOLVED THAT the Board directs University administration to continue to respond to and provide for any reasonable requests for personal protective equipment for students, faculty, and staff; and

BE IT FURTHER RESOLVED THAT the Board directs University administration to continue the scheduling of space to allow for meeting any distancing and cleaning requirements and guidelines of the state and federal governments regarding the COVID-19 policy; and

BE IT FURTHER RESOLVED THAT the Board directs University administration to continue to meet the requirements of all relevant employment laws and regulations, including the Americans with Disabilities Act; and

BE IT FURTHER RESOLVED THAT should the President encounter any challenges in meeting the requirements of this resolution, they may bring any requests or needs to the Board of Trustees at a regular or special meeting.

Trustee Brad Bonner seconded the motion.

At 4:04 p.m. Trustee Brown moved to amend the motion as follows: The motion to resolve the UW Board of Trustees directs the president to open the University of Wyoming to full in person activities as soon as the science warrants as determined by the president.

The seconder of the main motion Trustee Brad Bonner approved the amendment.

Trustee Michelle Sullivan suggested Trustee Brown amend his amendment to maintain the main motion's "whereas's" and the first "therefore" and delete the balance of the resolution.

At 4:16 p.m. Trustee Brown moved to revise the amendment to the main motion as follows:
A RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF WYOMING

WHEREAS, the Board of Trustees of the University of Wyoming recognizes the need to continue monitoring the impact of COVID-19 in Wyoming and to adhere to the public health guidelines and directives from the state and federal governments; and

WHEREAS, the Board recognizes the extraordinary work that the University and the President have done to navigate and manage the global pandemic;

WHEREAS, the Board supports the University's intent to return to safe in person instruction; and

WHEREAS, the Board believes in person instruction maximizes the well-being and mental health of each student and the continued success of Wyoming students;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF WYOMING THAT the Board directs the President to fully reopen the University to students, faculty and staff consistent with the health policy guidelines and directives of the state and federal governments regarding COVID-19.

Trustee Brad Bonner seconded motion on the amendment.

At 4:24 p.m. Trustee McKinley called for the question on the amendment. The revised amendment carried. Back on the main motion. At 4:25 p.m. Trustee Marsh called for the question on the main motion as amended. The motion passed. Trustee Brad LaCroix not present for the vote.

Personnel Report

Approved 3-25-2021 @ 4:28 p.m.

Trustee Michelle Sullivan moved the Board approve the personnel report as provided to the Board. Trustee Macey Moore seconded the motion. The motion passed. Trustee Brad LaCroix was absent for the vote.

Litigation

Approved 3-25-2021 @ 4:29 p.m.

Trustee Brad Bonner moved the Board authorize general counsel to proceed on the matter as discussed by the Board during executive session. Trustee David Fall second the motion. The motion passed. Trustee Brad LaCroix was absent for the vote.

New Business

There was no new business.

Date of Next Meeting

April 14, 2021 (conference call)

Adjournment

The meeting adjourned at 4:31 p.m.

Executive Session Information

[The UW Board of Trustees met in Executive Session on Thursday, March 25, 2021, via video conference; there was no physical location due to COVID-19.]

Executive Session

Thursday, March 25, 2021

7:30 a.m.

Via Video Conference

The University of Wyoming Board of Trustees called the meeting to order at 7:02 a.m. Trustee Michelle Sullivan moved for the Board to enter into Executive Session for the purpose of:

- 1) Matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party under Wyoming Statute 16-4-405(a)(iii);
- 2) Receiving information classified as confidential by law under Wyoming Statute 16-4-405(a)(ix); and
- 3) To consider the appointment, employment, right to practice or dismissal of a public employee and to consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations (16-4-405(a)(ii) and 16-4-405(a)(x))

The Executive Session was attended by the 12 voting members of the UW Board of Trustees, Ex-officio members, and UW administrators and staff as appropriate. Trustee Elizabeth Greenwood seconded the motion. The motion passed with a unanimous decision. The Board entered into Executive Session at 7:06 a.m.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Elizabeth Greenwood, Brad LaCroix, Carol Linton, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Ex-officio Trustees UW President Ed Seidel, ASUW President Riley Talamantes, and Director of Wyoming Community College Commission Sandy Caldwell were in attendance. Governor Mark Gordon was not in attendance; Senior Policy Advisor Lachelle Brant attended on his behalf. State Superintendent of Public Instruction Jillian Balow was not in attendance, Wyoming Department of Education Chief Policy Officer Kari Eakins attending on her behalf.

Vice President and General Counsel Tara Evans, Deputy General Counsel Paula Whaley, UW Board of Trustees Deputy Secretary RoseMarie London, and IT Specialist Lisa Stafford attended the entirety of the meeting. The following administrators and external individuals attended during their respective agenda items: Athletic Director Tom Burman, Senior Vice President Neil Theobald, Interim Vice President for Governmental and Community Affairs Bill Mai, Interim Provost Anne Alexander, Vice Provost Tami Benham-Deal, and Outside Counsel Rob Jarosh.

Respectfully submitted,



RoseMarie London
Deputy Secretary,
UW Board of Trustees