

THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES

October 30, 1993

For the confidential information
of the Board of Trustee

THE UNIVERSITY OF WYOMING

Minutes of the Trustees

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TABLE OF CONTENTS

	<u>Page</u>
ROLL CALL	1
PRESIDENT'S REPORT	2
ANNOUNCEMENTS	3
APPROVAL OF MINUTES	3
ACADEMIC AND STUDENT AFFAIRS COMMITTEE	3
Financial Exigency Policy	3
1994-95 Academic Calendar	6
Merger of Chemical and Petroleum Engineering Departments	6
Institute for Energy Research	7
BUDGET COMMITTEE	9
Fiscal Year 1994 Budget Authorization Increase for ASUW	9
Wyoming Excellence and Achievement Scholarships	10
Approval of Contracts and Grants, Gifts and Scholarships	11
Financial Review - Quarter Ended September 30, 1993	12
Internal Audit Activity Conducted in Accordance with the Audit Plan for the Period July 1, 1993 to September 30, 1993	12
PERSONNEL COMMITTEE	12
Faculty Appointments	12
Academic Professional Appointments	14
Academic Professional - Research Scientists	15
Administrative Appointments	16
Administrative Reappointment	17
Adjunct Appointments	17

Adjunct Reappointments	18
Changes in Assignment	18
Recall	19
Retirements	19
UW Employee Suggestion Awards Program	20
Part-Time Appointments	21
 PHYSICAL PLANT AND EQUIPMENT COMMITTEE	 23
Siting of Telescope Facility	23
Utility Easement, Torrington Research and Extension Center	24
Remote Facility Alternatives, Mineral Research and Reclamation Center	25
Lease of Kappa Delta House	26
Progress Report, Projects in Design, and Change Orders	27
 INVESTMENT COMMITTEE	 27
Summary of October 28, 1993 Investment Committee Meeting	27
Investment Policy Change	28
Quarterly Report, University Investments	29
 DEVELOPMENT COMMITTEE	 29
Report on October 21-22, 1993 Foundation Board Meeting	29
Report on Capital Fundraising	29
 ATHLETIC COMMITTEE	 30
Institutional Response to Office of Civil Rights on Title IX	30
Pay-per-view Games	33
 COMMUNITY COLLEGE AND OUTREACH COMMITTEE	 33
2 plus 3 Engineering Agreement with Western Wyoming Community College	33
Report on Partnership Efforts - Technology Transfer	34
 UNFINISHED BUSINESS	 35
 NEW BUSINESS	 36
 PUBLIC COMMENTS	 36

ANNOUNCEMENTS	37
ADJOURNMENT AND DATE OF NEXT MEETING	37

THE UNIVERSITY OF WYOMING

Minutes of the Trustees October 30, 1993

The Board of Trustees of the University of Wyoming held a regular business meeting on October 30, 1993 in the Old Main Board Room.

On Friday, October 29, Trustees held committee meetings and an executive session to discuss litigation and personnel matters. They also participated in the honorary degree convocation for Dr. Lynne V. Cheney in the College of Agriculture auditorium. The convocation was followed by a luncheon in the new UW art museum. Trustees attended a reception honoring 1993-94 recipients of the Trustees' Superior Student Scholarship, the Superior Student in Education Scholarship, and the National Merit Scholarship at the UW Foundation House late that afternoon.

Following a breakfast with Staff Council members in the new Centennial Complex, and meetings of the Athletic and Community College Relations committees, President Deborah Healy Hammons called the business meeting to order on Saturday, October 30, at 10:25 a.m.

ROLL CALL

The following Trustees

attended the business meeting:

Deborah Healy Hammons, John D. (Dave) Bonner, F. Richard Brown, W. Perry Dray, Harry L. Harris, Peter M. Jorgensen, Frosty Kepler, Daniel Kinnaman, Jeri Kirk, Walter G. (Jerry) Saunders, Bryan E. Sharratt, and David W. Updike. Ex-officio members Terry P. Roark, Diana Ohman, and Julie Yates were also in attendance. Governor Mike Sullivan was not present.

PRESIDENT'S REPORT

University of Wyoming President

Terry Roark made the following report to the Trustees on Friday, October 29:

- A collection of handwritten letters providing insight into the personal life and business dealings of William F. "Buffalo Bill" Cody has been donated to the American Heritage Center. The donation of 10 cartons of materials was made by Elaine and Jack Rosenthal of Casper and Tori and Michael B. Rosenthal of Cheyenne.
- Once again, the University of Wyoming has been ranked among America's best institutions in the annual survey conducted by U.S. News and World Report. UW is classified among what the magazine terms America's 204 best-known schools -- those national universities offering a wide range of baccalaureate programs, placing a high priority on research, and awarding large numbers of Ph.D.'s. The University of Wyoming is ranked in the third quartile, which includes such institutions as Arizona State University, Auburn, Baylor, BYU, CSU, Kansas State, Ohio University, Oklahoma, Oregon, and Nebraska.
- Andrew C. Hansen, associate professor of mechanical engineering, has been selected by the Council for the Advancement and Support of Education (CASE) as the professor of the year in Wyoming.
- Steven R. Heyman, professor of psychology, recently was named a Fellow of the American Psychological Association.
- Michael Cassity, UW coordinator of correspondence study, is the recipient of the 1993 Wyoming Council for the Humanities Award.

ANNOUNCEMENTS

President Hammons distributed a pamphlet describing "The Stuff of Dreams," a three-part series produced by the Public Broadcasting Service. Included in the series will be a segment on Randy Lewis's research on spider silk. The program will air on November 2, 1993.

APPROVAL OF MINUTES

It was moved by Trustee Harris, seconded by Trustee Kinnaman, and carried that the September 10, 1993 Minutes of the Trustees be approved.

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

President Hammons asked Chairman Jorgensen for a report from the Academic and Student Affairs Committee meeting held on October 29, 1993. Committee members Jorgensen, Dray, Kinnaman, Kirk, Ohman and Saunders attended the meeting, along with other Trustees and University personnel. The following items were presented to the full Board:

Financial Exigency Policy

On Monday, October 18, the Faculty Senate voted 33-12 to adopt the enclosed financial exigency policy and accompanying information circular (Enclosure 1).

During the Academic and Student Affairs committee meeting on October 29, President Roark gave a history of the development of the proposed financial exigency policy. President Roark said that the policy was prompted by a concern expressed by Trustees and the administration that if fiscal projections were to materialize, UW could

be in a serious fiscal condition. If so, the University could be in a position to eliminate tenured faculty.

The Faculty Senate Committee on Faculty Rights and Responsibilities originally worked on drafting a policy to adopt procedures for dealing with such a financial deficiency. Later, an ad hoc committee on financial exigency was appointed. The group worked over the summer and submitted a draft to the entire Faculty Senate. The draft was revised and approved by the Faculty Senate.

At the request of Faculty Senate chair Dr. Ronald Spahr, President Roark provided a letter of general endorsement of Faculty Senate Bill 262 and Senate Resolution 259 which addressed issues of financial exigency. President Roark's endorsement of Faculty Senate Bill 262 was not without reservation, however, and he subsequently suggested changes to the document. The Faculty Senate again reviewed the policy, incorporating some, but not all, of President Roark's recommendations. The final revision to UNIREG 41 (Enclosure 1) was presented for approval to the Trustees.

Academic and Student Affairs Committee members discussed the proposed financial exigency policy at length. President Roark and committee members expressed concerns that a portion of the document, Section 2.d. defining "financial exigency" as "Financial exigency may be declared only when all feasible measures for reducing expenditures other than termination of tenured faculty have been considered and have been found inadequate to deal with the financial crisis" seemed unnecessarily confrontational and inconsistent with the general approach of the UniReg. President Roark said the approach of the UniReg seeks to establish a consensual approach to dealing with financial crisis through broad consultation and shared governance. The Academic and Student Affairs Committee recommended deletion of that sentence.

The Academic and Student Affairs committee also recommended approval of a sentence under 5. Financial Crisis Plan to read "The committee may submit to the Board of Trustees its recommendations with regard to the financial crisis plan."

A recommendation was made by the committee to re-word the first paragraph of section 8. Commitment to Tenured Faculty to read: "Where a program is reduced due to financial exigency, the retention of tenured faculty in the program shall be given all due consideration over non-tenured faculty." The committee also suggested re-wording section 8.a. to read "Under existing regulations, the faculty member shall be given written notice of termination, stating the cause, at least one year prior to the effective date of termination. If financial exigency makes it necessary to give shorter notice, the longest notice practicable shall be given."

During the business meeting, it was moved by Trustee Saunders, seconded by Trustee Dray, and carried that the financial exigency policy as amended by the Academic and Student Affairs Committee be approved. The motion carried. Trustee Jorgensen moved, and Trustee Dray seconded that paragraph 8.a. be amended to read, "Written notice of termination, stating the cause, shall be given as soon as practicable, time periods for such notice in other regulations notwithstanding." The motion carried.

Given the approval of revised UniReg 41 concerning financial exigency, as amended, Trustee Dray moved that the President recommend to the board at its next regular meeting a supplement UniReg 35 which will provide a legally appropriate exception to the regular faculty termination appeals procedure for faculty terminated under UniReg 41 in the most permissibly expeditious manner. The motion passed unanimously.

UniReg 41, as formally adopted by the Trustees during their business meeting, is included as Enclosure 1a. Editorial changes not reflected in the copy distributed to

Trustees at the October 29, 1993 meeting are indicated by the shaded and lined-through text found on page two of the enclosure.

1994-95 Academic Calendar

Because the Trustee-approved policy regarding development of academic year calendars (Enclosure 2, ivory) would limit the 1994-95 fall semester to only 68 days (see calendar marked "A"), Provost Albert Karnig asked the Academic Planning Committee of the Faculty Senate to comment on an alternative calendar composed of 71 days (see calendar marked "B"). The committee urged adoption of the longer semester.

Subsequent to the President's recommendation that calendar "B" be approved, the Academic and Student Affairs Committee recommended approval to the Trustees of the University of Wyoming. It was moved by Trustee Jorgensen, seconded by Trustee Kepler, and carried that proposed calendar "B" be approved. Provost Karnig will appoint a committee to propose principles that should be employed in formulating academic-year calendars in the future.

Merger of Chemical and Petroleum Engineering Departments

The College of Engineering requested approval to merge the current departments of Chemical and Petroleum Engineering into a single department, the Department of Chemical and Petroleum Engineering.

Although petroleum engineering enrollment has dropped severely during the past several years, the University believes that it is in the best interest of the state to maintain this program since it supports one of the most important industries in Wyoming. The unit may become especially valuable as the national use of natural gas expands.

Enrollment in chemical engineering has been increasing steadily over the past three years.

Merger of the two departments will result in some efficiencies of scale. Administrative overhead will be reduced with the elimination of one department head. Moreover, almost all of the petroleum engineering faculty are qualified to teach chemical engineering courses. Based on a recommendation from the Academic and Student Affairs Committee, it was moved by Trustee Jorgensen and seconded by Trustee Harris that the two departments be merged to form the Department of Chemical and Petroleum Engineering, effective November 1, 1993. The motion carried.

Institute for Energy Research

Dr. Derek Hodgson, Vice President for Research, spoke to Trustees on the proposed Institute for Policy Research.

The proposed Institute for Energy Research (IER) at the University of Wyoming would be a multidisciplinary organization devoted to basic and applied research in oil and gas exploration and production. The goals of the IER are (1) to develop innovative conceptual and technological solutions to problems related to exploration for and production of energy resources, (2) to enhance applied energy research in the Wyoming, and (3) to create a context for graduate education in the area of energy research at the University of Wyoming, particularly with respect to interdisciplinary efforts.

The proposed formation of IER is a response to state and national initiatives for research and development in domestic hydrocarbon exploration and production, with initial emphasis on natural gas resources. Because of the availability of significant

current contract and grant resources, no state funds are required for the establishment or operation of IER. Examples of proposed research programs include:

- Development of hydrocarbon production techniques that minimize formation damage and improve recovery technology,
- Improvement of exploitation strategies through reservoir characterization,
- Development of exploration methodologies that enhance the predictive modeling of hydrocarbon maturation, migration, and trapping,
- Construction of new technologies necessary to detect, delineate, and exploit unconventional oil and gas accumulations, and
- Development of numeric and models for the analysis of basin development, petroleum accumulation, and hydrocarbon production.

The research activities of the proposed institute bear directly on the future economic health and well-being of the energy industry in Wyoming. The institute will be the focal point for information on energy resource evaluation and development in Rocky Mountain basins. These activities are not related to those of the Enhanced Oil Recovery Institute (EORI), whose mission is directed towards the economically viable recovery of known petroleum resources. Its creation would be consistent with the University's established emphasis on the study of the region's natural resource base.

IER will provide major support for energy research in Wyoming by expanding the funding base by continuing to seek additional federal funding, non-federal non-profit funds, and industrial partnerships; assist in establishing the University of Wyoming as a statewide center for both the development of new energy-related technology, and the exchange of ideas and information; and fulfill a domestic research and technology-development void left by ever-increasing industrial preoccupation with foreign energy resources. Without the IER, individual UW investigators will be in a less competitive position to compete for research dollars with such institutions as the Bureau of

Economic Geology, University of Texas, the Colorado School of Mines, the Basin Research Institute, Louisiana State University and the Energy Center at the University of Oklahoma, to name a few.

Although presented to the board as an item for information, it was determined that a vote to approve the Institute for Energy Research at the University of Wyoming was appropriate. Approval of the Institute for Energy Research was confirmed by a motion by Trustee Jorgensen, which was seconded by Trustee Bonner and carried.

BUDGET COMMITTEE

President Hammons called on Chairman

Brown for a report from the Budget Committee meeting held on October 29. Committee members Brown, Bonner, Harris, Kepler, Updike, and Sharratt, and ex-officio members Hammons and Roark attended the committee meeting, along with other Trustees and University staff. Based on the committee meeting, the following recommendations and reports were presented to the full board.

Fiscal Year 1994 Budget Authorization Increase for ASUW

Section 3 of University Regulation 239 provides that the budget for the Associated Students of the University of Wyoming (ASUW) is to be presented to the Trustees for consideration.

For FY 1994, the Trustees approved an ASUW operating budget of \$743,085. The ASUW Budget Committee has reviewed projected revenues and expenditures and concluded that sufficient revenue existed within the ASUW reserve account to address several one-time projects. The ASUW Senate passed legislation authorizing the expenditure of \$36,000 for the following projects:

On-Course telecounseling	\$30,000
Funding support for the NAMES Project AIDS Memorial Quilt	5,000
Publish updated ASUW pamphlet	<u>1,000</u>
 TOTAL	 <u>\$36,000</u>

The unobligated balance within the reserve account at the end of October was approximately \$244,000.

In order to provide budget authorization for this increase in the University's Section II operating budget, and based on a recommendation from the Budget Committee, Mr. Brown moved that the budget authorization of ASUW be increased by \$36,000 to be supported by the ASUW reserve. The motion was seconded by Mr. Harris, and it carried.

Wyoming Excellence and Achievement Scholarships

A review of our current scholarship programs suggests the need for additional scholarships to effectively attract high achieving non-resident students to the University. A student body with geographic and cultural diversity is important to the well-rounded education we seek to offer. There are a number of programs that can absorb additional students.

The University of Wyoming has approximately 750 scholarship programs offering more than 3,700 individual scholarships for our students. Most of these scholarships are available only to resident students. Only approximately 50 programs, providing roughly 450 individual scholarships, are available to non-resident students.

This proposal is to award up to 400 Wyoming Excellence and Achievement Scholarships to new, non-resident applicants for the 1994-95 academic year. The Wyoming Excellence Scholarship (\$1,000) would be reserved for those students with a

3.5 grade point average (gpa) or higher, and the Wyoming Achievement Scholarship (\$750) would be for 3.0 gpa students. The scholarships would be offered to applicants seeking their first bachelor's degree, either as recent high school graduates or as transfer students. In addition, recipients would be expected to live in UW housing for their first year.

The key to this program will be (1) to offer the scholarships to applicants who are strong students and readily admissible to UW, and (2) to award them to individuals who have expressed some interest in attending UW but are undecided about their choice of institution. The scholarships will be offered as early as possible. Dr. Roark stated that this is a piece of a much larger program to increase and retain students.

Based on a recommendation from the Budget Committee, Mr. Brown moved approval of the proposed Wyoming Excellence and Achievement Scholarship program. The motion was seconded by Mr. Bonner and carried.

Approval of Contracts and Grants, Gifts and Scholarships

Based on a recommendation from the Budget Committee, it was moved by Mr. Brown, seconded by Mr. Harris, and carried, that the Trustees of the University of Wyoming accept contracts and grants in the amount of \$5,951,377 for the period August 18, 1993 through October 5, 1993. Based on a recommendation from the Budget Committee, it was moved by Mr. Brown, seconded by Mr. Harris, and carried, that the Trustees of the University of Wyoming accept gifts and scholarships in the amount of \$148,121.13 for the period August 16, 1993, through September 30, 1993.

Financial Review - Quarter Ended September 30, 1993

As a matter of information, the financial report for the period ended September 30, 1993, was provided to the Budget Committee.

Internal Audit Activity Conducted in Accordance with the Audit Plan for the Period July 1, 1993 to September 30, 1993

A report prepared by Mr. Van Jacobson on the internal audit activity for the period July 1, 1993, through September 30, 1993, conducted in accordance with the audit plan, was presented to the Budget Committee.

PERSONNEL COMMITTEE

President Hammons asked

Trustee Kirk for a

report from the Personnel Committee meeting held on October 29, 1993. Committee members Kirk, Brown, Harris, Kinnaman, and Updike attended the meeting, along with other Trustees and University personnel. Based on the committee meeting, it was moved by Trustee Kirk, seconded by Trustee Dray, and carried that the following items be approved as indicated:

Faculty Appointments

COLLEGE OF AGRICULTURE

- a. Hana Van Campen as Assistant Professor of Veterinary Virology, effective October 1, 1993, at a fiscal year (11-month) salary of \$54,000. This is a tenure-track appointment.

ARMY ROTC

- b. Larry Barttelbort as Assistant Professor of Military Science for a three-year period effective October 1, 1993. There is no University of Wyoming salary associated with this position. This is a non-tenure track appointment.

COLLEGE OF HEALTH SCIENCES

- c. Janice E. Beeken as Assistant Professor in the School of Nursing, effective August 25, 1993, at an annual (9-month) salary rate of \$39,048. This is a tenure-track appointment.
- d. Dennis R. Ingrisano as Associate Professor of Speech Pathology and Audiology, effective August 24, 1993, at an annual (9-month) salary of \$46,008. This is a tenure-track appointment.

INTERCOLLEGIATE ATHLETICS

- e. David G. Kindy as Assistant Athletics Trainer/Lecturer, effective September 7, 1993, at an annual (10-month) salary of \$20,004. This is a non-tenure track appointment.
- f. Kathy B. Parker as Associate Athletic Counselor/Lecturer, effective September 20, 1993, at an annual (11-month) salary of \$24,648. This is a non-tenure track appointment.

Academic Professional Appointments

COLLEGE OF AGRICULTURE

- a. Connie Lindmier as Assistant University Extension Educator, Fremont County, effective August 31, 1993, at a fiscal year (11-month) salary rate of \$26,400. This appointment is eligible for extended term appointment.

COLLEGE OF ARTS AND SCIENCES

- b. Diane Carol LeBlanc as Assistant Lecturer, Department of English, effective August 23, 1993, at annual (9-month) salary of \$23,016. This appointment is eligible for extended term appointment.
- c. Jane Beiswenger as Associate Lecturer, Department of Zoology and Physiology, effective August 23, 1993, at an annual (9-month) salary of \$24,876. This appointment is eligible for extended term appointment.
- d. Donna Peters Bagby as Associate Lecturer in the Department of Zoology and Physiology, effective August 23, 1993, at an annual (9-month) salary of \$21,000. This appointment is eligible for extended term appointment.

Academic Professional - Research Scientists

The following employees were granted a transfer to the Academic Professional - Research Scientist category. Each individual elected to make this change based upon the one-time provision in the UniReg.

COLLEGE OF AGRICULTURE:

	<u>DEPT.</u>	<u>RANK</u>	<u>APPT.</u>
Kathleen Austin	Animal Science	Research Scientist	Extended
John Cordingly	Molecular Biology	Research Scientist	Temporary
Victoria Dean	Animal Science	Assoc. Research Scientist	Temporary
Brian Frances	Molecular Biology	Research Scientist	Temporary
Michael Hinman	Molecular Biology	Research Scientist	Temporary
Inhae Ji	Molecular Biology	Sr. Research Scientist	Temporary
Theodore John	Molecular Biology	Research Scientist	Temporary
Gregory Johnson	Animal Science	Research Scientist	Temporary
Yoichi Kadokami	Molecular Biology	Research Scientist	Temporary
N. Kalchayanand	Animal Science	Research Scientist	Extended
Arlen Nelson	Molecular Biology	Assoc. Research Scientist	Temporary
Corrine Seebart	Molecular Biology	Assoc. Research Scientist	Temporary
Edward Van Kirk	Animal Science	Research Scientist	Extended

COLLEGE OF ARTS AND SCIENCES:

	<u>DEPT.</u>	<u>RANK</u>	<u>APPT.</u>
Thomas Dunn	Geology	Sr. Research Scientist	Temporary
Zunsheng Jiao	Geology	Research Scientist	Temporary
Norman Kjome	Physics	Research Scientist	Temporary
Burrell Nelson	Botany	Assoc. Research Scientist	Extended
Patrick O'Leary	Math	Asst. Research Scientist	Extended
S.M. Ramasamy	Chemistry	Research Scientist	Temporary
Peigui Yin	Geology	Research Scientist	Temporary

COLLEGE OF ENGINEERING:

	<u>DEPT.</u>	<u>RANK</u>	<u>APPT.</u>
Kenneth Endsley	Atmospheric Science	Sr. Research Scientist	Extended
Glenn Gordon	Atmospheric Science	Sr. Research Scientist	Temporary
Perry Wechsler	Atmospheric Science	Sr. Research Scientist	Extended

WYOMING WATER RESEARCH CENTER:

	<u>DEPT.</u>	<u>RANK</u>	<u>APPT.</u>
Chris Goertler	Water Research	Assoc. Research Scientist	Temporary
Robert Henszey	Water Research	Research Scientist	Temporary
K.J. Reddy	Water Research	Sr. Research Scientist	Extended

Administrative Appointments

COLLEGE OF AGRICULTURE

- a. Steven W. Horn as Dean of the College of Agriculture and Professor of Animal Science with tenure, effective December 1, 1993, at an annual (11-month) salary of \$93,000.

COLLEGE OF ARTS AND SCIENCES

- b. Max Rardin, Professor of Psychology, as Chair of the Department of Psychology for a three-year term beginning December 1, 1993, and Professor of Psychology at no change in salary.

COLLEGE OF BUSINESS

- c. Owen R. Phillips, Associate Professor of Economics and Finance, as Chair of the Department of Economics and Finance for a three-year term beginning September 1, 1993, and Associate Professor of Economics and Finance at an academic year (9-month) salary rate of \$48,324.

COLLEGE OF EDUCATION

- d. Donald V. Forrest, Professor of Leadership and Human Development, as Chair of the Division of Leadership and Human Development for a one-year term, beginning August 25, 1993, and Professor of Leadership and Human Development at a fiscal year (11-month) salary rate of \$51,612.

ADMINISTRATION AND FINANCE

- e. Kathleen Hicks as Director of Financial Services, effective December 8, 1993, at an annual (11-month) salary rate of \$54,564.

Administrative Reappointment

PROVOST AND VICE PRESIDENT FOR ACADEMIC AND STUDENT AFFAIRS

- a. Albert K. Karnig as Provost and Vice President for Academic and Student Affairs and Professor of Political Science with tenure. Pursuant to University Regulations, Dr. Karnig's administrative appointment will next be subject to formal review in August, 1998.

Adjunct Appointments

COLLEGE OF ARTS AND SCIENCES

- a. David Eckles as Adjunct Lecturer of Anthropology for a three-year period effective July 1, 1993, to June 30, 1996.
- b. Julin Sheng as Adjunct Associate Professor of International Studies for the Fall Semester 1993 through the Fall Semester 1994.
- c. Eileen Starr as Adjunct Instructor in American Studies for the Fall 1993 semester.

- d. Patricia Ann Taylor as Adjunct Professor of Administration of Justice for a three-year period effective August 1993 to August 1996.

COLLEGE OF LAW

- e. Jon B. Huss as Adjunct Assistant Professor of Law for the Fall 1993 semester, effective August 25, 1993, to December 17, 1993.

Adjunct Reappointments

COLLEGE OF ARTS AND SCIENCES

- a. Julie Francis as Adjunct Assistant Professor of Anthropology for a three-year period effective July 1, 1993, through June 30, 1996.
- b. Marcel Kornfield as Adjunct Instructor of Anthropology for a three-year period effective July 1, 1993, through June 30, 1996.
- d. Mark Miller as Adjunct Assistant Professor of Anthropology for a three-year period effective July 1, 1993, through June 30, 1996.
- e. David Rapson as Adjunct Assistant Professor of Anthropology for a three-year period effective July 1, 1993, through June 30, 1996.
- f. Danny Walker as Adjunct Assistant Professor of Anthropology for a three-year period effective July 1, 1993, through June 30, 1996.

Changes in Assignment

COLLEGE OF ENGINEERING

- a. Dr. Chang Yul Cha, Head of the Department of Chemical Engineering, was reassigned as Head of the Department of Chemical and Petroleum Engineering, effective November 1, 1993, at no change in salary.

ADMINISTRATION AND FINANCE

b. Phillip B. Harris, Deputy to the Vice President for Administration and Finance, was reassigned as Associate Vice President for Administration and Finance, at the fiscal year (11-month) salary rate of \$72,000, effective November 1, 1993.

COLLEGE OF AGRICULTURE

c. Glen Whipple, Dean of the College of Agriculture and Professor of Agricultural Economics, was reassigned as Professor and Head of the Department of Agricultural Economics, effective December 1, 1993.

Recall

Emery W. Brunett, Associate Professor, School of Pharmacy, was recalled for the 1993 fall semester at a salary of \$21,892 for the semester. Professor Brunett retired from the University on May 8, 1993.

Retirements

The following retirements were approved as indicated.

<u>Name</u>	<u>Position</u>	<u>Birth Date</u>	<u>Employment Date</u>	<u>Retirement Date</u>
Childs, Gordon	Professor of Music	10/22/27	08/27/81	12/31/92 with designation as <u>Emeritus</u>
Lake, Mary Lou	Office Technician	07/31/32	07/01/74	11/19/93 with designation as Retired

UW Employee Suggestion Awards Program

In July 1991 the Board of Trustees adopted regulations permitting employees to receive a monetary award (10 percent of the savings up to \$1,000) for suggestions that were implemented within the institution resulting in measurable savings. By regulation, the board has final authority in determining whether the suggestor is eligible to receive a monetary or other type of reward.

Mr. Nolan "Whiz" Beck, Associate Director of Housing, presented a suggestion adopted by the Director of Housing to implement a program for carpet and linoleum installation utilizing a full-time position within the Housing Department rather than contracting for carpet installation.

It is estimated that the Housing Department will replace approximately 9,500 square yards of carpeting each year. The current cost for this replacement with an outside vendor is \$7.75 per yard. Housing can currently install this same amount of carpeting at an average cost of \$7.27 per yard, or a savings of \$.48 per yard. The cost for housing includes all labor and materials cost as well as storage costs for the carpeting that has been delivered. Based upon the total yards of carpeting installed each year, this suggestion will save the department \$4,560.

The intangible benefits of this suggestion center on the opportunities provided by an in-house installation program. First, the department has greater flexibility in scheduling carpet replacement. Rather than setting fixed dates for carpet replacement, the department can schedule replacements when needed. Second, the hiring of a carpet installer has allowed the department to create a training program thereby allowing other employees in the department the opportunity to learn the trade. Both benefits have had a positive effect on the department that cannot be measured in financial terms.

It was recommended and approved that Mr. Beck receive a monetary award of \$456 for this suggestion. Funding for the award will be paid from the budgetary savings realized in the Housing Department.

Part-Time Appointments

The Regulations of the Trustees provide that part-time faculty and academic professionals will be appointed annually by the President of the University upon the recommendation of the appropriate academic officers. The part-time appointments shown below were reported to the Trustees for their information.

Name	Department	Rank
<u>COLLEGE OF ARTS AND SCIENCES</u>		
Bagby, Donna Peters (08/24/93 - 05/07/94)	Zoology and Physiology	Temporary Associate Lecturer
Berlinskaya, Yelena M. (09/15/93 - 12/17/93)	Music	Temporary Assistant Lecturer
Black, Douglas M. (08/31/93 - 05/07/94)	English	Temporary Assistant Lecturer
Davis, Burton S., Jr. (08/31/93 - 12/17/93)	Mathematics	Temporary Assistant Lecturer
Evans, Timothy H. (08/31/93 - 12/17/93)	American Studies Program	Temporary Assistant Lecturer
Lukanty-Nkosi, Jadwiga (08/31/93 - 12/17/93)	Political Science	Temporary Assistant Lecturer
McIrvin, Michael (08/23/93 - 05/08/94)	English	Temporary Assistant Lecturer
McKeage, Kathleen M. (09/01/93 - 12/17/93)	Music	Temporary Assistant Lecturer

Murphy, Janis Leigh (08/23/93 - 12/17/93)	Modern and Classical Languages	Temporary Assistant Lecturer
Naslund, Paul (09/25/93 - 05/30/94)	Music	Temporary Assistant Lecturer
Reeve, Archie F. (08/27/93 - 12/17/93)	Zoology and Physiology	Temporary Assistant Lecturer
Rimmasch, Suezan (08/31/93 - 12/17/93)	Mathematics	Temporary Assistant Lecturer
Smart, Marilyn S. (09/01/93 - 12/17/93)	Music	Temporary Assistant Lecturer
Strampe, Gregory A. (09/15/93 - 12/17/93)	Music	Temporary Assistant Lecturer
White, Kathryn A. (08/31/93 - 05/07/94)	English	Temporary Assistant Lecturer
Worden (Aneiros), Michelle (08/27/93 - 12/17/93)	Communication/Mass Media	Temporary Assistant Lecturer
Zeschin, Walter (09/01/93 - 05/30/94)	Music	Temporary Assistant Lecturer

COLLEGE OF BUSINESS

Earl, Glenda L. (08/31/93 - 12/17/93)	Economics and Finance	Temporary Assistant Lecturer
Lanter, Charles E. (08/31/93 - 12/17/93)	Economics and Finance	Temporary Assistant Lecturer

COLLEGE OF EDUCATION

Arnold, Carol F. (08/30/93 - 12/17/93)	Undergraduate Studies	Temporary Assistant Lecturer
Bryant, Carol (08/30/93 - 12/17/93)	Division of Lifelong Learning and Instruction	Temporary Assistant Lecturer
Deshler, Barbara (08/30/93 - 12/17/93)	Division of Lifelong Learning and Instruction	Temporary Assistant Lecturer

Hudson, Margaret A. (08/25/93 - 05/27/94)	Wyoming Center for Teaching and Learning - Laramie	Temporary Assistant Lecturer
Pendley, Kelly Lynne (09/15/93 - 12/17/93)	Division of Leadership and Human Development	Temporary Assistant Lecturer

COLLEGE OF ENGINEERING

Meyer, Robert K. (08/31/93 - 12/17/93)	Electrical Engineering	Temporary Assistant Lecturer
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UW/CC CENTER

Robinson, Willard Scott (08/23/93 - 12/17/93)	Zoology	Temporary Assistant Lecturer
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PHYSICAL PLANT AND EQUIPMENT COMMITTEE President Hammons called on Chairman Updike for a report from the Physical Plant and Equipment Committee meeting held on October 29. Committee members Updike, Jorgensen, Kepler, and Kinnaman, and ex-officio members Hammons and Roark attended the committee meeting, along with other Trustees and University staff. Based on the committee meeting, the following recommendations and reports were presented to the full board.

Siting of Telescope Facility

The Department of Physics and Astronomy applied for and received a matched National Science Foundation grant to replace the telescope facility on the Physical Sciences roof. The telescope on the Physical Sciences Building cannot perform infrared observation or track astronomical objects under manual or computer control with any accuracy.

The new 0.6m telescope has been ordered and delivery is expected late summer 1994. Therefore, the site of the new facility must be determined to begin the construction related activities to receive the telescope.

Several University sites were evaluated for possible use including the balloon launch, quarry, golf course and others too remote to meet criteria. The only sites with possibilities are Red Buttes, the Physical Science Building, UW grant land north of Interstate 80, and the Animal Science Livestock Center. The sites were evaluated as they presently exist. The construction can overcome some of the obstacles. However, structural changes to the Physical Sciences Building, for example, are simply not feasible.

The recommendation of the Campus Planning Committee was to site the telescope building on the Red Buttes property.

Based on a recommendation from the Physical Plant and Equipment Committee, Mr. Updike moved that the telescope building be sited on the Red Buttes property. The motion was seconded by Mr. Brown, and it carried.

Utility Easement, Torrington Research and Extension Center

The Torrington Research Center, Goshen County, consists of 160.0 acres, N1/2 S1/2 Section 5, Township 24N, Range 61W. All 160 acres are deeded to the State of Wyoming. Recently WYRULEC, a Lingle, Wyoming, based rural electric company, made application to the Wyoming State Land and Farm Loan office for a utility easement across a portion of this land. In an August 12, 1993, letter from Jim Whalen, Assistant Director, Real Estate Division, Wyoming State Land and Farm Loan Office, WYRULEC was directed to the University because, "Under new policy it is now the responsibility of the acquiring agency to handle dispositions of its lands."

WYRULEC's request consists of a 20-foot easement (10 feet on either side of centerline) for an overhead electrical power line a distance of approximately 1,340.8 feet south of U.S. Highway 26/85 and parallel to the Burlington Northern Railroad right-of-way. WYRULEC has offered to pay \$2.00/rod or \$162.52 for said easement. This figure is what the State Land Board advised was the going rate.

This easement is along the same route of the University's recently granted easement to the U.S. Department of Energy for their Gering-Limestone transmission line.

Al Gale, Associate Dean/Director, Agricultural Experiment Stations, does not see foresee any problems that would be caused by granting WYRULEC's request.

Based on a recommendation from the Physical Plant and Equipment Committee, Mr. Updike moved approval of this easement for the price of \$162.52. The motion was seconded by Mrs. Kirk, and it carried.

Remote Facility Alternatives, Mineral Research and Reclamation Center

In response to concerns expressed at the September 9, 1993 Trustee meeting related to the construction of a new remote storage facility for the Minerals Research and Reclamation Center (MRRC), Vice President Dan Baccari reported on alternatives that are being considered. In developing a responsible approach to the storage of materials used for research, teaching, and collections maintenance a small storage area for immediate needs has been incorporated into the MRRC with a less costly remote facility housing the major portion of the collections.

The program for the MRRC has verified the need for approximately 7200 gross square feet of remote storage and laboratories.

The options available are the use of the old power plant, an addition to the Lutz warehouse, the purchase or lease of an existing facility, or using 4,000 net square feet of space that would remain unassigned in the 15th Street warehouse after the move of the American Heritage Center materials.

The Lutz warehouse addition appears to be the most favorable option in terms of timing and least cost for the project. A recommendation will be brought to the Trustees for consideration.

Lease of Kappa Delta House

President Roark reported that Christopher Raftery and Kenneth S. Maddox, President of Sigma Phi Epsilon National Housing Corporation and Executive Director, respectively, met with University personnel on October 11, 1993. This meeting served as a follow-up to Mr. Maddox's visit on May 25, 1993. Whereas the earlier meeting was to familiarize Sigma Phi with the Kappa Delta House, this latest meeting was detailed in nature.

Mr. Raftery, a construction contractor by profession, examined the Kappa Delta House and analyzed the purchase price and renovation costs against his construction expertise, aided with information from the Facilities Engineering and Facilities Planning Offices.

Mr. Maddox's interest was in the University's standard Fraternity/Sorority lease agreement. After discussion involving Sigma Phi Epsilon's attorney, only minor wording changes are requested.

Mr. Maddox indicated he would, within a couple of weeks, make contact with the Facilities Planning Office. It was the feeling of those University personnel in attendance

at this October 11 meeting that Mr. Raftery and Mr. Maddox were satisfied with the facility and the per annum rent and annual maintenance costs, and will desire to lease the Kappa Delta House beginning either the spring 1995 semester or the fall 1995 semester. The date to move into the building will be dependent upon completion of the required renovation work.

Progress Report, Projects in Design, and Change Orders

As a matter of information, the progress reports and change orders on current construction projects and projects in the design stage were provided to the Physical Plant and Equipment Committee.

INVESTMENT COMMITTEE

President Hammons called on Trustee Kepler for a report on the Investment Committee meeting held on October 29. Committee members Kepler and Saunders and ex-officio members Hammons and Roark attended the committee meeting, along with other Trustees and University staff. Committee Chairman Dray was absent. Based on the committee meeting, the following recommendations and reports were presented to the full Board.

Summary of October 28, 1993 Investment Committee Meeting

Vice President Baccari reported on the Investment Committee Meeting that was held on October 28. The meeting was held to visit with the investment advisor and investment managers to review the investment objectives and performance.

Presentations were made by John Vann of Dean Witter Reynolds, Inc., investment advisor to the Committee; Peter Skirkanich of Fox Asset Management, the fixed income

manager; Mr. David Banta of J. M. Hartwell & Company, the growth equity manager; and Mr. Bill Jurika and Dick Morrison of Jurika and Voyles, the value equity manager.

Discussion was also held on the University's policy regarding investment in companies doing business in South Africa.

Investment Policy Change

In April 1986, the University of Wyoming Board of Trustees approved a motion directing the University to divest, in a prudent manner, from companies doing business in South Africa. This action has served as the basis for the University's policy prohibiting investment in companies doing business in South Africa.

Since 1986, the nation of South Africa has made significant progress toward the creation of a democratic society, and April 27, 1994, has been set as the date for free elections, thus completing the transition to democratic rule.

As a result of South Africa's progress toward majority rule, Nelson Mandela recently appeared before the United Nations to call for the lifting of international sanctions against South Africa.

In light of events in South Africa over the past seven years and Mr. Mandela's appeal to the international community, and based on a recommendation from the Investment Committee, Mr. Kepler moved that the Trustees (1) rescind their action of April 11, 1986, prohibiting investment in companies doing business in South Africa, and (2) instruct their investment managers that investment in companies doing business in South Africa may be considered on the same basis as investment in other equities. The motion was seconded by Mr. Dray, and it carried.

Quarterly Report, University Investments

A quarterly report on the status of the investments managed by the University as of September 30, 1993, was provided to the Investment Committee for information only.

DEVELOPMENT COMMITTEE

President Hammons

asked Chairman Saunders

for a report from the Development Committee meeting of October 29, 1993. Committee members attending the meeting were Jerry Saunders, Dave Bonner, Dick Brown, Frosty Kepler, and Bryan Sharratt. The following reports were presented to the full board:

Report on October 21-22, 1993 Foundation Board Meeting

Pete Simpson, Vice President for Institutional Advancement, reported that the October 21-22, 1993 Foundation Board meeting had been very productive. The meeting involved work of the Planning 2000 committee relating to the School of Environment and Natural Resources, with a subcommittee recommending people for the advisory board. Vice President Simpson asked Trustees to submit names of individuals to serve on the board.

Vice President Simpson announced that Win Hickey will be honored in January for her service to the Foundation Board.

Report on Capital Fundraising

Vice President Simpson distributed an update on college development activities. The College of Agriculture held Ag Appreciation weekend September 24-26, where they

recognized outstanding donors and alumni. Fund raising is continuing for the livestock teaching arena.

Private funding has been pursued for the north end athletic complex. An endowment will be made \$11 million if there is a lead trust.

Working closely with the UW Development office, Dr. James Steidtmann, Department Head of Geology, and Dr. Judith Antell, Director of American Indian Studies, created a successful proposal to recruit American Indian students for geology programs.

With key assistance from Dave Madia, a new van has been given to the Communication and Mass Media department to transport competitors of the forensics/debate team.

ATHLETIC COMMITTEE

Athletic Committee

members held a meeting

on October 29, 1993 with the following members present: Bryan Sharratt, Dick Brown, Perry Dray, Lee Harris and Jerry Saunders. Chairman Sharratt reported the following to the full Board:

Institutional Response to Office of Civil Rights on Title IX

As part of the Compliance Agreement entered into by the University of Wyoming and the U.S. Office of Education, Office of Civil Rights (OCR), an Ad Hoc Committee was formed to survey the athletic interests and abilities of UW students and make recommendations concerning the University's compliance with Title IX.

The recommendations of the Ad Hoc Committee are summarized as follows:

The University of Wyoming should

1. *Base its male/female target participation ratio on the ratio of interest in participating in sports at the intercollegiate level, with or without a scholarship, found in the student survey.*
2. *Prepare a plan, and follow it, to add the two women's sports which would provide the best chance to achieve the desired interest proportionality.*
3. *Conduct surveys every three years to monitor changes in interest that may have occurred and to implement plans to accommodate changes through the mix of sports offerings.*
4. *Monitor interest and increase opportunities to participate at the Club and Intramural level to reflect the interests of the students for athletic participation below the intercollegiate level and to remove any gender related disparities in these opportunities.*
5. *Recognize that Title IX compliance and gender equity in the area of opportunities for athletic participation are the responsibility of the University as a whole and not just of one department.*

President Roark broadened item 5. to read, "Recognize that Title IX compliance and gender equity in the area of opportunities for athletic participation are the responsibility of the University **and all of its supporters** as a whole and not just of one department."

In response to the recommendation for Title IX compliance received from the Ad Hoc Committee, the President and Athletic committee recommended that:

1. Three additional women's sports be phased in by the 1997-98 academic year: soccer and softball as recommended by the Ad Hoc Committee, and tennis in order to approach more closely a sports participation rate of 38 percent women athletes thereby reflecting the measured participation interest level of the University's women undergraduates;

2. The President is authorized to submit a final implementation plan, including his budget recommendations at the April, 1994 meeting of the Board of Trustees; and

3. The President shall submit the University's institutional response to OCR which includes a report of this action and the President's response to the report of the Ad Hoc Committee.

During the meeting of the committee, President Roark shared a letter from Lillian Gutierrez, Deputy Regional Director in the Office for Civil Rights in Denver, which commended UW for its progress to date in implementing the compliance agreement. Dr. Roark reported that UW has taken a proactive, positive approach to Title IX. Under the guidance of Dr. Robert Cochran, UW undertook the interests and abilities survey of potential women athletes with respect to participation in athletic activities, and then determine an appropriate response to the Office of Civil Rights. President Roark concluded that three courses of action are available: 1) add three women's sports; 2) Increase the student athletic fee and increase private giving to the Cowboy Joe Club; 3) to eliminate an appropriate number of men's sports. President Roark indicated that phasing in three women's sports seemed like the best first step. He was therefore asking for authorization to submit a plan to the Office of Civil Rights as institutional report in response to Title IX, followed by submission of a funding plan to the office in April of 1994.

Trustee Harris publicly thanked the ad hoc committee for their efforts. Trustee Ohman mentioned that she had taken the document to the Wyoming High School Activities Association, and they had been very supportive. They were, however, disappointed that no survey of high school students had been taken to determine their interests.

During the full board meeting, it was moved by Trustee Sharratt that the Board of Trustees approve the President's and Athletic Committee's recommendation. The motion was seconded by Trustee Kirk and carried, with Trustee Jorgensen opposing the motion.

Pay-per-view Games

Trustee Updike suggested that UW pursue the possibility of contracting with prime sports networks to suggest pay-per-view games.

COMMUNITY COLLEGE AND OUTREACH COMMITTEE

President Hammons

called on Trustee

Bonner for a report from the Community College and Outreach Committee meeting of October 29, 1993. Committee members Bonner, Brown, Jorgensen, Kirk, Kinnaman, and Ohman attended that meeting, and the following was reported to the full board:

2 plus 3 Engineering Agreement with Western Wyoming Community College

At the 1993 fall articulation meeting for Wyoming academic deans, a 2 + 3 Engineering Agreement was finalized between Western Wyoming Community College

and the University of Wyoming. Ken Fitschen, WWCC Dean of Instruction, and Al Karnig, UW Provost, signed for their respective institutions.

President Terry Roark reported that the 2 plus 3 Engineering Agreement was being provided to the Trustees as an item for information. The agreement is an expansion of the block transfer agreement with Western Wyoming Community College. Plans are to create similar agreements with Wyoming's other community colleges.

The engineering agreement identifies the first- and second-year community college courses which provide a math, science, and engineering foundation. After transferring under this plan, a Western Wyoming Community College student should be prepared to complete the engineering degree in three years at the University of Wyoming.

The 2 + 3 Engineering Agreement concludes months of discussion between Tex Boggs, WWCC president, and David Whitman, UW Associate Dean of Engineering. Working together, they devised curriculum plans to facilitate engineering transfer. WWCC added some engineering courses and committed to teaching a regular cycle of engineering curriculum.

The engineering curriculum is important to southwestern Wyoming where many students are employed in petroleum and mining professions. With the engineering agreement, students can be sure they have mastered the engineering basics before transferring to Laramie and committing to three years in the UW College of Engineering.

Report on Partnership Efforts - Technology Transfer

President Roark reported that the Governor's economic roundtable held in Cody was a restatement that UW would participate in technology transfer. Following that

meeting, President Roark, Rich Lindsey, George Gault, Derek Hodgson, Shelby Gerking, Al Karnig, and Dan Baccari participated in a conference call with Trustees Debbie Hammons and Dave Bonner regarding economic development. A subcommittee composed of Derek Hodgson, Rich Lindsey, and George Gault will continue those discussions.

Vice President for Research Derek Hodgson reported that earlier this year, the state's involvement with the Small Business Development Centers had been terminated, and that Wyoming is now the only state without small business development centers. The Governor is re-assessing the future of the centers. It is a federal requirement that an institute of higher learning be involved in such centers, so UW will be included if they are reinstated. The federal government is making significant monies available; however, they all require partnerships. The National Science Foundation is now seeking states who will serve as pilot states for basic research/technology based instruction linkage. UW will coordinate their activities with STEA and EPSCoR, and will seek legislative funding for programs. Funding requests should be submitted to the Governor by mid-November so that the Governor can present a funding request to the legislature by December 1. Trustee President Hammons requested that Vice President Hodgson's committee keep Trustees Ohman, Kinnaman, and Bonner informed about the project.

UNFINISHED BUSINESS

President Hammons suggested that Trustees work with committees to analyze materials prior to the Trustee meetings.

NEW BUSINESS

Thanks were extended to News Service Director Bill Young for his fine efforts in coordinating the Hall of Fame Banquet.

A letter was circulated to Trustees for signature thanking Win Hickey for her years of service to UW and the Foundation Board.

Trustee Yates asked the Board to consider a change to UniReg 241 regulating malt beverage service in the Wyoming Union. The change requested would allow service in bottles or cans instead of limiting it to kegs. It was moved by Trustee Kepler and seconded by Trustee Sharratt that the change be allowed. Following discussion, President Hammons suggested empowering the executive committee and the administration to act after the legality of the issue was determined. Trustee Bonner amended the motion to authorize the executive committee to act after an internal review. Trustee Harris seconded the motion and it carried.

PUBLIC COMMENTS

Trustee Hammons thanked Trustee Yates for the clocks given to Trustees by ASUW and congratulated them on their 80th anniversary. Trustee Yates reported ASUW's approval of the financial exigency policy. New issues ASUW is considering are the possibility of midterm grades, providing syllabi in Coe Library for students for the following semester, forming a senior gift committee to do community service, and discussion of the course fee proposal.

Trustee Hammons thanked Staff Council for the breakfast on Saturday morning. Staff Council chair Randi Johnson thanked those in attendance at the breakfast. Staff

Council recently distributed the results of the salary/benefit survey. The group is working on a staff retrenchment policy.

Ron Spahr, chair of Faculty Senate, expressed gratitude that the financial exigency policy had been adopted. He reported that a hate speech document has been sent to faculty, and will be on the agenda for the November 15 meeting of Faculty Senate. UniReg 35 dealing with faculty grievance procedures will be brought to Trustees as soon as possible.

ANNOUNCEMENTS

Ex-officio Trustee Diana Ohman said that she had recently attended a Wyoming Community College conference, at which Vern Shelton had given opening remarks. Trustees Ohman commended Mr. Shelton for representing the University's interests so well.

ADJOURNMENT AND DATE OF NEXT MEETING

There being no

further business to come

before the Board, the meeting adjourned at 11:05 a.m. The next meeting date is scheduled for December 10-11, 1993 in the Old Main Board Room.

Respectfully submitted,

A handwritten signature in cursive script, reading "Donna J. Mecham".

Donna J. Mecham
Deputy Secretary

Senate Bill 262

Introduced by
Ad Hoc Committee on Financial ExigencyA BILL TO REVISE UNIREG 41
CONCERNING FINANCIAL EXIGENCY

(Amendments to original Senate Bill 262 are indicated by capitalization and lined-through text.)

1 WHEREAS, the University of Wyoming may be confronted by a deficiency in financial
2 resources which requires the reduction or elimination of University programs and may
3 require the discharge of University personnel, including tenured faculty; and

4 WHEREAS, it is in the best interests of the University, its students, faculty and other
5 personnel to adopt fair and rational principles and procedures for dealing with such a
6 financial deficiency;

7 THEREFORE BE IT ENACTED by the Faculty Senate of the University of Wyoming that
8 UniReg 41 be revised by replacing the present text thereof with the following provisions:

9 1. Statement of Policy. In the event the University of Wyoming is confronted by a
10 deficiency in financial resources which is so serious as to require the reduction or
11 elimination of programs or services and the discharge of University personnel including
12 tenured faculty, the University shall respond fairly and rationally, and in a manner
13 consistent with the continued attainment of the mission of the University.

14 This Regulation sets forth guidelines and procedures to promote decisiveness, fairness
15 and consistency in Presidential leadership and to ensure adherence to established
16 principles in the event of such an occurrence. To the extent possible, decisions will be
17 made through regular University processes, with significant input from faculty,
18 academic professionals, staff, administrators and students.

19 2. Definitions. As used in this Regulation:

20 a. "Committee" means the Financial Crisis Advisory Committee.

21 b. "Financial Crisis" means an imminent and substantial deficiency in
22 available University financial resources which warrants reduction or
23 elimination of University programs. The deficiency in available financial
24 resources may result from reduced legislative appropriation, reduce state
25 revenues which make appropriated funds unavailable, reduced income
26 from other sources including University grants, gifts, and tuition and fees,
27 or from unforeseen financial demands.

28 c. "Financial Crisis Plan" means the plan developed by the President to meet
29 a financial crisis, and approved by the Board of Trustees.

d. "Financial Exigency" means a financial crisis so severe that preservation of the integrity of the University and prevention of substantial harm to the institution requires termination of the employment of tenured faculty. Termination of employment of tenured faculty in the event of financial exigency may result from program reductions or from program eliminations. Financial exigency may be determined only by the Board of Trustees, and the employment of tenured faculty members may be terminated only following the declaration by the Board of Trustees that a financial exigency exists. Financial exigency may be declared only when all feasible measures for reducing expenditures other than termination of tenured faculty have been considered and have been found inadequate to deal with the financial crisis.

e. "President" means the President of the University of Wyoming.

f. "Program" means a unit of the University which provides an organized and identifiable service or function, which may have an allocated budget, and which can be identified as a separate entity for planning purposes.

g. "Provost" means the Provost and Vice President for Academic and Student Affairs.

h. "Tenured Faculty" means regular faculty with tenure as defined in the Regulations of the Trustees of the University of Wyoming, Chapter V, Section 4.

3. Financial Crisis Advisory Committee. The Financial Crisis Advisory Committee shall consist of thirteen members:

Provost

Vice President for Finance

Two Deans, selected by the Executive Deans' Council

Two Members of each of the following, selected by their membership:

Faculty Senate Executive Committee

Academic Planning Committee

Budget Planning Committee

Staff Council

President of the Associated Students of Wyoming, or a member of the student body designated by the President of ASUW.

The Committee shall elect a chair from its members.

4. Determination of Financial Crisis. Whenever the President determines that a financial crisis exists, the President shall:

o Declare the existence of a financial crisis;

- 67 ◦ Convene the Financial Crisis Advisory Committee to advise the President;
- 68 ◦ Issue a written statement to the University community explaining why a
- 69 financial crisis has been determined to exist;
- 70 ◦ Specify the anticipated financial deficiency expected during the current
- 71 fiscal year and the University's financial prospects for the two succeeding
- 72 fiscal years;
- 73 ◦ Call a general University meeting at which the President shall explain why
- 74 a financial crisis has been declared, and solicit questions and comments
- 75 from members of the University community; and
- 76 ◦ Prepare a Financial Crisis Plan to address the deficiency in University
- 77 resources, and submit the Plan to the Trustees of the University for
- 78 approval by the Trustees.

79 5. Financial Crisis Plan. The Financial Crisis Plan shall be prepared by the
80 President in consultation with the Financial Crisis Advisory Committee. The President
81 shall inform the Committee of the financial circumstances of the University, and of
82 actions taken to effect economies. In the preparation of the Financial Crisis Plan,
83 determinations as to reduction of University expenditures including personal services,
84 support services, travel, equipment, non-operating expenditures, and contractual
85 services, shall initially be proposed through established University regulations and
86 procedures. THE COMMITTEE MAY SUBMIT TO THE BOARD OF TRUSTEES ITS
87 RECOMMENDATIONS WITH REGARD TO THE FINANCIAL CRISIS PLAN.

88 6. Financial Exigency. If the financial crisis is so severe that the financial crisis
89 plan will require the termination of positions held by tenured faculty members, the
90 President shall at the time of submission of the Financial Crisis Plan to the Board of
91 Trustees request that the Trustees declare a financial exigency. Before submitting a
92 request that the Board of Trustees declare financial exigency, the President shall inform
93 the Committee of the intention to do so, and the Committee may submit to the Board
94 of Trustees its recommendation as to whether financial exigency should be declared.

95 7. Action by Trustees. Based upon the Financial Crisis Plan submitted by the
96 President, and upon other available information, the Trustees shall approve, modify and
97 approve, or reject the Financial Crisis Plan. If the Financial Crisis Plan requests a
98 finding of financial exigency, and the Trustees determine that the financial crisis is so
99 severe that termination of tenured faculty is necessary, the Trustees shall declare
100 financial exigency.

101 8. Commitment to Tenured Faculty. Where a program is reduced due to financial
102 exigency, the employment of tenured faculty in the program shall not be terminated in
103 favor of retaining nontenured faculty, nor shall new appointments be made at the same
104 time to the program except in extraordinary circumstances where a serious distortion
105 in the academic program of the University would otherwise result. Decisions to
106 terminate tenured faculty shall not be made on the sole ground that financial savings
107 would result from the elimination of a person's salary.

108 If the position in a program of a tenured faculty member is eliminated due to
109 financial exigency, the University shall make reasonable efforts to transfer the faculty
110 member to another open and funded position for which the tenured faculty member is
111 qualified.

112 In the event that it is determined that the employment of a tenured faculty
113 member must be terminated due to financial exigency:

- 114 a. The faculty member shall be given written notice of termination, stating
115 the cause, at least one year prior to the effective date of termination.,
116 ~~unless financial conditions make it necessary to give shorter notice, in~~
117 ~~which case the longest notice practicable shall be given.~~
- 118 b. When notice of termination of employment is received, the tenured faculty
119 member may appeal the termination under University Regulation 35.

120 When a position held by a tenured faculty member is terminated, if that position
121 is restored or a new position with similar duties is created within a period of three years
122 following its termination, the position shall first be offered to the tenured faculty
123 member who formerly held the position, and who was terminated or transferred
124 because of financial exigency.

Authentication: The foregoing Bill was duly adopted by the Faculty Senate of the
University of Wyoming under date of October 18, 1993, and is hereby transmitted to
the President of the University of Wyoming for review in accordance with the
Regulations of the Trustees of the University of Wyoming.

Respectfully submitted,



Cecyle Perry, Secretary
Faculty Senate

A RESOLUTION EXPRESSING APPROVAL
OF PROPOSED INFORMATION CIRCULAR OUTLINING
PROCEDURES FOR IMPLEMENTATION OF REVISED UNIREG 41

1 WHEREAS, the Faculty Senate has adopted a revision of UniReg 41 to deal with
2 deficiencies in the financial resources of the University; and

3 WHEREAS, the implementation of UniReg 41 will require further detailed procedures;
4 and

5 WHEREAS, the President of the University has expressed his intention to adopt an
6 Information Circular setting forth those additional procedures;

7 THEREFORE BE IT RESOLVED by the Faculty Senate of the University of Wyoming:

8 THAT the Faculty Senate expresses its approval of the proposed Information Circular
9 outlining the procedures for the implementation of UniReg 41 as revised, and requests
10 its adoption by the President in substantially the following form:

11 **INFORMATION CIRCULAR 1993-**

12 **SUBJECT: Financial Exigency**

13 In the 1993 Revision of University Regulation 41, the Board of Trustees asserted the
14 intention that any Financial Crisis would be met with decisive action by the President
15 and in accordance with established principles and broad consultation. Many principles
16 related to dealing with financial crisis have been formulated and focused through broad
17 discussion, study and debate over recent months. Of particular note is the report of the
18 Faculty Senate Committee on Financial Exigency Policy submitted in August 1993.
19 The purpose of this Information Circular is to describe the manner in which the
20 President would intend to administer University Regulation 41 consistent with the
21 shared values and customary usages of the University.

22 **I. PLANNING**

23 Application of planning principles should be ongoing at the University. Essential factors
24 relating to establishment, expansion, reduction or elimination of any University
25 program should be examined when relevant through a consultative process appropriate
26 to the decision to be made. University planning principles, including but not limited
27 to the following shall be observed as applicable in the development of any University

28 Financial Crisis Plan:

29	Mission of the Program	Strength and Efficiency of Program
30	Quality of the Program	Generation of Revenue by Program
31	Cost of the Program	Investment in the Program
32	Effect on Mission of the University	Responsibilities of the University
33	Primacy of Academic Programs	Support for Program
34	Commitment to Academic Freedom	Relation to Other University Programs
35	Obligations to Students	Personnel Structure of Program
36	Loss of Students If Program Is Eliminated	Cause/Duration of Financial Deficiency
37	Service of Program to State	Privatization of the Program

38 **II. FINANCIAL CRISIS ADVISORY COMMITTEE**

39 The Financial Crisis Advisory Committee created by University Regulation 41 shall be
40 organized as follows:

41 The terms of Deans, and members of the Faculty Senate Executive Committee,
42 Academic Planning Committee, Budget Planning Committee, and Staff Council shall be
43 two years, with one member from each of these bodies initially to serve for one year.
44 Selection of members of the Committee shall take place in the spring semester of the
45 year. Terms shall commence on August 1, and shall continue until the selection and
46 qualification of a successor. An organizational meeting of the Committee shall be held
47 during the last week of August of each year. Other meetings of the Committee may be
48 called by the Chair or by any four members of the Committee. A majority of the
49 members of the Committee shall constitute a quorum for the transaction of Committee
50 business. Meetings of the Committee shall be closed to the public, unless an open
51 meeting is specified by the Committee or required by law.

52 At the request of the President of the University, the Committee shall consult with and
53 advise the President concerning matters of impending or existing financial crisis
54 affecting the University, and shall take part in the development of a Financial Crisis
55 Plan. The Committee shall also consult with and inform Deans, Vice Presidents,
56 Assistants to the President, the Faculty Senate, the Staff Council, and the Associated
57 Students of the University of Wyoming concerning the financial condition of the
58 University and the activities of the Committee.

59 The Committee shall consider the effect upon the University of reduction in financial
60 resources, and at the request of the President shall make recommendations concerning
61 the appropriateness of proposed responses to reductions in financial resources,
62 including any modification of the mission and objectives of the University, the centrality
63 of various programs to the University and the allocation of budgetary reductions within
64 the University.

65 The Committee may recommend remedial measures for University personnel who are
66 terminated or transferred due to financial crisis or financial exigency. These
67 recommendations may address provisions for retraining, early retirement, voluntary
68 leaves of absence, assistance in finding other employment, and extension of University

69 insurance coverage for a reasonable time. The Committee shall have access to
70 information necessary to the performance of its functions, and shall inform itself
71 concerning the financial condition and financial prospects of the University. The
72 President shall assign appropriate staff to assist the Committee. The President may
73 delegate to the Committee other functions concerning matters of financial crisis.

74 **III. FINANCIAL CRISIS PLAN**

75 Whenever it appears to the President that there is a substantial likelihood that the
76 University will experience a financial crisis, the President may after consultation with
77 the Financial Crisis Advisory Committee announce an Impending Financial Crisis. In
78 the announcement of Impending Financial Crisis, the President shall give a general
79 estimate of the nature and extent of the anticipated financial deficiency.

80 The President shall inform the Principal Officers of the University (i.e., each Vice
81 President, the Assistant to the President, and each Special Assistant to the President)
82 of the potential financial impact of the financial deficiency upon those programs for
83 which the Principal Officer is administratively responsible. Each Principal Officer shall,
84 following appropriate consultation, report to the President an estimate of the general
85 consequences of the projected financial reductions upon those programs, and may
86 suggest alternative measures of cost saving and revenue enhancement. Reports on the
87 effect of projected financial reductions shall be submitted pursuant to a schedule
88 established by the President. The President may consult with the Committee
89 concerning the reports.

90 Upon declaration of Financial Crisis, the President shall direct each Principal Officer to
91 prepare budgetary reduction plans for each area or program over which the respective
92 Principal Officer has administrative supervision. The budgetary reduction plans shall
93 conform to Presidential direction with respect to meeting designated budgetary
94 reductions and reporting format requirements and shall be prepared in accordance with
95 established University budgeting procedures, in consultation with personnel within the
96 affected areas or programs.

97 Budgetary reduction plans shall be prepared in accordance with the principles and
98 guidelines set forth for academic planning in Section I. PLANNING, above. Budgetary
99 reduction plans may include, but not be limited to:

100 a) Reduction or elimination of expenses, including travel, supplies, equipment,
101 publications and other expenses.

102 b) Reorganization or reduction of programs, which may include:

- | | | | | |
|-----|------|------------------------------------|-------|--------------------------------------|
| 103 | i) | Merger of programs | viii) | Increased workloads |
| 104 | ii) | Reduction of curriculum | ix) | Reduction of salaries and benefits |
| 105 | iii) | Reduction of services | x) | Leaves of absence |
| 106 | iv) | Reduction of number of students | xi) | Early retirement |
| 107 | v) | Downsizing summer programs | xii) | Termination of personnel |
| 108 | vi) | Reducing cocurricular activities | xiii) | Other actions to reduce expenditures |
| 109 | vii) | Not filling vacancies in positions | | |

- 110 c) Contracting for services with non-University entities
111 d) Increased use of part-time personnel or adjunct faculty
112 e) Other actions which will reduce expenditures
113 f) Elimination of programs, including academic programs, cocurricular activities and
114 service programs and termination of personnel within those programs

115 Based upon the budgetary reduction plans submitted by the Principal Officers and
116 following appropriate consultation with the Financial Crisis Advisory Committee, the
117 Executive Council, the Executive Deans' Council, the Faculty Senate, the Staff Council,
118 and Associated Students of the University of Wyoming, the President shall develop a
119 proposed Financial Crisis Plan to meet the financial shortfall.

120 The President shall announce the proposed Financial Crisis Plan to the University
121 community and to the public. A public meeting shall be conducted, at which the
122 President shall explain the proposed Plan and receive questions and comments
123 concerning the Plan. Comments upon the proposed Financial Crisis Plan will be invited
124 from all interested persons for a period of time as determined by the President.
125 Comments shall be in writing, except that at the discretion of the President one or more
126 public hearings may be conducted to receive oral and written commentary.

127 The President shall take into consideration comments and suggestions relating to the
128 proposed Financial Crisis Plan, and the results of all consultation to develop the final
129 proposed Financial Crisis Plan. The President shall submit the final proposed Financial
130 Crisis Plan to the Board of Trustees. If the Plan as submitted requires termination of
131 the employment of tenured faculty members, the President shall request that the Board
132 of Trustees declare Financial Exigency.

Authentication: The foregoing Resolution was duly adopted by the Faculty Senate of the University of Wyoming under date of October 18, 1993, and is hereby transmitted to the President of the University of Wyoming for review in accordance with the Regulations of the Trustees of the University of Wyoming.

Respectfully submitted,



Cecyle Perry, Secretary
Faculty Senate

The Faculty Senate amendment that was inadvertently left out for presentation to the Trustees is indicated by adding the shaded text and deleting the lined-through text found on Page 2.

REVISION TO UNIREG 41
CONCERNING FINANCIAL EXIGENCY

The following document was formally adopted by Trustees at their regular business meeting on October 30, 1993. Amendments, either presented to Trustees by the Faculty Senate, or those changes made by Trustees, are indicated by capitalization.

WHEREAS, the University of Wyoming may be confronted by a deficiency in financial resources which requires the reduction or elimination of University programs and may require the discharge of University personnel, including tenured faculty; and

WHEREAS, it is in the best interests of the University, its students, faculty and other personnel to adopt fair and rational principles and procedures for dealing with such a financial deficiency;

THEREFORE BE IT ENACTED by the Faculty Senate of the University of Wyoming that UniReg 41 be revised by replacing the present text thereof with the following provisions:

1. Statement of Policy. In the event the University of Wyoming is confronted by a deficiency in financial resources which is so serious as to require the reduction or elimination of programs or services and the discharge of University personnel including tenured faculty, the University shall respond fairly and rationally, and in a manner consistent with the continued attainment of the mission of the University.

This Regulation sets forth guidelines and procedures to promote decisiveness, fairness and consistency in Presidential leadership and to ensure adherence to established principles in the event of such an occurrence. To the extent possible, decisions will be made through regular University processes, with significant input from faculty, academic professionals, staff, administrators and students.

2. Definitions. As used in this Regulation:

a. "Committee" means the Financial Crisis Advisory Committee.

b. "Financial Crisis" means an imminent and substantial deficiency in available University financial resources which warrants reduction or elimination of University programs. The deficiency in available financial resources may result from reduced legislative appropriation, reduce state revenues which make appropriated funds unavailable, reduced income from other sources including University grants, gifts, and tuition and fees, or from unforeseen financial demands.

c. "Financial Crisis Plan" means the plan developed by the President to meet a financial crisis, and approved by the Board of Trustees.

- d. "Financial Exigency" means a financial crisis so severe that preservation of the integrity of the University and prevention of substantial harm to the institution requires termination of the employment of tenured faculty. Termination of employment of tenured faculty in the event of financial exigency may result from program reductions or from program eliminations. Financial exigency may be determined only by the Board of Trustees, and the employment of tenured faculty members may be terminated only following the declaration by the Board of Trustees that a financial exigency exists.
- e. "President" means the President of the University of Wyoming.
- f. "Program" means a unit of the University which provides an organized and identifiable service or function, which may have an allocated budget, and which can be identified as a separate entity for planning purposes.
- g. "Provost" means the Provost and Vice President for Academic and Student Affairs.
- h. "Tenured Faculty" means regular faculty with tenure as defined in the Regulations of the Trustees of the University of Wyoming, Chapter V, Section 4.

3. Financial Crisis Advisory Committee. The Financial Crisis Advisory Committee shall consist of thirteen members:

Provost
Vice President for Finance
Two Deans, selected by the Executive Deans' Council
Two ~~voting faculty~~ Members ~~of from~~ each of the following, selected by their membership:
Faculty Senate Executive Committee
Academic Planning Committee
Budget Planning Committee
~~Two members from the Staff Council, selected by its membership~~
President of the Associated Students of Wyoming, or a member of the student body designated by the President of ASUW.

The Committee shall elect a chair from its members.

4. Determination of Financial Crisis. Whenever the President determines that a financial crisis exists, the President shall:

- Declare the existence of a financial crisis;
- Convene the Financial Crisis Advisory Committee to advise the President;
- Issue a written statement to the University community explaining why a financial crisis has been determined to exist;

- 63 ◦ Specify the anticipated financial deficiency expected during the current fiscal year and
64 the University's financial prospects for the two succeeding fiscal years;
- 65 ◦ Call a general University meeting at which the President shall explain why a financial
66 crisis has been declared, and solicit questions and comments from members of the
67 University community; and
- 68 ◦ Prepare a Financial Crisis Plan to address the deficiency in University
69 resources, and submit the Plan to the Trustees of the University for approval by the
70 Trustees.

71 5. Financial Crisis Plan. The Financial Crisis Plan shall be prepared by the President in
72 consultation with the Financial Crisis Advisory Committee. The President shall inform the Committee
73 of the financial circumstances of the University, and of actions taken to effect economies. In the
74 preparation of the Financial Crisis Plan, determinations as to reduction of University expenditures
75 including personal services, support services, travel, equipment, non-operating expenditures, and
76 contractual services, shall initially be proposed through established University regulations and
77 procedures. THE COMMITTEE MAY SUBMIT TO THE BOARD OF TRUSTEES ITS RECOMMENDATIONS
78 WITH REGARD TO THE FINANCIAL CRISIS PLAN.

79 6. Financial Exigency. If the financial crisis is so severe that the financial crisis plan will require
80 the termination of positions held by tenured faculty members, the President shall at the time of
81 submission of the Financial Crisis Plan to the Board of Trustees request that the Trustees declare a
82 financial exigency. Before submitting a request that the Board of Trustees declare financial exigency,
83 the President shall inform the Committee of the intention to do so, and the Committee may submit
84 to the Board of Trustees its recommendation as to whether financial exigency should be declared.

85 7. Action by Trustees. Based upon the Financial Crisis Plan submitted by the President, and
86 upon other available information, the Trustees shall approve, modify and approve, or reject the
87 Financial Crisis Plan. If the Financial Crisis Plan requests a finding of financial exigency, and the
88 Trustees determine that the financial crisis is so severe that termination of tenured faculty is
89 necessary, the Trustees shall declare financial exigency.

90 8. Commitment to Tenured Faculty. Where a program is reduced due to financial exigency,
91 THE RETENTION OF TENURED FACULTY IN THE PROGRAM SHALL BE GIVEN ALL DUE
92 CONSIDERATION OVER NON-TENURED FACULTY.

93 If the position in a program of a tenured faculty member is eliminated due to financial
94 exigency, the University shall make reasonable efforts to transfer the faculty member to another open
95 and funded position for which the tenured faculty member is qualified.

96 In the event that it is determined that the employment of a tenured faculty member must
97 be terminated due to financial exigency:

- 98 a. WRITTEN NOTICE OF TERMINATION, STATING THE CAUSE, SHALL BE GIVEN AS
99 SOON AS PRACTICABLE, TIME PERIODS FOR SUCH NOTICE IN OTHER REGULATIONS
100 NOTWITHSTANDING.

b. When notice of termination of employment is received, the tenured faculty member may appeal the termination under University Regulation 35.

When a position held by a tenured faculty member is terminated, if that position is restored or a new position with similar duties is created within a period of three years following its termination, the position shall first be offered to the tenured faculty member who formerly held the position, and who was terminated because of financial exigency.

DRAFT

ENCLOSURE 2

1994 - 95 ACADEMIC CALENDAR

A

AUGUST

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SEPTEMBER

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FALL SEMESTER 1994

Energy Plant Shutdown Aug 6-20
New Faculty Reporting Date Aug. 30
New Faculty Orientation Aug. 31
Returning Faculty Reporting Date Sept. 1
Advising/Registration September 6
Classes Begin September 7
Labor Day September 5
Mid Semester October 14
Homecoming October 15
Advising Week November 7 - 11
Classes Held
Thanksgiving Break Nov. 23 - 27
Study Day December 15
Finals Week Dec. 16 -17, 19-22

TOTAL DAYS: 68 (Blocked classes
1st half: 28
2nd half: 40)

SPRING SEMESTER 1995

MLK/Equality Day January 16
Advising/Registration Jan. 17
Classes Begin January 18
Mid Semester March 3
Spring Break March 4 - 12
Advising Week March 27 - 31
Classes Held
Easter Break April 14 - 17
Study Day May 5
Finals Week May 6/8 - 12
Commencement May 13

TOTAL DAYS: 70 (Blocked classes
1st half: 33
2nd half: 37)

TOTAL DAYS FOR YEAR--138

M=14;Tu=14;W=14;Th=13;F=13

M=13;Tu=14;W=15;Th=15;F=13

B

AUGUST

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DECEMBER

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JANUARY

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FEBRUARY

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 Advising Week November 7 - 11
 Classes Held
 Thanksgiving Break Nov. 23 - 27
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 Finals Week Dec. 16 -17, 19-22

TOTAL DAYS: 71 (Blocked classes
 1st half: 31
 2nd half: 40)

SPRING SEMESTER 1995

MLK/Equality Day January 16
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 Classes Begin January 18
 Mid Semester March 3
 Spring Break March 4 - 12
 Advising Week March 27 - 31
 Classes Held
 Easter Break April 14 - 17
 Study Day May 5
 Finals Week May 6/8 - 12
 Commencement May 13

TOTAL DAYS: 70 (Blocked classes
 1st half: 33
 2nd half: 37)

TOTAL DAYS FOR YEAR--141

M=14;Tu=15;W=14;Th=14;F=14

M=13;Tu=14;W=15;Th=15;F=13