

**THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES**

October 21, 1988

**For the confidential information
of the Board of Trustee**

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THE UNIVERSITY OF WYOMING

Minutes of the Trustees
October 21, 1988

A regular meeting of the Trustees of the University of Wyoming was called to order by President Bussart at 2:30 p.m. on October 21, 1988 in the Board Room at Western Wyoming College in Rock Springs. Committee meetings and an Executive Session dealing with legal and personnel matters were held earlier in the day.

ROLL CALL

The following Trustees were in attendance:

Bussart, Dray, Hinckley, Kirk, Mickelson, Rochelle, Schutte, Sharratt, Updike, and ex officio members Roark, Simons, and Skiles. Trustees Chapin, Miracle, Schuster, and ex officio member Governor Sullivan were not present.

APPROVAL OF MINUTES

President Bussart asked if there were any

corrections or additions to the minutes of the meeting of September 16, 1988. There were no corrections or additions, and Mr. Hinckley moved that the minutes of September 16, 1988, be approved as circulated. Mr. Rochelle seconded the motion, and it carried.

RATIFICATION OF EXECUTIVE
COMMITTEE ACTION ON
SEPTEMBER 22, 1988

President Bussart reported on the conference
telephone meeting of the Executive Committee

of the Trustees which was held on September 22, 1988, with committee members Bussart, Dray, Hinckley and Updike participating. Committee member Brian Miracle was absent. Also participating were Trustee Chapin, Vice President Baccari, Special Assistant Baker, and Laramie attorney David Nicholas.

The telephone conference call was made at the request of Mr. Baccari to address the need to proceed immediately with the design and development of architectural and engineering plans for the relocation of the University's stock farm, and the apparent delay in completing this work created by the Trustees' September 16, 1988 action requiring receipt of an acceptable title report from

the City of Laramie. Mr. Baccari reported that the 1988 legislative appropriation for stock farm planning included instructions that construction bids shall be sought during 1988 with the bid opening timed such that the successful bidder is known prior to the 1989 legislative session. The University will not meet the legislative directive to identify the successful bidder for relocation of the stock farm unless work to develop plans and construction documents is begun immediately. The Trustee action of September 16 to retain Gorder/South Group for architectural/engineering services, Chen and Associates for geotechnical services and Hammond Land Surveying for surveying services for the stock farm relocation project was subject to receipt of an acceptable title report for the property donated by the City of Laramie. Receipt of the report is still pending, and consequently the University is unable to proceed with the project.

President Bussart noted that a lengthy discussion followed that addressed numerous issues concerning the City of Laramie's transfer of title to the University, as well as the provisions of the 1988 Appropriations Act regarding the expenditure of the \$150,000 appropriation for stock farm planning. The discussion ended with a conclusion that the University should continue to act in good faith and proceed with the project, recognizing that some risk might be involved. It was further noted that only a portion of the \$150,000 appropriation will be expended before the Trustees have an opportunity to review the Executive Committee action for the stock farm relocation at their October 21, 1988 meeting.

The Executive Committee authorized the expenditure of \$150,000 of planning funds for the stock farm relocation, with planning to proceed subject to ratification by the Board of Trustees at their October 21, 1988 meeting.

Mr. Dray moved ratification of the Executive Committee action of October 21, as outlined above. The motion was seconded by Mr. Mickelson, and it carried.

RELOCATION OF UNIVERSITY
OF WYOMING STOCK FARM

It was moved by Mr. Rochelle, seconded by Mrs. Kirk, and carried that the Trustees of the University of Wyoming accept the tender of deed of 900 acres of land from the City of Laramie, with 100 acres of land to be unrestricted and 800 acres of land subject to a lease with an expiration date of 1992, contingent upon receipt of documentation that secures water to make the process operable.

AUTHORIZATION TO EXPEND
PLANNING FUNDS FOR THE
UW STOCK FARM

Upon a motion by Mr. Mickelson, seconded by Mr. Updike, it carried that President Roark be authorized to expend up to \$78,000 in additional planning funds for the relocation of the University of Wyoming Stock Farm, should it be needed.

ACADEMIC ISSUES COMMITTEE

President Bussart called upon Chairperson Kirk for a report from the Academic Issues Committee meeting. Committee members Kirk, Dray, Hinckley, Simons, Skiles and Updike, and ex officio members Bussart and Roark attended the committee meeting, along with other Trustees and University staff. Committee members Miracle, Schuster and Sharratt were not present. Based on the committee meeting, the following recommendation and report was presented to the full Board.

AUTHORIZATION TO ACCEPT
THE MEDICINE BOW POST

Provost Karnig reviewed for members of the Academic Issues Committee the offer of Mr. David Roberts, owner and editor of the Medicine Bow Post, to donate the newspaper as a gift to the University of Wyoming on behalf of the Department of Journalism/Telecommunications in the College of Arts and Sciences. Dr. Karnig noted that the Department of Journalism/Telecommunications wishes to accept the gift so that it can provide students the educational opportunities related to publishing a "real" weekly newspaper. The Post is a "legal" newspaper, meaning that the Department would be obligated to publish at least weekly and that the paper could publish legal notices, a significant source of revenue. This move

to strengthen the educational program in journalism has the endorsement of the Department Head, the Dean of the College, and the Provost.

Questions were raised by some members of the Academic Issues Committee with respect to such matters as student schedules, traveling to Medicine Bow during poor weather conditions, and the actual printing of the newspaper.

During discussion by members of the Academic Issues Committee, Provost Karnig noted that by accepting the newspaper, service would be provided to a community that otherwise would not be receiving such service; and that a unique, innovative educational opportunity would be provided to students.

Based on the Academic Issues Committee's recommendation, it was moved by Mrs. Kirk, seconded by Mr. Hinckley, and carried that Trustees of the University of Wyoming accept the offer of the Medicine Bow Post as a gift to the University of Wyoming.

JOINT JD/MPA DEGREE

As an item for information only, Provost Karnig reported to members of the Academic Issues Committee his authorization to allow students to pursue simultaneously the degrees of Juris Doctor and Master of Public Administration. Dr. Karnig noted that this is an excellent example of inter-college cooperation in that the two responsible faculties (the College of Law and the Department of Political Science in the College of Arts and Sciences) have developed a plan in which credit earned in selected courses will meet requirements in both degree tracks, which should shorten the time needed to earn the two degrees. The JD/MPA proposal was endorsed by the Graduate School Committee and the Academic Planning Committee.

PHYSICAL PLANT AND
EQUIPMENT COMMITTEE

President Bussart called upon acting Chairman Hinckley for a report from the Physical Plant and Equipment Committee meeting. Committee members Hinckley, Kirk, and Rochelle attended the committee meeting, along with other Trustees and University staff. Committee Chairman Chapin and members Schuster and Sharratt were not present. Based on the committee meeting, the following report and recommendations were presented to the full Board.

CAPITAL CONSTRUCTION REQUEST,
1989 LEGISLATIVE SESSION

Vice President Baccari reviewed for members of the Physical Plant and Equipment Committee, the capital construction priority list and recommendations prepared by the Campus Planning Committee for construction priorities.

Mr. Baccari noted that in view of the fact that this is not a budget session, the Committee recommended that only three safety related projects be considered for inclusion in the FY 1990 capital request: 1) Education Building remodel, 2) Regulated Materials Management Center, and 3) OSHA/Fire Marshal. The last item, which was a request for \$500,000 to address various small scale OSHA/Fire Marshal needs was dropped since a like request for \$300,000 was included in the University's Section I budget request for the 1989-1990 biennium that was fully funded by the Legislature.

Details regarding the two remaining requests follow:

- a. Education Building Asbestos \$ 498,925

The Trustees' FY 1989 capital construction request identified the Education Building remodel for \$1,498,500 as the University's highest priority. The 1988 Legislature was able to fund only a portion of this request. Due to the fact the University was faced with closure of the University School in the Education Building, the Legislature appropriated \$843,300 to be used to correct safety related

problems. It did not, however, provide the difference of \$655,500 that was requested to address asbestos problems in the facility. It would be more efficient and economical to correct the safety and asbestos problems simultaneously under one contract. A recent reassessment of the extent of the asbestos problem shows \$498,925 will be needed to address abatement. The original \$600,000 estimate was changed to reflect the new figure.

b. Regulated Materials Management Center \$1,900,000

During the summer of 1988 the Regulated Materials Committee, chaired by Dr. Derek Hodgson, Chemistry Department chairman, met numerous times to fulfill its charge to define the requirements for a suitable regulated materials facility. The final report of the Committee, issued September 13, 1988, recommends the construction of a new facility that contains provisions for waste management as well as a central materials receiving and storage area(s). The committee cited four reasons supporting its recommendation:

- i. The University must move forward to provide a proper facility for the handling, storage, and management of its regulated materials in order to comply with the extensive body of regulations, administered by numerous federal and state agencies, concerning such materials. To delay

creates the potential for greater exposure to risk and fines.

- ii. The present Arts & Sciences chemical storage room, built in 1969, does not comply with current building and fire codes, which have changed significantly since its construction, nor is it economically feasible to modify the present facility. No other suitable facility exists on campus. The only alternative is a new facility.
- iii. The 1988 Uniform Building Code and Fire Code will apply to the construction of a new facility. These codes have been rewritten in their entirety with application to regulated materials usage and storage, and the new facility will be of advanced design.
- iv. The University, with its present quantities of regulated materials waste, is on the borderline between a small and large quantity generator. A license is required for a large quantity generator which, by application, requires the identification of the facilities to be used and a written emergency response plan.

The total amount requested for these two projects is \$2,398,925.

The committee did not recommend any change in the construction priorities list approved by the Trustees on September 19, 1987.

Based on the recommendation of the Physical Plant and Equipment Committee, it was moved by Mr. Hinckley, seconded by Mr. Dray and carried, that the Trustees of the University of Wyoming recommend to the Trustees' Budget Committee that the two safety related capital construction projects described above be submitted to the Governor and the 1989 Legislature.

COMMERCE AND INDUSTRY: Vice President Baccari told members of the
AGREEMENTS FOR SURVEY AND
GEOTECHNICAL SERVICES Physical Plant and Equipment Committee that
the Facilities Planning Office and the Planning Committee for the Commerce and
Industry Addition and Renovation advertised and received four responses of
interest in providing surveying services and three responses of interest in providing the geotechnical services for the project.

Mr. Baccari noted that the evaluation of these firms was based on qualifications of the firm, the firm's personnel, the past quality and quantity of work performed by the firm for the University, the firm's ability and commitment to completing the work based on the University's schedule and the residency of the firm. The Committee ranked the respondents in accordance with this criteria as follows:

Geotechnical Engineering

1. Inberg-Miller Engineers, Cheyenne and Riverton
2. Chen Associates, Casper
3. In-Situ, Inc., Laramie

Land Surveying

1. Steil Surveying Services, Cheyenne
2. Hammond Land Surveying, Laramie
3. Wolz and Associates, Casper
4. Alpha Engineering, Sheridan

Based on the recommendation of the Physical Plant and Equipment Committee, it was moved by Mr. Hinckley, seconded by Mr. Dray, and carried, that the Trustees of the University of Wyoming approve the selection of Inberg-Miller Engineers to provide geotechnical services and Steil Surveying Services to provide land surveying services for the Commerce and Industry Addition and Renovation project; and that the Vice President for Finance be authorized to execute agreements for these professional services based on the industry's standard agreement.

PROGRESS REPORTS AND
CHANGE ORDERS

As a matter of information only, Progress Reports and Change Orders were provided to the members of the Physical Plant and Equipment Committee.

PERSONNEL COMMITTEE

President Bussart called upon Chairman Updike for a report on the Personnel Committee meeting. Committee members Updike, Hinckley, Mickelson, and ex officio members Bussart and Roark attended the Personnel Committee meeting, along with other Trustees and University staff. Committee members Chapin and Schuster were not present. Based on recommendations of the Personnel Committee, Mr. Updike moved approval of the following appointments; adjunct appointments; adjunct reappointment; administrative appointment; administrative reappointment; change in assignment; leave of absence; and retirement. The motion was seconded by Mr. Mickelson, and it carried.

APPOINTMENTS

The following appointments were approved under the conditions cited.

COLLEGE OF ARTS AND SCIENCES

1. Takafumi Saito as Visiting Japanese Exchange Professor of Modern and Classical Languages, effective August 22, 1988 at an annual (9-month) salary rate of \$35,400. This is a non-tenure track appointment.

COLLEGE OF ENGINEERING

2. Henry C. Howell III as Assistant Professor of Electrical Engineering, effective August 22, 1988 at an annual (9-month) salary rate of \$38,004. This is a tenure track appointment.

COLLEGE OF HEALTH SCIENCES

3. Michael C. Meyers as Lecturer of Physical and Health Education, effective August 22, 1988 at an annual (9-month) salary rate of \$28,008. This is a non-tenure track appointment.

UNIVERSITY LIBRARIES

4. Linda S. Shawver as Senior Assistant Librarian, effective September 1, 1988 at an annual (11-month) salary rate of \$21,000. This position is eligible for extended term appointment.

ADJUNCT APPOINTMENTS An adjunct appointment carries no tenure rights or salary. The following adjunct appointments were approved under the conditions cited.

COLLEGE OF HEALTH SCIENCES

1. Michelle M. Singley as Adjunct Assistant Professor of Dental Hygiene for the period October 22, 1988 through October 21, 1991.

DEPARTMENT OF MILITARY SCIENCE

2. Charles W. Hoyt as Adjunct Lecturer of Military Science for the period August 29, 1988 through August 28, 1991.

ADJUNCT REAPPOINTMENT The following faculty member was reappointed to adjunct status. An adjunct reappointment carries no tenure rights or salary.

COLLEGE OF ARTS AND SCIENCES

1. Keith Cottam as Adjunct Professor of Journalism and Telecommunication for the period July 1, 1988 through June 30, 1989.

ADMINISTRATIVE APPOINTMENT

The following administrative appointment was approved as indicated.

COLLEGE OF AGRICULTURE

1. J. Raymond Carpenter as Director of International Agriculture Programs for the period August 1, 1988 through September 30, 1989.

ADMINISTRATIVE REAPPOINTMENT

The following administrative reappointment was approved as indicated.

1. William A. Gern as Head of the Department of Zoology and Physiology for a three-year period effective July 1, 1988.

CHANGE IN ASSIGNMENT

The following change in assignment was approved as indicated.

COLLEGE OF AGRICULTURE

1. Jerrold L. Dodd, Associate Professor of Range Management and Director of International Agriculture Programs, was reassigned as Associate Professor of Range Management effective August 1, 1988.

LEAVE OF ABSENCE

The following leave of absence without pay was granted for the period and under the conditions cited.

1. Peter C. Maxfield, Professor of Law, for the 1989 spring semester, to serve on the staff of Governor Mike Sullivan.

RETIREMENT

The following retirement was approved on the date and under the conditions cited.

<u>Name</u>	<u>Position</u>	<u>Birth Date</u>	<u>Employment Date</u>	<u>Date of Retirement</u>
Diem, Kenneth L.	Professor of Zoology and Physiology; Director, UW-NPS Research Center	4/17/24	9/1/57	1/6/89 with designation as <u>Emeritus</u>

PART-TIME APPOINTMENTS

As a matter of information only, the part-time appointments were reported to the Trustees.

RESIGNATIONS

The following resignations were acknowledged by the Trustees.

1. Kenneth I. Gross, Professor of Mathematics, May 15, 1988.
2. Marilyn Miller, Senior Assistant Librarian, October 14, 1988.
3. Prem C. Pandey, Assistant Professor of Electrical Engineering, December 21, 1988.

It was noted that one faculty member left the University to accept a position at another academic institution and a department headship, one faculty member left because of family concerns, and one faculty member left due to a career move with no increase in salary.

BUDGET COMMITTEE

President Bussart called on Chairman Schutte for a report from the Budget Committee meeting. Committee members Schutte, Dray, Kirk, Mickelson, and ex officio members Bussart and Roark attended the committee meeting, along with other Trustees and University staff. Committee members Chapin, and Schuster were not present. Committee member Sharratt joined the meeting at 11:55 a.m. Based on the committee meeting, the following report and recommendations were presented to the full Board.

FY 1990 SUPPLEMENTAL BUDGET REQUEST, SECTION I (EXPENDITURES FROM GENERAL FUND APPROPRIATION AND CONTINUING GENERAL REVENUE SOURCES, EXCLUDING DEBT SERVICE)

President Roark told members of the Budget Committee that the University of Wyoming is making this budget request when the state is experiencing financial difficulties. President Roark said that although the University is cognizant of what the state problems are, the needs of the University of Wyoming need to be made known publicly.

Vice President Baccari told members of the Budget Committee that the Department of Administration and Fiscal Control issued instructions in September 1988 for the preparation of supplemental budget requests for FY 1989-90. Mr. Baccari noted that the instructions provided that budget requests are to be limited to the following requests:

- Appropriations to support programs that were funded for only one year;
- Emergency or other critical needs that must be funded for approved programs; and
- Reductions to previous appropriations.

The instructions further provided that supplemental budget requests were due in DAFC by October 17, 1988. The University anticipates submitting its budget request immediately following the Trustees' October 21, 1988 meeting.

Based on the Budget Committee's recommendation, it was moved by Mr. Schutte, seconded by Mr. Rochelle, and carried, that the Trustees of the University of Wyoming approve the Section I Supplemental Budget Request for FY 1989-90 with the following amendments. The proposal was reduced by \$900,000 due to the decision to withdraw the request for a new administrative mainframe; the request was increased by \$50,000 for outreach and economic development for an amended total of \$15,481,600 as detailed below:

<u>Priority</u>	<u>Cost</u>
1. Salaries and Related Employer Paid Benefits	
Faculty and Professional staff	\$ 7,937,700
Staff, General and Classified	3,371,900
Part-time, Benefited	<u>571,000</u>
	<u>11,826,600</u>

2.	Scholarships and Student Aid including:	<u>320,000</u>
	Work Study and SEOG Matching Funds, Stauffer Scholarships (Biennial), Vietnam Veteran Scholarships, Summer Institute Scholarships, and Scholarships (Increase in Student Fees-Biennial)	
3.	Campus Computer Needs	<u>670,000</u>
	Uninterruptible Power Supply (one-time expense) Computer Vision-Graphics Center (one-time expense)	
4.	Outreach and Economic Development	<u>1,300,000</u>
5.	Maintain Equipment/Safety Needs focused on Equipment Maintenance, Safety Programs, and Support Services	<u>1,365,000</u>
	TOTAL	\$ <u>15,481,600</u>

*Note: all requests represent continuing costs, unless otherwise noted.

FY 1990 SUPPLEMENTAL BUDGET
REQUEST, SECTION II (EXPENDITURES
FROM GIFTS, GRANTS, CONTRACTS,
AUXILIARY ENTERPRISES, FEES AND
INCOME FOR STUDENT ORGANIZATIONS
AND FUNDS FOR DEBT SERVICE)

Vice President Baccari told members of the
Budget Committee that the 1988 Legislature
approved half of the University's Section II
Biennium Budget request of \$103,889,986,

thereby providing funding for only the first year of the biennium. Mr. Baccari
said that the Legislature took this action due to a lack of understanding of
Section II operations resulting from inadequate supporting documentation for the
budget request. Consequently, the Legislature added a footnote to the
Appropriations Bill directing the University "to return to the legislature by
January 1, 1989, a fully documented and narrated Section II budget which has
been reviewed and approved by the governor." As a result, it is necessary for
the University to submit a Supplemental Budget Request for Section II requesting
funding for the second year of the 1989-1990 Biennium.

Vice President Baccari noted that the University has worked with the State Budget Office and the Legislative Service Office over the past spring and summer reviewing Section II programs and operations and developing a fully documented narrative for this budget. In addition, the University, in conjunction with the State Budget Office, has also prepared a proposal for revising the Section II budget presentation format for the consideration of the JAC.

As a result of the extensive review of Section II, the University is submitting a revised Section II budget request of \$98,295,650. This is \$5,594,336 less than the University's original biennium request of \$103,889,986. The revised budget of \$98,295,650 reflects adjustments to bring the budget in line with past program expenditures, plus reasonable allowances for program growth. The program adjustments that were made to the budget are presented in the following table:

SECTION II
FY 1989-90
BIENNIAL BUDGET REQUEST

<u>Program</u>	<u>FY 1989-90 Orig Request</u>	<u>FY 1989-90 Revised Request</u>	<u>Increase or (Decrease) over Orig Request</u>
Instruction and Research	\$ 47,704,161	\$43,378,000	\$<4,326,161>
Extension & Public Service	3,146,527	5,400,000	2,253,473
Intercollegiate Athletics	985,179	2,531,000	1,545,821
Maintenance, Operation & Repair of Plant	267,167	483,000	215,833
General Services	4,108,937	3,392,000	< 716,937>
Student Services and Student Aid	39,386,999	34,161,000	<5,225,999>
Debt Service	6,891,016	7,850,650	959,634

Capital Expenditures	<u>1,400,000</u>	<u>1,100,000</u>	< 300,000>
Total	<u>\$103,889,986</u>	<u>\$98,295,650</u>	\$<5,594,336>

Based on the Budget Committee's recommendation, it was moved by Mr. Schutte, seconded by Mr. Dray, and carried, that the Trustees of the University of Wyoming approve the FY 1989-90 Supplemental Budget Request for Section II as presented above in the total amount of \$98,295,650.

FY 1990 SUPPLEMENTAL BUDGET REQUEST, SECTION IV (OFFICE OF DEVELOPMENT) Vice President Baccari reviewed for members of the Budget Committee, the Supplemental Budget Request for Section IV.

The Section IV request is built around the necessity for salary increases, as discussed in Section I, and the general fund match for capital construction of the American Heritage Center/Art Museum. Mr. Baccari noted that \$42,497 is requested for salary adjustments for the professional and general staff. The funding will place the positions at the average of the market for their respective functions. Nine of the eleven positions will be included in the state compensation plan, while two will be covered under the professional staff plan.

Vice President Baccari told members of the Budget Committee that \$2,427,275 in state general funds reflects the current unfunded commitment still needed for the American Heritage Center. He said that general fund appropriations of \$2,709,385 are still needed to complete funding from state sources for the Art Museum, and emphasized that while funding can be segmented by each unit, i.e., American Heritage Center or Art Museum, the concept of the American Heritage Center is understood as a single structure which houses the Art Museum.

Based on the Budget Committee's recommendation, it was moved by Mr. Schutte, seconded by Mrs. Kirk, and carried that Trustees of the University of Wyoming

approve the Section IV Supplemental Budget Request as outlined above in the total amount of \$5,179,157.

CAPITAL CONSTRUCTION REQUEST,
1989 LEGISLATIVE SESSION

Based on a recommendation from the Physical Plant and Equipment Committee, it was moved by Mr. Schutte, seconded by Mr. Mickelson, and carried, that Trustees of the University of Wyoming approve the two safety-related capital construction projects to include the Education Building Asbestos in the amount of \$498,925 and the Regulated Materials Management Center in the amount of \$1,900,000 for a total amount of \$2,398,925, and submit this request to the Governor and the 1989 Legislature.

REQUEST TO TRANSFER
FUNDS

Vice President Baccari told members of the Budget Committee that the University is seeking authorization to transfer funds between programs under the transfer authority granted the Trustees by the 1988 Legislature. Specifically, authorization is requested for:

1. Transfer of \$64,000 from the School of Human Medicine to General Services.

In the medical student contract program several stipends will be unused during FY 1989 due to unexpected vacancies in advanced classes and to admitting less than 25 medical contract students in the new class. This request will transfer \$64,000 of the unused funds from the School of Human Medicine program budget to the General Services program budget to fund, in part, the establishment of an Office of Institutional Analysis. The new office will report to the Provost, but yet serve all vice presidencies. The office has a charge to support decision-makers and

decision-making processes with data and information prepared by uniform and consistent methodologies.

2. Transfer of \$36,000 from the School of Human Medicine to the Instruction and Research program.

This request will transfer \$36,000 of unused funds in the School of Human Medicine program budget (see item 1) to the Instruction & Research program budget in order to fund the salaries of part-time students who operate the microcomputer pods on campus.

3. Transfer of \$41,470 and a position line from the Student Affairs and Student Aid program to the General Services program

This request will transfer the salary, employer-paid benefits, and the position line of the Manager, Student Data Services, from the Student Affairs and Student Aid program budget to the General Services program budget. The Manager, Student Data Services will become the Acting Manager of the Office of Institutional Analysis.

Mr. Baccari said the total of these three requests is \$141,470. The total amount transferred this fiscal year under the Trustees' authority, including this request, is \$534,935.

Based on the Budget Committee's recommendation, it was moved by Mr. Schutte, seconded by Mr. Dray, and carried, that the Trustees of the University of Wyoming approve the request to transfer \$141,470 between Section I programs.

ACCEPTANCE OF CONTRACTS,
GRANTS, GIFTS, SCHOLARSHIPS

It was moved by Mr. Schutte, seconded by

Mrs. Kirk, and carried that Trustees of the

University of Wyoming accept contract and grants in the amount of \$1,402,227 for the period August 27, 1988 through September 30, 1988; and gifts and scho-

scholarships in the amount of \$190,850.52 for the period August 26, 1988 through September 29, 1988.

REQUEST FOR PROPOSAL FOR
TRAVEL SERVICES

As an item for discussion, Vice President Baccari reviewed the proposal for travel services with members of the Budget Committee.

Mr. Baccari noted that the University first became interested in travel management in 1985 when it received information on a program at Columbia University that saved the institution \$400,000 by centralizing travel. Columbia had developed a travel management program that included an on-campus travel office, a computerized management reporting system and a tape-to-tape billing system. They also selected a single travel agency to make reservations and issue tickets. The University did not take any steps to implement a travel management program at this time out of concern over the possible impact of centralized travel on local travel agencies.

However, the idea was not forgotten, and in 1987 the University contacted Indiana University for information regarding the request for proposal they had developed to solicit travel services. The information received from Indiana reaffirmed the University's belief that the University could generate travel savings by better management of its travel.

Mr. Baccari said that in March of 1988, Mr. Garry Martin requested information concerning the University's travel. This information was supplied to him, and in turn he provided the University with a proposal outlining a travel management program. The program proposed hiring two full-time and two part-time employees to operate a University travel office that would make employee travel reservations. Travel agencies were utilized under the plan for ticket processing, and it was anticipated that agents would share commissions.

According to Vice President Baccari, the University continued to research travel management programs and systems used by other universities, and by early summer decided to develop a travel management program for the University. The decision to move ahead was prompted, in part, by the need to offset the impact of substantial travel reductions made to the University's 1989-1990 Section I biennium budget by reducing travel costs and assisting University travelers in obtaining the most economical travel arrangements feasible.

The decision was also based on the simple fact that it is a prudent business practice of the University to obtain, whenever feasible, needed goods and services through a competitive bid/proposal process. This process is used to purchase goods and services at the lowest possible cost, and to give all vendors an opportunity to compete for the University's business.

In June, 1988, the University entered into an agreement with Mr. Martin for his assistance to help the University develop its travel management program. The agreement provided that Mr. Martin would:

- A. Write a program model;
- B. Contact and work on agreements with major service vendors;
- C. Contact and work on agreements with travel agencies;
- D. Assist with reservation computer lease and installation;
- E. Analyze past data for use by airlines and agencies;
- F. Describe and explain the program to University personnel; and
- G. Train the staff.

The development of the University's travel management system was evolutionary, and changed directions several times before it was finalized. In some regards it is not finished; the University is still negotiating with two major airline carriers for travel discount agreements. This process is dif-

difficult and probably will continue for some time, or at least as long as the potential for such an agreement exists.

ADMINISTRATIVE COMPUTING President Roark reviewed for members of the Budget Committee, the recent history of administrative computing at the University of Wyoming. He said that in 1984 the University approved a plan that called for the rapid and aggressive development of administrative data processing systems. The strategy for implementing this plan was to purchase software packages developed specifically for colleges and universities, rather than developing systems in house.

The University selected the firm of Information Associates (IA), which specializes in software for the university market, to provide a large part of the software packages that the University sought. Since then the University has purchased and installed the Financial Record System (FRS), Human Resource System (HRS, in partial production) and Student Information System (SIS, in partial production). The touchtone registration system was also purchased from IA and is scheduled for installation in the near future.

In addition, the University also purchased and installed a data base management system, an alumni/development system, and a library reference system.

A new IBM computer, model 4361, was also purchased in 1984 on which to install these new software packages. It was only a short time before the processing capacity (CPU) of this machine was exceeded by the installation of FRS and the initial testing of HRS and SIS. A year later the 4361 was sold, and the University purchased a used IBM, model 3083, from the State of Wyoming.

President Roark noted that the 3083 has sufficiently met processing needs for several years, even as CPU usage has rapidly increased with the continued implementation of new systems. Utilization of the 3083 has now reached 80 per-

cent of capacity, but usage has been peaking to 100 percent with increasing frequency.

The University has attempted to extend the processing life of the 3083 by taking stop-gap measures to improve processing capacity. Nonetheless, CPU usage is projected to reach 100 percent by the end of 1988. As a practical matter, CPU usage on the 3083 reached its limits in August when the University discovered that it was unable to simultaneously run fall registration on SIS and essential day-to-day system activities for the Library and Payroll Office. Fall registration was carried out using past methods rather than SIS.

The University entered into discussions with two mainframe vendors three months ago to identify possible solutions to its processing capacity problem. It has since received proposals from both vendors.

The discussion ended with a conclusion that the University will thoroughly research its administrative computing needs this coming year and submit a budget request for an administrative mainframe to the Trustees and the legislature for consideration during the 1990 legislative session. In the meantime, the University will lease or purchase a used IBM 3081K to meet its administrative computing needs for the next two years.

QUARTERLY REPORT,
UNIVERSITY INVESTMENTS

As a matter of information, the quarterly report on the status of University investments, excluding the W. R. Coe and Charles Chacey Kuehn Estate funds, was provided for the information of Trustees.

INTERNAL AUDIT ACTIVITY

Information was provided to Trustees on the internal audit activity conducted in accordance with the audit plan for the period June 24, 1988 to September 30, 1988.

COMMUNITY COLLEGE
RELATIONS COMMITTEE

President Bussart called upon Chairman
Sharratt for a report from the Community

College Relations Committee. Committee members Sharratt, Dray, Hinckley, Kirk and ex officio members Bussart and Roark attended the committee meeting, along with other Trustees and University staff. Committee members Chapin and Miracle were not present. Based on the committee meeting, the following recommendation was presented to the full Board.

CHANGES IN THE COOPERATIVE
AGREEMENT BETWEEN THE
UNIVERSITY OF WYOMING AND
CASPER COLLEGE

Provost Karnig outlined for members of the
Community College Relations Committee, pro-
posed changes in the cooperative agreement

between the University of Wyoming and Casper College.

Based on the recommendation of the Community College Relations Committee, it was moved by Mr. Sharratt, seconded by Mr. Schutte, and carried, that the following changes in the cooperative agreement be approved by the Trustees of the University of Wyoming:

1. that the official name of the joint program be changed from "University of Wyoming/Casper College Upper Division Center" to "University of Wyoming/Casper College Center."
2. that the last subordinate clause in ARTICLE THREE, Section 8. be deleted, as shown below:

8. Accept and treat for Upper Division graduation credit, credits earned in College courses the student is advised to take to satisfy baccalaureate degree requirements at the Center, that are listed as parallel to University courses in the Wyoming Higher Course Transfer Guide, and for which University fees have been paid.

3. that ARTICLE FIVE, Section 4. be changed to read as shown below:

~~4. The Center Dean shall consult with the Dean of Faculty at the College in arranging for the assignment of College faculty to the Center, and~~ IN ARRANGING FOR THE

ASSIGNMENT OF COLLEGE FACULTY TO THE CENTER, THE CENTER DEAN, THE COLLEGE DEAN OF FACULTY, THE COLLEGE DIVISION HEAD, AND THE PROSPECTIVE CENTER FACULTY MEMBER WILL CONFER TO DETERMINE LOAD, COMPENSATION AND OTHER ISSUES TO FACILITATE A POSSIBLE UNIVERSITY TEACHING ASSIGNMENT. THE CENTER DEAN SHALL CONSULT with the appropriate academic dean at the University in arranging for the assignment of University faculty to the Center. The Center Dean shall supervise the instructional activities at the Center and, jointly with the appropriate division chair at the College or department head at the University, shall evaluate the teaching of each member of the Center Faculty.

4. that ARTICLE SIX be changed to read as shown below:

The Center Faculty Advisory Committee shall be composed of six faculty who teach ~~six~~ THREE credits or more of course-work per year at the Center and who are elected by the "Center Faculty." Three of the elected members shall be University employees and three shall be College employees. The Dean of the Center, the Dean of Faculty of the College, and the Vice President for Academic Affairs of the University shall be ex officio members of the Committee.

COMMITTEE OF THE
WHOLE

President Bussart reported on the meeting of the Committee of the Whole. Those present were committee members Bussart, Dray, Hinckley, Kirk, Mickelson, Rochelle, Schutte, Sharratt, Updike, and ex officio members Roark, Simons, and Skiles. Absent were members Chapin, Miracle and Schuster and ex officio member Governor Sullivan.

UNIREG 174, POLICIES AND
PROCEDURES ON STAFF DISCIPLINE,
DISCIPLINARY OR TERMINATION
APPEALS, AND DISPUTE RESOLUTION

Special Assistant Baker reported to the Committee of the Whole that at the present time, UniReg 174 dealing with staff employment rules is 44 pages long and contains a great deal of administrative detail. Following extensive discussion with Staff Council and administrative officers and after four hours of public hearings for employee response, a four-page revision of UniReg 174 is submitted for Trustee approval. Mr. Baker noted that the revision addresses only the employment policies of the University, with details such as vacation accruals, over-

time formulas etc., left to an employee handbook to be provided to each employee. University administrators will also receive a desk book to inform them of paperwork requirements, deadlines, and other ministerial details. The employee handbook will be issued under the authority of the President and the desk book will be kept current by the Director of Personnel Services. Smooth administration of the revised scheme for employment practices requires initiation of a significant program of management training for University supervisors.

In addition, Mr. Baker said Trustees are asked to consider a revised policy for employee discipline which makes a firm and unambiguous commitment to progressive discipline. As a complement to the disciplinary policy, Trustees are requested to establish an appeals process with due process hearing provisions modeled on the procedure observed for all Wyoming government employees.

Finally, Trustees are asked to consider approval of a new process for handling employee grievances aimed at providing less adversarial resolution of employee disputes. The Policy and Procedure for Dispute Resolution uses neutral outside arbitrators to replace the awkward, time consuming, and internally divisive peer committee system which has not effectively addressed the full range of employee grievances and appeals.

Based on the Committee of the Whole's recommendation, it was moved by Mr. Bussart, seconded by Mr. Sharratt, and carried, that Trustees of the University of Wyoming:

1. Approve UniReg 174, as revised (Enclosure 1, yellow)
2. Approve University Policy and Procedure - Staff Discipline (Enclosure 2, blue)

3. Approve University Policy and Procedure - Disciplinary or Termination Appeals (Enclosure 3, green)
4. Approve University Policy and Procedure - Dispute Resolution (Enclosure 4, pink)
5. The above policies be effective on January 1, 1989, at which time an employee handbook, administrative desk book and management training program will be implemented.

(NOTE: The copies of these documents being submitted for Trustee ratification with the minutes contain several non-substantive, editing corrections which are underlined in the enclosures.)

MISSION AND OBJECTIVES OF
THE UNIVERSITY OF WYOMING

President Roark noted that the proposed mission and objectives of the University of Wyoming has been recently reviewed and endorsed by the Faculty Senate, Staff Council, and the ASUW.

Based on the recommendation of the Committee of the Whole, it was moved by Mr. Bussart, seconded by Mrs. Kirk, and carried that Trustees of the University of Wyoming adopt the following mission and objectives of the University of Wyoming:

As the only university established by the state, the citizens and the University of Wyoming have enjoyed a long, unique, and beneficial relationship. To continue this relationship and to serve the educational, cultural, and economic needs of the state and nation, the mission of the University is to provide teaching, scholarship, and outreach programs that compare favorably with programs at the leading land-grant research universities in the nation. In addition, to promote development of the whole person, the university will provide a diverse array of superior co-curricular activities, including cultural, international, athletic, and student-life programs.

The University will attract capable students who will provide future leadership for the state and nation, and it will be particularly attentive to the needs of Wyoming students, members of underrepresented groups, and the gifted. The University is dedicated to promoting an environment of excellence and achievement which encourages the full personal development of those it serves and of those who serve the University. To meet this goal, the University will preserve, interpret, create, and transmit knowledge in an atmosphere of free inquiry and expression. This environment, reflecting America's rich multicultural character at its best, is intended to stimulate growth of mind and body, inspire the spirit, and promote fulfilling careers and life-long contributions to the state and nation. To help assure programmatic excellence, the University will attract, develop, and retain outstanding faculty and staff; provide superior library, laboratory, and computer facilities; and engage in ongoing planning to balance resources and enrollments.

The specific elements of the University's mission include:

Excellent baccalaureate instruction in a broad array of programs.

Undergraduate education will be based on successful completion of college preparatory work in high school and coordination with both secondary education and the community colleges. Each student must master the fundamental concepts and applications of at least one major, and all majors will be based on the solid foundation of a general studies program. University graduates will understand our rich human heritage; comprehend differing methods used by the arts, humanities, and sciences in creating that heritage; develop the ability to make ethical and critical judgments; and have facility in using language and other forms of symbolic expression.

Graduate programs of recognized excellence in disciplinary and interdisciplinary fields. Particular emphasis will be placed on faculty strength in teaching, research, and creative activity; critical mass of faculty and students; student quality; compatibility with other established university programs; and contribution to the state's and nation's cultural, scientific, social, and economic needs.

Outstanding basic and applied research and creative activity. Research and creative activity cannot be separated from teaching. Research and creative activity promote instructional excellence through developing new knowledge and techniques, allowing new information and perspectives to be shared swiftly in the classroom, and introducing students to emerging fields. Moreover, excellent research and creative activity result in regional and national recognition that enhances the value of a University of Wyoming degree. To advance outstanding instruction, contribute new knowledge, and place the University among the nation's leading land-grant research institutions, the University will identify and promote disciplinary and interdisciplinary emphasis areas in research and creative activity.

Superior outreach and extension activities. The University will provide coordinated service to the people of Wyoming through credit and non-credit instruction, life-long learning, professional continuing education, leadership development, and cultural programming. As part of outreach, the University will disseminate widely the results of its basic and applied research and, when appropriate, direct research to meet economic, social, and cultural challenges faced by the state and nation.

UNFINISHED BUSINESS

Mrs. Simons requested that the Trustees receive a report at the December 1988 Trustees' meeting with regard to the University of Wyoming's efforts in recruiting women, minorities, and members of underrepresented groups for faculty positions, staff positions in administration, in addition to the number of minorities comprising the student body. Mrs. Simons also requested a report on the number of students funded by the joint tribal councils.

THANK YOU TO WESTERN WYOMING COLLEGE

On behalf of the Trustees of the University of Wyoming, President Bussart expressed thanks to Dr. Tex Boggs, President of Western Wyoming College, and his staff for their efforts in making the October 21, 1988 meeting of the Trustees pleasant and successful.

PUBLIC COMMENTS

Lynn Lockhart thanked the Trustees of the University of Wyoming for the opportunity to observe the Trustees' meeting.

Mr. Mike Jamison, Green River radio reporter, suggested the Trustees look into the possibility of offering credit to students for work done on the student newspaper, The Branding Iron.

ANNOUNCEMENT AND DATE OF NEXT MEETING

It was requested that the next meeting of the Trustees be scheduled for one day only, if possible on December 8; and that it be scheduled December 8-9,

1988, if two days are required. There being no further business to come before the Trustees, the meeting was adjourned at 3:07 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terri L. Given". The signature is written in dark ink and is positioned above the printed name and title.

Terri L. Given
Deputy Secretary

THE UNIVERSITY OF WYOMING
Laramie, WyomingUNIREG 174
Revision 4UNIVERSITY REGULATION 174, Revision 4
Initiating Authority: Vice President for Finance

Subject: Regulations Governing Staff Employees

1. Purpose. To establish basic regulations governing staff employees. The Director of Personnel Services is responsible for administering this regulation.

2. Employment Policy. The policy of the University of Wyoming provides for equitable treatment and equal employment opportunity to all qualified applicants and employees without regard to sex, race, color, age, religion, national origin, political belief, veteran status or handicap. This policy applies to all conditions, terms, and privileges of employment. It shall also be the policy of the University to take affirmative action in recruiting, hiring, and promoting women, minorities, and other persons from protected classes.

3. Directive. All staff employees shall comply with this Regulation. Student employees are excluded from the application or benefits of this Regulation. Provisions of this Regulation are subject to change by action of the Trustees of the University. The President of the University shall authorize a Staff Handbook, for distribution to each affected employee, to administer this Regulation.

4. Staff Designation. Employees of the University appointed to staff positions are designated as professional or general staff employees. Professional staff designation requires either a job related baccalaureate degree, appropriate credential, or experience of such kind and amount as to provide a comparable background. All other staff employees are general staff.

5. Appointment Status. Each appointment to a staff position may be on a continuing, temporary or limited temporary basis. Notice of the employment basis, anniversary date, benefit eligibility, staff designation, probationary period, position title and starting salary will be given to employees appointed on a continuing or temporary basis via an official appointment letter from the Director of Personnel Services. Persons appointed to limited temporary positions shall be notified of rate of pay, hours of work and length of appointment prior to commencing work. The anniversary date for a staff employee is the date of his or her initial appointment to a continuing or temporary staff position without a break in

service of ninety (90) calendar days or more. Starting salary for staff employees is based upon the position's classification, grade, and any other mutually agreed upon considerations.

6. Duties. Each staff employee is expected to perform the general duties and responsibilities as attached to the letter of appointment. A staff employee may be required to perform additional assignments for limited periods of time. Employees are expected to discharge their responsibility in a conscientious manner, complying with University regulations, departmental procedures and supervisor's directives in achieving the objectives of their administrative subunit.

7. Classification. All staff positions are classified and assigned salary grades to reflect the nature of the work performed and the function of the position. University employees may not be assigned additional permanent duties and responsibilities beyond their classification without administrative approval. Positions may be reclassified only by the Division of Personnel Services. Staff position classification decisions may be appealed through an approved classification appeal process when filed within five (5) working days of the receipt of the decision.

8. Work Week and Overtime. Staff employees will normally work a 40-hour five-day week, Monday through Friday. Variations may occur due to work requirements. For University employment purposes, the standard work week is 12:01 a.m. on Sunday through 12:00 p.m. (midnight) the following Saturday night. Part-time work schedules for part-time employees, and farm worker schedules may be authorized by appointing authorities. General Staff employees, except farm workers, are eligible for overtime compensation pursuant to the Fair Labor Standards Act and when authorized by an appointing authority. Professional Staff employees are not eligible for overtime compensation.

9. Benefits. Staff on a continuing or temporary basis and working at least half-time (twenty (20) hours per week for six months or more) are entitled to the appropriate proration of all benefits of staff employment except as limited by the terms of their employment; staff of less than twenty (20) hours per week (limited temporary status) have limited benefits specifically provided. Benefits of University employment are described in the Staff Handbook.

10. Leave. Staff on a continuing or temporary status are entitled to vacation and sick leave unless otherwise stated in their official letter of appointment. In specified instances such as jury or legal duty, voting, work related functions and certain military leave and short-term emergencies these staff may be granted leave with pay. Leave without pay may also be granted to employees. All staff other than those on a limited temporary basis receive leave for official University holidays. Details for staff leave are described in the Staff Handbook.

11. Probationary Appointments. Commencing with initial employment, all staff on a continuing or temporary basis are required to serve a probationary period of one (1) year. Staff who are promoted, transferred, reassigned, or reappointed (after a break in University service of ninety (90) calendar days or more) may be required to serve another evaluation period. Notice of the probation shall be given in writing to the employee

by the appointing authority. During probation staff shall be evaluated and given feedback on their performance. Staff shall have the opportunity to meet with the supervisor and/or appointing authority to discuss the evaluation. Staff may place objections or comments concerning the evaluation in their personnel file. Staff employees seeking promotions who are unsuccessful in meeting conditions of their probation will be reinstated in their former position if it is open or they will be given priority consideration for rehiring as new positions for which they are qualified become available. New staff on initial probation and reappointment staff on probation may be terminated when such action is deemed to be in the best interest of the University. Any probationary period may be extended or reduced for a period of up to six (6) months when the cognizant vice president determines that such would be in the best interest of the University.

12. Involuntary Reassignment. In unusual circumstances such as for disciplinary action, redistribution of a unit's workload or assignments, reduction in force, poor employee performance, or in the best interest of the University an employee may be involuntarily reassigned.

13. Performance Planning. During the months of October and November each year, supervisors will meet with each employee to establish goals and objectives for job performance, discuss strengths and weaknesses, and identify training needs, and potential for promotion. Supervisors shall use accomplishments resulting from this annual meeting as a significant element in salary adjustment recommendations for their employees. Supervisors shall be evaluated by their administrative superiors, in part, on their attentiveness to this requirement.

14. Promotions and Transfers. The University actively encourages Staff members to seek promotion and career advancement in order to retain Staff whose valuable experiences can further its mission and goals. Staff members seeking promotion or transfer shall be given consideration over other persons not already employed by the University, to the extent such promotions or transfers conform to the University's Affirmative Action Plan.

15. Work Performance. When a Staff employee's performance is first recognized as less-than-satisfactory and is not resolved through informal discussion, the supervisor must prepare a written performance appraisal and establish a performance improvement plan to be evaluated on a regular basis for up to ninety (90) days until the employee's performance improves or he or she is dismissed.

16. Discipline. The University adheres to the principle of corrective action through progressive discipline for cause. Normal progressive disciplinary action will be oral warning, written reprimand or probation, suspension, and termination of employment but may vary with the seriousness of the problem or the accumulation of offenses. Cause is defined as those actions, omissions or behaviors which are detrimental to the operations of the University or impair University missions, purposes and objectives as an institution of higher education. Cause for immediate termination may include but is not limited to refusal or inability to perform assigned duties, misconduct, and insubordination. Disciplinary procedures shall be established by the Trustees.

17. Dispute Resolution. The University recognizes the right of staff employees to express differences of opinion and to seek fair and timely resolution on a non-adversarial basis of any dispute for which an exclusive internal procedure for redress is not otherwise provided. A dispute is defined as a dissatisfaction which occurs when an employee considers that any condition of employment is unjust, inequitable, or a hinderance to effective operations. Every effort shall first be made to resolve any dispute as quickly as possible on an informal basis. Disputes which are not resolved informally on a timely basis shall be submitted to mediation in accordance with dispute resolution procedures established by the Trustees.

18. Termination. All staff may be separated from service for cause. Staff with limited temporary appointments may be terminated during their employment at the discretion of the appointing authority with appropriate notice. Terminations of employment of Staff employees with continuing appointments may be appealed pursuant to hearing procedures established by the Trustees.

19. Retrenchment. All staff may be separated from service when positions are discontinued because of insufficient funding, lack of work, program changes, or mandated changes in the structure of departments, divisions, or other University administrative units. Employees being retrenched shall be given as much advanced notice as possible.

20. Emergency Closures. In extreme emergency conditions the President of the University or a designee shall determine which functions of the University, if any, shall be suspended. Positions or persons determined to be "essential" shall be required to report to work. No other employees may report to work. General staff employees required to report to work shall be compensated at a rate of time and one half. All other employees shall be compensated at their normal rate of pay with no deductions in accrued leave. If an employee's work functions are temporarily suspended after the employee has reported for work, and no alternative assignments are available, the employee shall receive his/her regular pay for the period of the temporary suspension.

21. Retirement. Staff retirements are subject to provisions of the Wyoming Retirement System and Trustee regulations. A Staff employee planning to retire shall notify the appointing authority in writing as soon as possible prior to the anticipated retirement date and shall consult with the Office of Personnel Services to be informed of benefits and obligations.

22. Employment Record. Each staff employee shall have an employment record in the form of a personnel file in the Division of Personnel Services. All staff employees may review their own personnel file except as restricted by law; and may insert in their personnel file written responses, comments or objections of reasonable length to any material in their file.

UNIVERSITY OF WYOMING
POLICY AND PROCEDURE
STAFF DISCIPLINE

1. Purpose. To establish a procedure for progressive, corrective discipline, alternatives, and appeal for staff employees.
2. General. Disciplinary actions shall only be instituted for just cause.
3. Cause. All employees are responsible for carrying out their responsibilities honestly, in good faith, and with a reasonable amount of diligent care. Cause is defined as those actions, omissions or behaviors of staff employees which are detrimental to the operations of the University or which impair University missions, purposes, and objectives as an institution of higher education. Disciplinary action, including reprimand, suspension, demotion, and termination of employment, may be applied to employees for violation of University rules and regulations, and/or for work related offenses which include but are not limited to dishonesty, drunkenness, absenteeism, damage to state property, unauthorized use of University property, refusal to work, sexual harassment, carelessness, assault, insubordination, discourteous treatment of other employees or the public, and neglect of duty. Cause for immediate termination may include but is not limited to refusal or inability to perform duties, misconduct, and insubordination.
4. Penalties. The penalties which may be imposed in disciplinary actions shall be reasonable, timely, related in severity to the seriousness of the offense, and designed to correct the behavior or problem.
 - a. The University believes in the principle of corrective action and follows the policy of progressive disciplinary action for offenses such as unexcused absences or tardiness, loafing or wasting time, etc. A written reprimand will normally precede action to suspend or terminate the employment of a staff member for such offenses. The normal progressive disciplinary action will be an oral warning, written reprimand or probation, suspension, and termination of employment.
 - b. A written reprimand will not be used against an individual in decisions affecting promotion, suspension, or termination after twelve (12) months from the effective date of the reprimand, providing there has been no intervening reprimand or disciplinary action during the twelve (12) months. A written reprimand will therefore be noted as cancelled in an individual's personnel records after the 12-month period free of reprimand or disciplinary action has elapsed.
 - c. When it is necessary to suspend or terminate the employment of a staff member, such action will be taken within a maximum of ten (10) work days following discovery of the last alleged infraction which led to the suspension or termination, unless considerable

investigation is required for protection of the individual or the University, and notice is provided to the employee of the investigation.

- d. Recommendations for the termination of a staff member's employment should be discussed with the Director of Personnel Services or designee prior to initiating such action, wherever possible. An appointing authority may, however, immediately suspend an employee when the health or welfare of employees, students, or patients require such action, when an employee's conduct or performance demands immediate action, or when University property is endangered.

5. Disciplinary Procedure.

- a. Informal Resolution. The appointing authority must authorize any disciplinary action other than oral warnings. Before disciplinary action is imposed, the manager (as well as other supervisory personnel deemed appropriate by the appointing authority) shall meet with the affected employee to discuss the problem(s), with written notification of such meeting to the Director of Personnel Services.
- b. Notice. The appointing authority, after consultation with the Director of Personnel Services, shall inform the employee in writing of the disciplinary action imposed and the reason within five (5) working days of the informal meeting. If an interim suspension is to be imposed, this shall also be included. This notification shall be given to the employee personally by the manager or sent to the employee by certified mail.
- c. Employee Response. An employee shall have the right to respond in writing within five (5) work days from receipt of notice. The employee also has the right within the same five (5) days to schedule a meeting with the appointing authority to discuss the imposed discipline. On the basis of the employee's response and the meeting, the appointing authority may decide on any changes in the disciplinary action. A final written disciplinary decision shall be given the affected employee personally by the appointing authority or by certified mail within five (5) work days after the meeting.
- d. Appeals. A final written disciplinary decision may be contested by the employee through the dispute resolution process by filing with the Employment Practices Officer no later than five (5) working days from receipt of the decision for actions other than termination of employment. Appeal of all terminations of employment shall be brought pursuant to the University's Termination Hearing Procedure. An employee may elect to appeal a suspension or demotion involving loss of compensation pursuant to either the University's Termination Hearing Procedures or the University's Dispute Resolution Procedure. Termination of employment of staff employees on new employee probation are not subject to appeal, nor is the termination of any staff employee with limited temporary appointment.

6. Resignation. At any time during the disciplinary process an affected staff employee may offer to resign, and if such offer is accepted by the appointing authority, the employee's official reason for termination shall be recorded as a resignation.

7. Notice of End of Discipline. The appointing authority shall notify the employee, in writing, upon successful completion of disciplinary action relating to probation, suspension or involuntary reassignment, with a copy to the Director of Personnel Services.

8. Disposition of the Disciplinary Record. The record of disciplinary proceedings shall be confidential, and the Director of Personnel Services shall be the custodian thereof.

9. Alternatives to Disciplinary Action

(1) Programs. In lieu of a disciplinary action, an employee may be offered, as a condition of employment, the option to enter certain structured rehabilitative treatment programs and/or medical/psychiatric care programs for specified durations.

(2) Mental and Physical Incapacity. In lieu of a disciplinary action, an employee may be required to undergo a medical examination arranged by the University at University expense to determine the employee's ability to continue his/her employment. If the employee is not capable, the employee may be transferred, placed on leave without pay or separated from service.

UNIVERSITY OF WYOMING
POLICY AND PROCEDURE
DISCIPLINARY OR TERMINATION APPEALS

(a) Within ten (10) work days of receipt of a notice of discipline consisting of suspension, demotion involving loss of compensation or termination of employment, a continuing employee may file a petition for review with the Employment Practices Officer. The petition shall include a brief statement of the events giving rise to the discipline or termination of employment and the relief sought. Disciplinary actions consisting of suspension, or demotion involving loss of compensation may be appealed through the University's Dispute Resolution Process at the request of the employee. Copies of the petition shall be sent to the appointing authority, Personnel Services and the University Attorney. If an employee does not petition for review within the time prescribed, there shall be no other or further right to appeal, and the discipline or termination of employment shall stand.

(b) Within ten (10) days of receipt of the petition, the hiring department shall file a written response with the Employment Practices Officer. The response shall include a brief statement of the cause(s) for the discipline or termination of employment. Copies of the response shall be sent to the employee. If the hiring department does not respond within the time prescribed, the action shall be rescinded.

(c) Within three (3) days of receipt of the appointing authority's response, the Employment Practices Officer shall submit the appeal to a Hearing Officer with notice to the parties. The Hearing Officer shall be appointed from an approved list of Hearing Officers subscribed to by the University. The University shall provide stenographic services. Any legal costs incurred by the employee for the hearing shall be borne by the employee. The Hearing Officer shall conduct all aspects of the appeal and hearing, and shall receive and rule on all pleadings and motions.

(d) Hearing Officer's Authority

(i) The purpose of the hearing is to determine whether there exists good cause for the discipline or termination of employment. The Hearing Officer shall decide, based upon all of the evidence produced at the hearing and upon no other basis, whether the allegations made in support of the action are true and, if true, whether they fairly and reasonably constitute grounds for the action taken under the Rules and Regulations of the University.

(ii) The Hearing Officer shall affirm or reverse the decision of discipline.

(e) Hearing

(i) Within twenty (20) days of the appointment of the Hearing Officer, the Hearing Officer must open a hearing or render a decision, without a hearing, based solely on the written record. Any disposition made without a hearing shall be in accordance with Rule 56 of the Wyoming Rules of Civil Procedure.

(A) If the issues raised by either or both parties are such that further proceedings are unnecessary, the Hearing Officer shall submit a written decision to the University's Vice President for Finance with copies to both parties.

(B) If the issues raised by either or both parties are such that further proceedings are necessary, the Hearing Officer shall initiate a hearing.

(ii) General Provisions for a Hearing

(A) A hearing shall be conducted in accordance with applicable provisions of the Wyoming Administrative Procedure Act and the Wyoming Rules of Civil Procedure.

(B) The Hearing Officer shall establish a file and docket the case. A case file shall be made up of all documents, evidence, transcripts and exhibits pertaining to the case.

(C) If a party does not appear at the hearing, the Hearing Officer may base a decision on a consideration of the documents filed and on the presentation of the case by the party present.

(D) All University employees called upon by the Hearing Officer to testify shall be excused from their duties while participating in the hearing and shall suffer no reprisals for their participation in a hearing.

(E) The expense of the hearing shall be borne by the University.

(iii) The hearing shall be opened by the Hearing Officer with an announcement of the docket number and the title of the matter and case to be heard. Motions and any other preliminary matters shall be heard and decided by the Hearing Officer.

(iv) Opening statements may be made and each of the parties may offer rebuttal evidence within the discretion of and by order of the Hearing Officer.

(v) Presentation of evidence and witnesses shall proceed with the University first and then the employee. Witnesses may be cross-examined. Exhibits offered by the University shall be in consecutive numerical order, prefixed by the letter "A". Evidence offered by the employee shall be in consecutive numerical order, prefixed by the letter "B".

(vi) At the conclusion of the hearing, closing statements may be made by the parties and/or designated representatives. The time for oral arguments may be limited by the Hearing Officer.

(vii) After the hearing is concluded, the Hearing Officer will dismiss and excuse all witnesses and declare the hearing closed. Either party may submit written briefs to the Hearing Officer within five (5) days of the adjournment of the hearing.

(viii) Within fifteen (15) days of adjournment of the hearing, the Hearing Officer shall file with the University's Vice President for Finance a written decision and order containing Findings of Fact, Conclusions of Law, and a decision.

POLICY AND PROCEDURE
DISPUTE RESOLUTION

1. Purpose: The University recognizes the right of staff employees to express differences of opinion and to seek fair and timely resolutions of employment disputes. The University encourages open communication and will not tolerate reprisals, harassment or discrimination against any employee because of participation in this dispute resolution process. This regulation establishes the exclusive internal process to provide University Staff employees a prompt and efficient review and resolution of disputes.

2. Supervisory Responsibility: All levels of University supervisory personnel, to the best of their ability, shall inform, listen to, and counsel with employees on all relevant matters and make their best efforts to contribute to informal resolution of any dispute.

3. Definitions:

a. Dispute: A dissatisfaction which occurs when an employee considers that any condition of employment is unjust, inequitable, or a hindrance to effective operations.

EXCLUSIONS: Civil rights complaints properly addressed under the process provided in University Regulation 4; appeals of position classifications or performance appraisals, terminations of limited temporary employees in non-benefited positions and terminations of staff employees serving their initial probationary period; dismissals; and, unless specifically requested by the employee, suspensions or demotions involving loss of compensation.

b. Staff Employee: A professional or general staff employee of the University appointed to and serving in a position pursuant to the Regulations of the Trustees of the University of Wyoming and specifically excluding post doctoral fellows, graduate assistants and student employees.

c. Official Records: Only the written dispute submission, supporting documents submitted to the arbitrator, and the arbitrator's report, shall be considered the official records of any dispute.

4. Employment Practices Officer:

The Employment Practices Officer shall administer this dispute resolution process and shall be available to all parties to facilitate informal resolutions.

5. Time Limits:

All prescribed time limits shall be adhered to by the parties. Time limits may be extended by the arbitrator in the interest of arriving

at a prompt resolution. All parties shall be immediately notified of any change in time limits.

6. Procedure:

a. Step One -- Consultation with individual(s) involved

The disputing staff employee should first attempt to resolve any dispute informally within ten (10) days of its occurrence with appropriate supervisory personnel.

b. Step Two -- Involvement of the Employment Practices Officer

Any University employee with a problem may consult with the Employment Practices Officer. The Employment Practices Officer shall be available to assist all parties to resolve a dispute at any point in the process prior to submission for formal resolution. All employees, including supervisory personnel, shall participate in any meeting called by the Employment Practices Officer for the purpose of effecting informal resolution of a dispute.

If the matter cannot be resolved in a face-to-face meeting between the individuals involved, the specific issue, including the personal difficulty created, shall be submitted in writing by the disputing staff employee to the Employment Practices Officer as a formal dispute. The two parties shall have up to ten (10) work days from the date of submission of a dispute to resolve it prior to submission of the dispute for formal resolution.

c. Step Three -- Formal Resolution

The University shall engage the services of an arbitrator assigned to each dispute through an established agency providing labor/management conflict resolution services. An arbitrator shall be assigned immediately upon submission of a dispute, and shall promptly schedule a hearing based upon the availability and caseload of the arbitrator.

The arbitrator shall conduct fact-finding as needed and, within twenty (20) work days, recommend an equitable resolution of the dispute which shall be final and binding upon both parties, shall be acknowledged in writing by the parties, and shall not be subject to further internal appeal. In formulating a resolution to the dispute, the arbitrator shall submit a report summarizing the facts of the matter and the reasons for the determination. Copies shall be made available to the parties, the appropriate appointing authority, the Director of Personnel Services and the President of the University or the President's designee. All resolutions must conform with University rules and regulations and with applicable statutes.

7. Implementation:

Administrative action shall be taken to implement resolutions within ten (10) work days following final submission by an arbitrator.

8. Disposition of the Dispute Records:

The Employment Practices Officer shall be the custodian of the official records of all dispute resolution proceedings. The official records of a dispute resolution shall not be released to the public except as required by law.