

Approved June 12, 2024

THE UNIVERSITY OF WYOMING
SUMMARY MEETING MINUTES
OF THE TRUSTEES
May 8-10, 2024
PUBLIC SESSION

University of Wyoming

Vision

Use our unique strengths to make Wyoming and the world a better place.

Mission

As Wyoming's university, we unlock the extraordinary in every person through education, research, innovation, engagement, and service.

Values

- Access to an affordable, high-quality education.
- Real-world education where students learn by doing.
- A welcoming and supportive learning community fostered by integrity, inclusivity, freedom of expression, and respect.
- The growth, health, and leadership capacity of all members of the university community.
- Wyoming's wild and working lands as an asset to be utilized, understood, stewarded, and treasured.
- Our partnership and engagement with Wyoming communities in the creation and exchange of knowledge and resources.
- Our role as a catalyst for innovation and economic vitality.

(Accepted January 2023)

**THE UNIVERSITY OF WYOMING
SUMMARY MINUTES OF THE
BOARD OF TRUSTEES
May 8-10, 2024
Marian H. Rochelle Gateway Center
Laramie, Wyoming**

As will be reflected in the public and executive session meeting minutes, the Board of Trustees of the University of Wyoming met in Laramie, Wyoming, on Wednesday, May 8, 2024, Thursday, May 9, 2024, and Friday, May 10, 2024. Committee Meetings were held on Wednesday, May 8, 2024. The Board's business meeting was held on Friday, May 10, 2024.

**TRUSTEES OF THE UNIVERSITY OF WYOMING
BOARD MEETING AGENDA**

May 8-10, 2024

**Marian H. Rochelle Gateway Center
Laramie, Wyoming**

WORK SESSIONS

Recognitions6
DEI Recommendations in response to footnote in the Wyoming Legislature’s FY25-26 budget
Bill..... 6/21
UW President Update to the Board.....10
Research Excellence Presentation: Wind Energy Resource Center11
University-wide written process for access to and use of UW equipment in the High Bay Research
Facility11

Trustee Committee Reports

Academic and Student Affairs Committee12
Biennium Budget Committee14
Facilities Contracting Committee17
Fiscal and Legal Affairs Committee.....20
Legislative Relations Committee.....20
Research and Economic Development Committee.....20

Business Meeting

Roll Call..... 12/22

Approval of Minutes22
Administer Oath to Secretary.....23
Conflict of Interest23

Reports

ASUW, Kameron Murfitt23
Staff Senate, Adam Comeau23
Faculty Senate, Bob Sprague24

Public Testimony24

Committee of the Whole

Liaisons to other Boards Reports25

Other Action Taken at Meeting25

Date of Next Meeting.....	26
Adjournment	26
Executive Session Information	26
Appendix A.....	30

Thursday, May 9, 2024
Marian H. Rochelle Gateway Center

AGENDA ITEM TITLE: Recognitions

- Outgoing Board Chairman John McKinley
- Re-election of Staff Senate President Adam Comeau
- Re-election of ASUW President Kameron Murfitt
- Outgoing Faculty Senate Chairman Robert Sprague, and Incoming Faculty Senate Chairman Professor of Mechanical Engineering Ray Fertig

University of Wyoming Board of Trustees Certificate of Gratitude and Appreciation
05-09-2024 @ 2:34 p.m.

Trustee Kermit Brown moved the following resolution:

Whereas, John McKinley has served with distinction for the benefit of students, faculty, staff, and the wider University of Wyoming community during his two terms from May 2022 to May 2024 as Chairman of the University of Wyoming Board of Trustees;

Now, therefore be it resolved by the Board of Trustees of the University of Wyoming that this resolution expressing deep appreciation and gratitude for John McKinley's service and contributions to the University of Wyoming be unanimously adopted. Thank you, John McKinley, for your exemplary leadership and service.

Unanimously adopted this 9th day of May, 2024, by the University of Wyoming Board of Trustees. Trustee Dave True seconded the motion. The resolution carried unanimously.

AGENDA ITEM TITLE: DEI Recommendations in response to footnote in the Wyoming Legislature's FY25-26 budget bill, Seidel

The Board reserved an hour of its agenda to receive public comment on the Diversity, Equity and Inclusion Review Working Group report which can be found in the [May 2024 Board Report](#).

Before the Board engaged in its discussion, Trustee True stated the following: "Mr. Chairman, as many of you know, I'm not a real soft, touchy-feely kind of guy, but I want to draw a contrast. Those who know me know that I live, breathe, and bleed Wyoming—not just the University of Wyoming. Contrasting what we went through two months ago in this room and in this city, and this morning, with what we hear is going on across other college campuses in our country...makes me doubly proud to be a Wyomingite and to be a University of Wyoming Cowboy. Mr. Chairman, I draw that contrast because it's striking to me. We do have differences of opinion, but this demonstrates that the people at the University of Wyoming, cowboys and cowgirls throughout the state, can have good, meaningful discussions and honor one another. So, I just had to comment on that."

Trustee Kermit Brown provided a brief introduction to the discussion of the university response to the footnote in the Wyoming Legislature's FY 25-26 budget bill that reads "No funds from this appropriation shall be expended on the office of diversity, equity, and inclusion at the University of Wyoming or on any diversity, equity and inclusion program, activity or function." Trustee Brown read the following definition of diversity, equity and inclusion (DEI) as stated in the working group report:

Diversity, Equity, and Inclusion efforts are defined as advocating, promoting, or funding a program, activity, or function that:

1. Advantages or disadvantages, or attempts to advantage or disadvantage, an individual or group on the basis of race, color, sex, national origin, gender identity, or sexual orientation, to equalize or increase outcomes, participation or representation as compared to other individuals or groups;
- or
2. Promotes the position that the action of a group or an individual is inherently, unconsciously, or implicitly biased, privileged or inherently superior or inferior on the basis of color, sex, national origin, gender identity, or sexual orientation.

This excludes any of the following:

- a. Requirements necessary for athletic and accreditation compliance.
- b. Academic freedom, including research, teaching, and learning.
- c. Training students and employees on the non-discrimination requirements of state and federal law.
- d. Requirements necessary to establish or maintain eligibility for or compliance with any State or federal programs or laws, including equal opportunity.
- e. Requirements for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, “2+2” transfer students, low-income students, or individuals with disabilities.
- f. Private scholarships administered by an institution other than UW (not including those matched with state-appropriated dollars).
- g. Student fees to support student-led organizations and their use of faculty sponsors and University facilities.
- h. Constitutionally protected speech or actions.
- i. Expenditure of funds used for de minimus administrative activities not unique to any one program or activity (e.g., utilities, facilities use, etc.).

UW President Ed Seidel reported in response to the March 2024 Board discussion he charged a working group with providing suggestions (not formal recommendations) on how essential diversity, equity, and inclusion (DEI) programs, activities, and functions could be organized and funded within the university to make them most effective. President Seidel stated the working group consisted of members of faculty senate, staff senate, ASUW, deans, and administrators. Vice President and General Counsel Tara Evans and Vice President for Diversity Equity and Inclusion Zebadiah Hall were appointed cochairman of the working group. President Seidel stated that in the absence of a definition of DEI within the legislature’s budget bill footnote, the working group considered other legislative language and laws from other states to recommend a definition. President Seidel noted the exclusions noted in the definition (a-i) reaffirm and highlight the university’s continued commitment to federal compliance, competitive research and athletic endeavors, student success, academic freedom, freedom of expression, and access to all.

President Seidel stated the importance of diversity of thought, discipline, political view, geography and background, further stating that every dimension of diversity is critical, and should be valued at any university because it enriches community, supports finding solutions to complex problems

(something a university must strive to do), and fuels innovation. President Seidel stated that within the limits of the university's core values, including prioritizing merit, this diversity should be supported and celebrated at the University of Wyoming to promote expenditure decisions that are consistent with the university mission, applicable law, and ethical practice. President Seidel stated the university needed to not only follow the letter of the law, but the intent of the legislature. The president discussed the work already in progress to create an Allowable Expense Standard Administrative Policy and Procedure.

The president summarized in detail the contents of the *Diversity, Equity, and Inclusion Review Working Group* report and stated that among the university activities and programs that won't be changed are those addressing requirements necessary for athletic and academic accreditation compliance; training students and employees on the nondiscrimination requirements of state and federal law; requirements for access programs for military veterans, Pell Grant recipients, first-generation college students, nontraditional students, low-income students or people with disabilities; and student fees to support student-led organizations and their use of faculty sponsors and university facilities. President Seidel stated the university will continue to protect academic freedom and freedom of expression, which are among core principles of the university identified by the working group. President Seidel stated the university is committed to being open and welcoming to all; supporting and treating everyone fairly and respectfully; being politically neutral as an institution; basing hiring and grading exclusively on merit; encouraging inquiry instead of advocacy in the classroom; and considering the needs of all students, faculty and staff.

President Seidel then outlined items the working group suggested the university consider changing or discontinuing such as mandates for search committees to advance candidate pools that include candidates based on protected class. President Seidel stated he felt this issue is less clear and required significant discussion and shared an experience where a hiring committee initially failed to include female candidates. President Seidel emphasized the importance of exhaustive searches to ensure diversity without compromising merit-based hiring. Trustee Dave True raised concerns about potential discrimination, suggesting that rejecting a pool solely for lacking diversity could be problematic. Trustee Brown acknowledged the dilemma, suggesting that the absence of qualified women in the pool hinted at systemic issues. President Seidel clarified that the goal was not to mandate specific demographics but to ensure thorough efforts in recruitment. President Seidel argued against labeling a search as failed solely due to a lack of diversity, advocating for a nuanced approach to hiring evaluations.

The president outlined other items suggested for discontinuance such as the option of direct hiring candidates based on protected class, noting that the working group noted that this might occur occasionally, and it is an area for consideration. The president stated requests for diversity or loyalty statements from candidates has become a controversial practice in higher education, and stated it is something the university should evaluate to determine our own policy. Similar to the previous point, President Seidel stated that requiring search committees to use diversity statements merits discussion about its potential implications. President Seidel stated the practice of using a land acknowledgment statement not approved by the university should be further evaluated for appropriateness. President Seidel stated that requiring an evaluation of an employee's commitment to DEI in the annual performance evaluation is currently part of the university's evaluation

template but is not always utilized unless it directly pertains to the job but it should be discussed whether this requirement is necessary or should be modified. Trustee John McKinley asked for clarification regarding the reference to use of land acknowledgment statements.

President Seidel discussed the five options recommended by the working group.

1. Continue to fund the ODEI, its employees, and functions through private support.
2. Continue to fund the ODEI, its employees, and functions through state dollars and/or private support but change the name to accurately reflect the work of the office and legislative intent.
3. Reorganize or consolidate the ODEI, its employees, and functions within another university unit and change the name to accurately reflect the work of the office and legislative intent.
4. Close the ODEI, including termination of its employees, and redirect duties to other university units.
5. Close the ODEI, including termination of its employees, and redirect any federally required duties to other university units.

President Seidel stated that he looked forward to the Board's discussion of the matter before he made a recommendation, but also noted the university will no longer have funding to support the ODEI as is. President Seidel stated he and his cabinet have had extensive discussions weighing all options, and felt it is possible to distribute many of the duties through reorganization.

There was Board discussion about the unlikely ability to accurately define legislative intent and cautioned against making assumptions related to Governor Mark Gordon's line-item veto. State Superintendent for Public Instruction Megan Degenfelder expressed appreciation for the committee's work, particularly in examining definitions and understanding the context of public comments. Degenfelder stated the debate on eliminating DEI is not about removing diversity or inclusivity but addressing an extreme interpretation that suggests preferential treatment of one race or gender over another. Degenfelder went on stating that this interpretation is causing widespread anger across the state, as people do not want this at their university; the issue lies with the politicization of DEI. Degenfelder stated that, unlike other universities, the University of Wyoming is uniquely funded by the State Legislature, necessitating responsiveness to elected officials and, therefore, addressing these issues is essential for the university's progress. Trustee Brown stated that the people in the state are angry about "preferential treatment" and in his opinion, the challenge is that while some areas need further examination, preferential treatment is not what this university's ODEI does. ASUW President Kameron Murfitt drew attention to ASUW's report which was included in the Board's meeting materials. Trustee Macey Moore expressed concern that elimination of the office will affect the best execution of the services and programs. Trustee Brad Bonner stated he was pleased the university was made to conduct this examination. Trustee Bonner discussed the definition of DEI, and stated the majority of the services and programs the university is proud of do not fit the definition. Trustee Bonner contemplated the benefit of calling the work by a different name, and that doing so would not be intellectually dishonest. Trustee Michelle Sullivan described the benefit of addressing differences by identifying agreed upon values such as building a "community of belonging" and stated the university has the opportunity to do and be something special. Degenfelder stated that how the university prioritizes dollars and cabinet positions sends a message across the state and noted that while there is a vice president for

DEI there is not a vice president for the School of Energy Resources. President Seidel discussed Vice President for Diversity, Equity and Inclusion Zebadiah Hall's "force of personality." Trustee Jim Mathis inquired what functions have been added to the ODEI since its creation in 2017. In response President Seidel described ways in which the ODEI has acted like a communication hub and provided a visibility to the university's commitment to certain communities. Hall discussed the functions and breadth of the ODEI which often advised on the appropriate use of preferential treatment on campus and remarked that he "is not an office, he is a human."

Trustee John McKinley offered reflection on the discussion and recommended that the members of the Board review the working group report carefully, particularly Appendix A as it relates to student success. Trustee McKinley spoke about the benefit of the report and the exercise of identifying and evaluating activities. Trustee Kermit Brown stated the Board would receive input from UW President Ed Seidel, where it affects personnel matters, in Executive Session Friday, May 10, 2024, and that no decision regarding the future of the DEI office would be made on Thursday, May 9, 2024.

AGENDA ITEM TITLE: UW President Update to Board, Seidel

UW President Ed Seidel stated that enrollment at the university is a critical facet of its strategic vision and reported that the enrollment landscape as detailed in the *Institutional Analysis Brown & Gold Report* paints a picture of growth and progress. President Seidel stated with 10,913 students in Fall 2023, including 8,250 undergraduates and 2,663 graduate students, our retention and graduation rates are on an upward trajectory. President Seidel noted the Fall 2022 to Fall 2023 first-year class retention rate increased to 77%, and the six-year graduation rate improved to 61%. President Seidel went on to state the Free Application for Federal Student Aid (FAFSA) delays nationwide and shifting societal attitudes toward higher education present formidable obstacles, further stating recent data indicating declining perceptions of the value of higher education underscore the urgency of the university's enrollment strategy. President Seidel stated that with financial support from the Board, efforts to bolster marketing, recruitment, and retention show promise, and a strategic enrollment planning process has equipped the university with a comprehensive roadmap for the future. President Seidel stated that exploring changes to the university's budget model and strengthening partnerships with Wyoming community colleges offer avenues for sustained growth. President Seidel went on to discuss events like his "Coffee & Conversation" and Staff Recognition Day, and external activities like the "UW In Your Community" foster a culture of involvement. President Seidel discussed the peaceful student protest regarding the war in Gaza and commended the students for engaging in respectful discourse during a recent protest, in contrast with the national scene. President Seidel expressed satisfaction with the progress related to raising strategic philanthropic gifts and the growing momentum in humanities initiatives, particularly within the College of Arts and Sciences. President Seidel recognized the winner of the inaugural staff Presidential Excellence Award Christie Wildcat, and winner of the John P. Ellbogen Lifetime Teaching Award Kent Noble, as well as recipients of the Tobin and Spitaleri award. President Seidel closed his report stating his anticipation of spring commencement ceremonies, with over 1,800 students set to graduate.

AGENDA ITEM TITLE: Research Excellence Presentation

- Wind Energy Resource Center, Johnathan Naughton

Professor Jonathan Naughton presented the Board information related to the Wind Energy Research Center, which he leads. The center, founded in 2008, has been instrumental in advancing wind energy research, benefiting from a \$2 million gift from BP. Over the years, the center has conducted significant interdisciplinary research projects, focusing on areas such as wind plant modeling, transmission studies, and turbine design. The work has included collaborations with organizations like the Wyoming Energy Authority and Power Company of Wyoming, as well as government labs such as the National Renewable Energy Laboratory and Sandia National Laboratory. The center has also engaged in large-scale field campaigns, like the recent Rotor Aerodynamics Air Elastics and Wakes campaign, to gather data for turbine design improvement. Naughton stated the center's research encompasses both computational modeling and experimental validation, utilizing high-performance computing resources and physical testing facilities. It's developed models to simulate wind behavior at various scales, from continental to turbine levels, and has contributed to creating a national wind resource database. Naughton stated the research not only advances wind energy technology but also informs practical applications, such as turbine placement for optimal energy production and hydrogen generation. Naughton discussed student preparation for careers in the wind energy industry and participation in projects like the Collegiate Wind Competition. Naughton emphasized the importance of wind energy as part of a broader electrical system and highlighted the synergy between research, industry partnerships, and economic development efforts. In response to inquiry from Trustee Carol Linton, Naughton discussed materials research for wind turbine blades, and recycling at end of life. In response to inquiry from Trustee Elizabeth Greenwood, Naughton discussed bird migration and other impacts on wildlife. As a follow up, Trustee Greenwood discussed the health impacts on humans who reside near wind farms. In response to inquiry from Trustee Jim Mathis, Naughton spoke to the downstream demand of wind generated electricity. In response to inquiry from Trustee Dave True, Naughton clarified that wind provides 3% of total energy. In response to follow up, Naughton discussed how long it takes to down-power a wind turbine in response to radar indication of protected wildlife, and stated such emergency stops cause substantial wear and tear on turbines.

AGENDA ITEM TITLE: University-wide written process for access to and use of UW equipment in the High Bay Research Facility, Chitnis

UW President Ed Seidel and Vice President for Research and Economic Development Parag Chitnis discussed the collaborative process undertaken to develop a policy and procedure for multi-user instrument use and data acquisition requests at the university. It was stated the process involved meetings with key stakeholders, including College of Engineering Dean Cam Wright, Professor of Petroleum Engineering Mohammad Piri, and School of Energy Resources (SER) Executive Director Holly Krutka, to propose and refine the process. It was also stated that feedback from potential users was solicited and incorporated into successive iterations, leading to the development of a streamlined process now available on the website. Chitnis reported the procedure includes access policies and aims to simplify and expedite the equipment use process, ensuring about 30% of machine time is available for users, further stating the policy covers unique types of electron microscopes available in the High Bay Research Facility, with newer models also accessible in the Science Initiative Building. Chitnis went on to report that a committee has been established to oversee the process and conduct biannual reviews to assess its effectiveness. The committee will analyze data sets to identify adjustments needed to increase machine utilization. In

response to inquiry, Chitnis stated that recalibration of equipment for different users may vary in complexity, but some pieces, particularly those for atomic-scale microscopy, can be quickly adapted. Trustee John McKinley stated his disappointment that Piri, Krutka, and Wright were not present for the discussion. With Trustee Kermit Brown's concurrence, Trustee McKinley suggested an update be provided during the Board's November 2024 meeting and requested all stakeholders be present.

***COIFPM Multiuser Instruments Use DAPP and Data Acquisition Request Procedure
05-09-2024 @ 2:54 p.m.***

Trustee John McKinley moved the Board approve and adopt the COIFPM Multiuser Instruments Use DAPP and Data Acquisition Request Procedure that will allow and encourage equipment and facility use by university faculty and graduate students. Trustee Dave True seconded the motion. The motion carried unanimously.

Roll Call

Trustee Committee reports began at 2:54 p.m. Thursday, May 9, 2024. Deputy Secretary RoseMarie London called the roll.

Trustees participating: Kermit Brown (Chairman); Michelle Sullivan (Vice Chairman); Laura Schmid-Pizzato (Treasurer); Brad Bonner (Secretary); David Fall; Elizabeth Greenwood; Brad LaCroix (via video conference); Carol Linton; Jim Mathis; John McKinley; Macey Moore; and Dave True.

Ex-officio Trustees participating: UW President Ed Seidel; State Superintendent for Public Instruction Megan Degenfelder; and ASUW President Kameron Murfitt. Wyoming Community College Commission Executive Director Ben Moritz was absent. Wyoming Governor Mark Gordon was absent; Deputy Policy Advisor Lachelle Brant attended on his behalf.

AGENDA ITEM TITLE: Academic and Student Affairs Committee – Michelle Sullivan (Chairman)

Trustee Michelle Sullivan provided a summary of the Academic and Student Affairs Committee discussion reporting on the committee's conversation about appropriate evaluation of new degree programs, and how accurate analysis connects to the university's enrollment and retention efforts. Trustee Sullivan further stated the committee discussed collaboration with the Wyoming Community College's as it relates to BAS degrees. Trustee Sullivan stated her desire to modify the membership of the Honorary Degrees Committee and will discuss next steps with general counsel. Trustee Sullivan then proposed the following recommended action by the committee:

***Master List of Degrees
05-09-2024 @ 2:55 p.m.***

Trustee Michelle Sullivan moved the Board approve the 2024 Master List of Degrees and Majors as presented on pages 2-12 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Notice of Intent: Graduate Certificate in Collaborative Practice
05-09-2024 @ 2:56 p.m.***

Trustee Michelle Sullivan moved the Board approve the Notice of Intent for the Graduate Certificate in Collaborative Practice as presented on pages 13-17 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Notice of Intent: Graduate Certificate in Environment and Natural Resources Law & Policy
05-09-2024 @ 2:57 p.m.***

Trustee Michelle Sullivan moved the Board approve the Notice of Intent for the Graduate Certificate in Environment and Natural Resources Law & Policy as presented on pages 18-22 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Request for Authorization: Undergraduate Organizational Leadership Certificate
05-09-2024 @ 2:58 p.m.***

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Undergraduate Organizational Leadership Certificate as presented on pages 23-41 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Request for Authorization: Undergraduate Agribusiness Leadership Certificate
05-09-2024 @ 2:58 p.m.***

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Undergraduate Agribusiness Leadership Certificate as presented on pages 42-60 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Request for Authorization: Undergraduate Health Leadership Certificate
05-09-2024 @ 2:59 p.m.***

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Undergraduate Health Leadership Certificate as presented on pages 61-79 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

***Request for Authorization: Bachelor of Arts in European Languages, Literature, and Film Studies
05-09-2024 @ 2:59 p.m.***

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Bachelor of Arts in European Languages, Literature, and Film Studies as presented on pages 80-124 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

Request for Authorization: Master of Science in Quantum Information Science and Engineering

05-09-2024 @ 3:00 p.m.

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Master of Science in Quantum Information Science and Engineering as presented on pages 125-148 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

Request for Authorization: Master of Science in Artificial Intelligence

05-09-2024 @ 3:00 p.m.

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Master of Science in Artificial Intelligence as presented on pages 149-171 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

Request for Authorization: Ph.D. in English

05-09-2024 @ 3:01 p.m.

Trustee Michelle Sullivan moved the Board approve the Request for Authorization for the Ph.D. in English as presented on pages 172-193 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

Modifications to UW Regulation 11-7 (Wyoming Union)

05-09-2024 @ 3:02 p.m.

Trustee Michelle Sullivan moved the Board approve modifications to UW Regulation 11-7 (Wyoming Union) as presented on pages 194-197 in the May 2024 Academic and Student Affairs Committee materials. Trustee Macey Moore seconded the motion. The motion carried unanimously.

AGENDA ITEM TITLE: Biennium Budget Committee – Laura Schmid-Pizzato (Chair)

Trustee Laura Schmid-Pizzato provided a brief summary of the May 6-7, 2024, Trustee Budget Hearings and expressed appreciation of the hard work of the Budget and Finance staff. Trustee Schmid-Pizzato stated committee consideration of the salary distribution policy is on hold pending further recommendation from Governor Mark Gordon. Trustee Schmid-Pizzato then proposed the following recommended action by the committee:

UW Board of Trustees Organization Operating Budget for FY 2025

05-09-2024 @ 3:05 p.m.

Trustee Laura Schmid-Pizzato moved the Board approve the FY2025 operating budget for the Board of Trustees Organization (organization number 00013) as presented on pages 38-40 in the May 2024 Biennium Budget Committee materials. Trustee Carol Linton seconded the motion. The motion carried unanimously.

College of Agriculture, Life Sciences and Natural Resources Unbudgeted use of Unrestricted Expense Request (per Regulation 7-1)

05-09-2024 @ 3:06 p.m.

In accordance with UW Regulation 7-1, Trustee Laura Schmid-Pizzato moved the Board authorize the College of Agriculture, Life Sciences and Natural Resources to use up to two hundred thousand dollars (\$200,000) from the Sustainable Agriculture Research and Extension Center's Unrestricted Operating account and up to four hundred sixty-nine thousand eight hundred and fifty dollars (\$469,850) from the Center's designated fund balance to cover the cost of purchasing an unbudgeted Case IH 6150 Combine, as presented on page 42 of the May 2024 Biennium Budget Committee materials. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Funding and recommendation for approval of match

05-09-2024 @ 3:08 p.m.

Trustee Laura Schmid-Pizzato moved the Board authorize administration to transfer thirty-one thousand three hundred dollars (\$31,300) of the previously committed funds from the special projects reserve to satisfy the matching obligation of funds raised by the Foundation. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Electric Charging Station Parking Rates (per UW Regulation 7-11)

05-09-2024 @ 3:08 p.m.

In accordance with UW Regulation 7-11, Trustee Laura Schmid-Pizzato moved the Board approve the amended EV Charging rate structure and to add an EV parking violation to the FY2025 business fee as presented on pages 46-47 of the May 2024 Biennium Budget Committee materials. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Student Affairs Establishment of Plant Funds

05-09-2024 @ 3:09 p.m.

Trustee Laura Schmid-Pizzato moved the Board authorize the Division of Student Affairs to establish the creation of a plant fund to best manage the Wyoming Union facility and to allow for multi-year planning for critical maintenance, as presented on pages 48-49 of the May 2024 Biennium Budget Committee materials. Trustee Carol Linton seconded the motion. The motion carried unanimously.

***Matching Funds Priority List
 05-09-2024 @ 3:09 p.m.***

Trustee Laura Schmid-Pizzato moved the Board authorize administration and the UW Foundation to move forward with the list of fundraising priorities in faculty support and student success, as attached and in no particular order, to satisfy the state matching funds appropriated for FY2025, and allow administration and the UW Foundation to come back to this board to modify or expand the list of priorities. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Matching Funds Priority List

Student Success	Faculty Support
Athletics	College of Agriculture
Biodiversity Institute	College of Arts & Sciences
College of Agriculture	College of Business
College of Business	College of Engineering
College of Education	College of Health Sciences
College of Engineering	Haub School
College of Health Sciences	School of Energy Resources
Haub School	
Multicultural Affairs	
Multiple Units	
OSFA	
School of Pharmacy	
UW at Casper College	
Veterans' Service Center	
WWAMI Medical Education Program	
Wyoming Public Media	
Student Affairs	

Standard Administrative Policy and Procedures (SAPP)-Naming Opportunities and Minimum Funding Requirements for Naming of University Facilities, Programmatic Units, and Funded Academic Honors

05-09-2024 @ 3:10 p.m.

Trustee Laura Schmid-Pizzato moved the Board approve the modified Standard Administrative Policy and Procedures (SAPP) Naming Opportunities and Minimum Funding Requirements for Naming of University Facilities, Programmatic Units, and Funded Academic Honors as provided in the May 2024 Biennium Budget Committee supplemental materials as presented on pages 1-6. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Set the Amount of Deputy Treasurer's and Treasurer's Bond

05-09-2024 @ 3:11 p.m.

Trustee Laura Schmid-Pizzato moved the Board approve the Vice President for Budget and Finance to execute a \$1,000,000 bond to fulfill the requirement of Wyoming Statute 21-17-203. Trustee Carol Linton seconded the motion. The motion carried unanimously.

Designate Depositories for UW Funds

05-09-2024 @ 3:11 p.m.

Trustee Laura Schmid-Pizzato moved the Board approve the depositories for UW funds as presented in the attached document. Trustee Carol Linton seconded the motion. The motion carried. Trustees Brad Bonner and Dave True recused themselves from the vote.

AGENDA ITEM TITLE: Facilities Contracting Committee – Carol Linton (Chairman)

Trustee Carol Linton proposed the following action recommended by the Facilities Contracting Committee:

Real Estate (Purchase Offer)

05-09-2024 @ 3:31 p.m.

Trustee Carol Linton moved the Board authorize administration to proceed with the property sale and accept the highest bid of \$140,000 from the competitive bid process and authorize administration to negotiate a purchase agreement. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

15th Street Improvements – Utilities Easement with Rocky Mountain Power

05-09-2024 @ 3:31 p.m.

Trustee Carol Linton moved the Board authorize the granting of easements 1, 2, and 3 to Rocky Mountain Power in the 15th Street corridor in Laramie, Wyoming. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

First Interstate Bank – Retail Space Lease (ATM)

05-09-2024 @ 3:32 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the amendment to the Lease Agreement with the First Interstate Bank for Automated Teller Machine (ATM) space in the Wyoming Union. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Laramie County Community College Lease Agreement

05-09-2024 @ 3:32 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the amendment to extend the Lease Agreement between Laramie County Community College and the University of Wyoming for the Southeast Regional Center in Cheyenne, Wyoming. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Laramie Chamber Business Alliance Lease Agreement

05-09-2024 @ 3:33 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the Lease Agreement with the Laramie Chamber Business Alliance for office space in the Wyoming Technology Business Center in Laramie, Wyoming. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

UW Plaza Overflow Parking – Lease Renewal
05-09-2024 @ 3: 34 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the proposed extension of a current Lease Agreement with the University Plaza, LLC for an overflow parking lot in Laramie, Wyoming. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

College of Law – Amendment #10 to the Architect Agreement
05-09-2024 @ 3:34 p.m.

Trustee Carol Linton moved the Board authorize administration to execute Amendment #10 to the Architect Agreement for the College of Law project funded via the Owner’s Contingency for a fixed fee not-to-exceed one hundred seventy-seven thousand seven hundred thirty-five dollars (\$177,735). Trustee Jim Mathis seconded the motion. The motion carried unanimously.

College of Law – Contractor Change Order
05-09-2024 @ 3:35 p.m.

Trustee Carol Linton moved the Board authorize administration to execute a contract change order with FCI Constructors of Wyoming, LLC in the not-to-exceed amount of eighty-one thousand nine hundred seventy-two dollars (\$81,972) for the College of Law project to be funded from Contractor’s Contingency Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Student Housing and Dining – Domestic Water in Lewis Street Change Order
05-09-2024 @ 3:35 p.m.

Trustee Carol Linton moved the Board authorize administration to execute a change order with JE Dunn Construction for the Housing and Dining project for an amount not-to-exceed two hundred eighty-three thousand eight hundred seventy-three dollars (\$283,873) to be funded out of the 2023 Major Maintenance Appropriation, as described on page 3 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Housing and Dining – Materials Testing Change Order
05-09-2024 @ 3:36 p.m.

Trustee Carol Linton moved the Board authorize administration to execute a change order with Solterra Engineering for the Housing and Dining project for an amount not-to-exceed sixty-nine thousand seven hundred forty dollars (\$69,740) to be funded out of the Owner’s Contingency budget, as described on page 5 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

UW Aquatics Center – Amendment to the Architect Agreement
05-09-2024 @ 3:37 p.m.

Trustee Carol Linton moved the Board authorize administration to execute an amendment to the Architect Agreement for the UW Aquatics Center project to Arete Design Group for two hundred seventy-two thousand four hundred ninety dollars (\$272,490) to be funded out of the Owner’s Contingency, as described on page 7 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

West Campus Energy Plant Boiler Build-Out – Contract Agreement
05-09-2024 @ 3:38 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the agreement between Owner and Contractor with GW Mechanical, Casper, WY in the amount of two million three thousand one hundred fifty-seven dollars (\$2,003,157) for the West Campus Energy Plant Boiler Build-Out to be funded with seven hundred fifty thousand dollars (\$750,000) from the Student Housing and Dining project and one million two hundred fifty-three thousand one hundred fifty-seven dollars (\$1,253,157) from the 2025 Major Maintenance Appropriation, as described on page 9 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Trustee John McKinley commended Vice President for Campus Operations Bill Mai's forethought regarding the planning of the West Campus Energy Plant.

Science Initiative Build-Out – Furnishings Contract
05-09-2024 @ 3:40 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the agreement between Owner and Contractor with Wyoming Office Products and Interiors, Casper, WY in the amount of one hundred sixty-three thousand four hundred eighty-eight dollars (\$163,488.00) for the Science Initiative Build-Out project to be funded out of the Science Initiative Furniture, Fixtures, and Equipment budget, as described on Page 11 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Sheridan Research & Extension Center Maintenance Facility – Architect Selection
05-09-2024 @ 3:41 p.m.

Trustee Carol Linton moved the Board authorize administration to execute the agreement between Owner and Architect with FDL Consulting in the amount of one hundred forty-seven thousand three hundred dollars (\$147,300) for the Sheridan Research and Extension Center Maintenance Facility project to be funded from the Design Services budget, as described on page 13 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Dairy Barn – Deconstruction
05-09-2024 @ 3:42 p.m.

Trustee Carol Linton moved the Board authorize administration to proceed with the Dairy Barn Deconstruction project with a total project budget not-to-exceed four hundred thousand dollars (\$400,000.00) funded via Major Maintenance, as described on page 15 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Amphibian Laboratory – Project Approval
05-09-2024 @ 3:43 p.m.

Trustee Carol Linton moved the Board authorize administration to proceed with the Amphibian Laboratory project with a total budget not-to-exceed four hundred and fifty thousand dollars (\$450,000.00) to be funded out of the Office of Research and Economic Development startup funds, as described on page 17 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Major Maintenance FY25-26
05-09-2024 @ 3:43 p.m.

Trustee Carol Linton moved the Board authorize administration to proceed with design and construction, and execute needed contracts, in amounts in order of priority, subject to urgency and emergencies which will be reported to the Facilities Contracting Committee at its next meeting, to accomplish the needed major upgrades per the submitted Major Maintenance FY25-26 plan, as shown on page 20 of the May 2024 Facilities Contracting Committee materials. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

AGENDA ITEM TITLE: Fiscal and Legal Affairs Committee – Macy Moore (Chairman)

Trustee Macey Moore provided the Board a summary of the Fiscal and Legal Affairs Committee discussion and proposed the following recommended action.

Internal Audit Charter
05-09-2024 @ 3:45 p.m.

Trustee Macey Moore moved the Board approve the Internal Audit Charter as presented on pages 36-42 of the May 2024 Fiscal and Legal Affairs Committee materials. Trustee David Fall seconded the motion. The motion carried unanimously.

Internal Audit Plan
05-09-2024 @ 3:45 p.m.

Trustee Macey Moore moved the Board approve the Internal Audit Plan as presented on pages 44 – 46 of the May 2024 Fiscal and Legal Affairs Committee materials. Trustee Elizabeth Greenwood seconded the motion. The motion carried unanimously.

AGENDA ITEM TITLE: Legislative Relations Committee – John McKinley (Chairman)

The Legislative Relations Committee did not meet in May 2024.

AGENDA ITEM TITLE: Research and Economic Development Committee – David Fall (Chairman)

Trustee David Fall updated the Board on the work of the Research and Economic Development Committee stating the committee received presentations from UW-NSF Career Award Proposal Recipients Nga Nguyen, Assistant Professor, Electrical Engineering and Computer Science, and Diksha Shukla, Assistant Professor, Electrical Engineering and Computer Science. Trustee Fall stated the Committee received an update from Shawna McBride on the progress of the EPSCoR/IDEA office, and the Industry and Strategic Partnership office from Curtis Biggs and Angela Ver Ploeg. Trustee Brad Bonner expressed the presentations to the committee continue to be very impressive and inspiring.

Friday, May 10, 2024

Marian. H. Rochelle Gateway Center

On Friday, May 10, 2024, the UW Board of Trustees participated in a Topping Out Ceremony for the new university student housing and dining.

AGENDA ITEM TITLE: DEI Recommendations in response to footnote in the Wyoming Legislature's FY25-26 budget bill, Seidel

The Board continued its discussion of the implications and future directives following the recent budget bill, which includes a footnote prohibiting the use of state funds for the Office of Diversity, Equity, and Inclusion (ODEI) at the University of Wyoming. This legislation, effective July 1, 2024, results in a \$1.7 million biennial reduction in the university's state support. UW President Ed Seidel began his remarks by expressing gratitude to the Board, the State Legislature, students, faculty, staff, and the broader university community for its "passion and investment in making the university the best it can be for all who study, work, and visit." President Seidel stated his recommendations are informed by months of inquiry, discussions, and feedback from numerous stakeholders, including the April 16, 2024, *Diversity, Equity, and Inclusion Review Working Group* report, written comments, public testimonies, and various conversations with his cabinet and university members.

President Seidel recommended closing the ODEI. The responsibilities of this office will be reassigned, and a new position, Vice Provost for Faculty, Staff, and Student Access, Opportunity, and Wellbeing, will be created, and that all current personnel in the Office of DEI will be reassigned to other roles within the university. President Seidel stated that despite the office's closure, the university will continue to uphold essential principles and activities, such as academic and research freedom, compliance with federal laws, and support for various community initiatives. President Seidel stated that many of the principles and activities at the university that have been carried out "for decades," because they are legally required or essential for community success will continue such as: academic and research freedom; university compliance with federal laws including the Americans with Disabilities Act, Title VI, Title VII, and Title IX; Native American affairs; the Shepard Symposium, and the Latina Youth Conference. President Seidel discussed university hiring and evaluation practices stating the university will no longer require job candidates to submit statements regarding DEI, and employees will not be evaluated on DEI components in their performance evaluations. President Seidel stated these changes reaffirm the university's commitment to merit-based employment practices, including hiring and promotion. President Seidel discussed plans to review additional university practices to ensure they promote merit and do not favor preferential treatment. Areas under review include admissions practices; DEI advisory councils, task forces, and committees; hosting and sponsoring of speakers; co-curricular identity-based services and events; the Inclusivity Pillar Report; recruitment and retention programs; scholarship and assistantship programs; strategic planning and student support services; and various symposia, research centers, and student organization structures.

There was Board discussion of the definition of DEI and the inclusion of specific exclusions in the recommendations. It was recommended that general counsel should revise relevant regulations to

align with the new recommendations. Several trustees acknowledged the difficult situation and expressed their commitment to upholding equality and merit-based principles. The Board commended the hard work of those involved in addressing these complex issues and emphasized the importance of continuing to serve students equitably, even without ODEI. Governor Mark Gordon's Deputy Policy Advisor Lachelle Brant expressed appreciation for the thorough consideration and decisions made regarding the university's programs. President Seidel concluded by highlighting the university's unwavering commitment to student success, especially during the upcoming graduation ceremonies, and encouraged everyone to focus on the university's next chapter.

Office of Diversity Equity and Inclusion

05-10-2024 @ 12:29 p.m.

Trustee Dave True moved the Board concur with and support the plan as outlined by the president [as follows], including the definition [of DEI] (see Appendix A) proposed by the working group.

- Close the Office of Diversity, Equity and Inclusion (DEI) and reassign staff.
- Create a Vice Provost for Faculty, Staff, and Student Access, Opportunity, and Wellbeing.
- Cease any requirement for prospective employees to submit statements regarding diversity, equity, and inclusion during the hiring process.
- Cease the requirement for UW employees to be evaluated on components of diversity, equity and inclusion.
- Review key practices, as described on pages 13-16 of the DEI Review Working Group report, to ensure they promote merit and do not promote preferential treatment.

Trustee David Fall seconded the motion. The motion carried unanimously.

Business Meeting

Roll Call

The business meeting was called to order at 11:54 a.m. Deputy Secretary RoseMarie London called the roll.

Trustees participating: Kermit Brown (Chairman); Michelle Sullivan (Vice Chairman); Laura Schmid-Pizzato (Treasurer); Brad Bonner (Secretary); David Fall; Elizabeth Greenwood; Brad LaCroix (via video conference); Carol Linton; Jim Mathis; John McKinley; Macey Moore; and Dave True.

Ex-officio Trustees participating: UW President Ed Seidel; and ASUW President Kameron Murfitt. Governor Mark Gordon; State Superintendent for Public Instruction Megan Degenfelder; and Wyoming Community College Commission Executive Director Ben Moritz were absent.

Approval of Meeting Minutes

05-10-2024 @ 11:52 a.m.

Trustee Brad Bonner moved the Board approve the public and executive session minutes of the March 20-22, 2024, and the April 10, 2024, UW Board of Trustees Meetings. Trustee David Fall seconded the motion. The motion carried unanimously.

Administer Oath to Secretary

Executive Director & Deputy Secretary RoseMarie London administered the Oath of Office to Board Secretary Brad Bonner per W.S. Sec. 21-17-206.

Conflict of Interest

Vice President and General Counsel Tara Evans reported that the university and the Board of Trustees maintain conflict of interest policies. These policies stem from the constitutional and statutory obligations of the Board to govern the university, and that each trustee is required to annually disclose any potential conflicts of interest, including financial disclosures, gifts, expenses, and other relevant matters. The Board Secretary oversees the evaluation process for conflicts of interest, determining appropriate actions such as recusal from votes or presentations. Evans noted these declarations are subject to the Freedom of Information Act and have been requested in the past.

Reports

ASUW – President Kameron Murfitt

ASUW President Kameron Murfitt discussed the results of the election and introduced Vice President Payden Knull. Murfitt reported ASUW's Student Organization Funding Board funded \$185,000 toward student events, conferences, and new student organization marketing. Murfitt added that \$70,000 was awarded in scholarships rewarding leadership and merit. Murfitt stated that in preparation to close a summer project initiative, \$150,000 will be distributed to stakeholders across campus for one-time projects. Murfitt reported that three pieces of legislation were passed by ASUW including creation of a Denver International Airport (DIA) shuttle service, which will fund two charter shuttles to DIA at the beginning and end of semesters helping students to travel home more affordably; funding for the use of the Marian H. Rochelle Gateway Center as a general election polling location from 2026-2036 which will replace multiple local polling places, and offer convenient voting access for students and the community with accessible parking; and a resolution in support of Passenger Rail service in Wyoming, urging the State to bring three proposed Amtrak routes through Wyoming, aiming to boost the state economy and improve travel options for residents and students.

Staff Senate – President Adam Comeau

Staff Senate President Adam Comeau reported a successful Staff Recognition Day was held on April 16, 2024, celebrating the dedication and hard work of staff members. Comeau thanked administration and faculty members who volunteered their time to support the event. Comeau stated that the Staff Senate has expanded beyond classified staff to now include administrative and contract staff with several new members confirmed at the most recent meeting. Comeau reported that Staff Senate introduced a resolution regarding the "Case for Change" staff reorganization. Comeau stated that the resolution was introduced to delay the reorganization until staff receive adequate information and feedback. Comeau noted that the resolution did not pass unanimously, with some senators in favor of the reorganization. Comeau emphasized the importance of acknowledging and presenting the views of those staff members in favor of the reorganization. Comeau reported that on May 1, staff were invited to participate in one-on-one feedback sessions with Human Resources from May 13-24. Comeau encouraged staff members to share their opinions in these sessions to ensure their voices are heard. Comeau expressed his thanks to President Seidel for stating his commitment to ensuring no reduction in staff salaries due to the

reorganization process. Comeau reported that he has joined the staff reorganization working group, representing staff to enhance communication with administration and ensure staff interests and concerns are addressed during the reorganization process.

Faculty Senate – Ray Fertig

Newly elected Faculty Senate Chairman, Professor of Mechanical Engineering Ray Fertig, reported that Faculty Senate unanimously passed Resolution 464, calling for an indefinite pause to the proposed “Case for Change” staff reorganization. Fertig stated that while they are supportive of the goals of the reorganization, including improving staff advancement opportunities and structured raises for better recruitment and retention, the implementation process has raised several concerns. Fertig reported the concerns include questionable quality of data from the Deloitte study; lack of substantial consultation with staff, faculty, and deans during the decision-making process; insufficient clarity on staff categorization criteria; and what has been felt to be dismissive response to stakeholder concerns, undermining shared governance and breeding further distrust. Fertig recommended administration conduct a thorough impact analysis down to the individual departments; develop a phased-in approach with timelines, pilot programs, evaluation metrics, and mechanisms for adjustments based on feedback; and engage in open communication with all stakeholders addressing their concerns. Fertig concluded his report noting the need for budgetary resources to genuinely improve staff compensation and advancement opportunities.

Trustee Brown commented that the unanimous reaction to the reorganization is of concern. In response to Trustee John McKinley’s inquiry regarding the resolutions against the *Case for Change*, UW President Ed Seidel stated he is committed to hearing concerns. Trustee Dave True inquired about the implementation status to which President Seidel stated the process has slowed and changes will be applied by September 1, 2024.

Public Testimony [Scheduled for Thursday, May 9, 2024, at 10:00 a.m.]

The following students, faculty and community members provided general comments on the Office of Diversity Equity and Inclusion. Mary Schmidt; Darlene Hansen; Riley Skorcz; Jennifer Hopkins; Calla Shosh; Koraline Wolfgang; Bianca Infante; Sarah Bieber; Ivan Sapien; Paula Medina; Bridget Groat; Alison Gernant; Michelle Mason; Molly Hand; and Lauren McLean.

Trustee Kermit Brown thanked everyone who took the time to provide comment to the Board. Trustee Dave True stated that admittedly he “lives and breathes the state of Wyoming” further stating that contrasting the comments provided to the Board during its March 2024 meeting and those received on May 9, 2024, with the national conversations related to DEI “makes him proud to be a University of Wyoming Cowboy.” Trustee Kermit Brown stated he was proud of the University of Wyoming student body and campus community in its ability to express differences in a “peaceful and mature way.”

Committee of the Whole

Board Committee Reports

Trustee Committees [*Committees of the Board will provide reports during the regular work sessions and will not have a formal report to provide during the Business Meeting.*]

Liaisons to Other Boards [*Written Liaisons to other Boards Reports were provided in advance.*]

- UW Alumni Association Board – Laura Schmid-Pizzato & Jack Tennant
- UW Foundation Board – Brad Bonner & David Fall
- Haub School of Environment & Natural Resources – Michelle Sullivan
- Energy Resource Council – Dave True
- Cowboy Joe Club – John McKinley

OTHER ACTION TAKEN AT MEETING

Academic Personnel Report ***05-10-2024 @ 12:32 p.m.***

Trustee Michelle Sullivan moved the Board approve the May 2024 academic personnel report as provided. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried unanimously.

Non-Academic Personnel Matter ***05-10-2024 @ 12:33 p.m.***

Trustee Brad Bonner moved the Board authorize administration to move forward on the personnel matter as discussed in executive session. Trustee David Fall seconded the motion. The motion carried unanimously.

WWAMI Appeal ***05-10-2024 @ 12:33 p.m.***

Trustee David Fall moved the Board deny any loan forgiveness but allow administration to execute an amendment to the WWAMI repayment contract to allow the former WWAMI student to qualify for deferment of medical loan payments on the terms as identified in executive session. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Ordering Document to Increase License Users for Cloud Services with Oracle Fusion ***05-10-2024 @ 12:33 p.m.***

Trustee Jim Mathis moved the Board authorize administration to execute the Ordering Document to increase license users for Cloud Services with Oracle Fusion before this Board. Trustee Brad Bonner seconded the motion. The motion carried unanimously.

Front Range GigaPop Participation Agreement Amendment 2 ***05-10-2024 @ 12:34 p.m.***

Trustee Jim Mathis moved the Board authorize administration to execute the Front Range GigaPop Participation Agreement Amendment 2. Trustee Elizabeth Greenwood seconded the motion. The motion carried unanimously.

Agreement for Research Consultation and Services

05-10-2024 @ 12:34 p.m.

Trustee Dave True moved the Board authorize administration to execute the Agreement for Research Consultation and Services between the University of Wyoming and Western Research Institute. Trustee Brad Bonner seconded the motion. The motion carried unanimously.

Research Agreement between University of Wyoming and ACU Energy LLC

05-10-2024 @ 12:35 p.m.

Trustee David Fall moved the Board authorize administration to execute the Research Agreement between University of Wyoming and ACU Energy LLC. Trustee Jim Mathis seconded the motion. The motion carried unanimously.

Memorandum of Agreement between the University of Wyoming and University of Wyoming Foundation

05-10-2024 @ 12:36 p.m.

Trustee David Fall moved the Board authorize administration to execute the Memorandum of Agreement between the University of Wyoming and University of Wyoming Foundation. Trustee Brad Bonner seconded the motion. The motion carried unanimously.

Amendment No. 4 to the Partnership Agreement/Services Agreement between the University of Wyoming and Two Revolutions, LLC

05-10-2024 @ 12:36 p.m.

Trustee Michelle Sullivan moved the Board authorize administration to execute Amendment No. 4 to the Partnership Agreement/Services Agreement between the University of Wyoming and Two Revolutions, LLC before this Board. Trustee John McKinley seconded the motion. The motion carried unanimously.

New Business

Date of Next Meeting

June 12, 2024 (conference call)

Adjournment

The meeting was adjourned at 12:39 p.m.

Executive Session Information

[The UW Board of Trustees met in Executive Session on Thursday, May 9, 2024, and Friday, May 10, 2024, in person and via video conference.]

Executive Session I
Thursday, May 9, 2024
Marian H. Rochelle Gateway Center
8:00 a.m.

The UW Board of Trustees meeting was called to order at 8:01 a.m. Trustee Brad Bonner moved the Board enter Executive Session

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

Trustee Michelle Sullivan seconded the motion. The motion carried. The Board entered executive session at 8:04 a.m.

Trustees participating: Kermit Brown (Chairman); Michelle Sullivan (Vice Chairman); Laura Schmid-Pizzato (Treasurer); Brad Bonner (Secretary); David Fall; Elizabeth Greenwood; Brad LaCroix (via video conference); Carol Linton; Jim Mathis; John McKinley; Macey Moore; and Dave True.

Ex-officio Trustees participating: UW President Ed Seidel; State Superintendent for Public Instruction Megan Degenfelder; and ASUW President Kameron Murfitt. Wyoming Community College Commission Executive Director Ben Moritz was absent. Wyoming Governor Mark Gordon was absent; Deputy Policy Advisor Lachelle Brant attended on his behalf.

The executive session was attended in its entirety by the following:

- Provost and Executive Vice President for Academic Affairs Kevin Carman
- Vice President and General Counsel Tara Evans
- Deputy General Counsel Paula Whaley
- Vice President for Budget and Finance Alex Kean
- Vice President for Government Affairs and Community Relations Mike Smith
- Executive Director and Deputy Secretary RoseMarie London
- IT Specialist Margarita Rovani

The following administrators attended during their respective topics:

- Senior Vice Provost Tami Benham-Deal
- Athletic Director Tom Burman
- UW Foundation Board Chairman Mary Shafer- Malicki
- Interim College of Health Sciences Dean Michelle Hilaire
- Vice President and CIO Robert Aylward
- Deputy CIO Jen Chavez
- Center for Carbon Capture and Conversion Director, Trina Pfeiffer
- Vice President for Research and Economic Development Parag Chitnis
- Energy and Petroleum Engineering Professor Mohammad Piri

- Vice President for Institutional Advancement John Stark
- College of Education Dean Jenna Shim
- College of Business Dean Scott Beaulier

Executive Session II

Friday, May 10, 2024

Marian H. Rochelle Gateway Center

8:00 a.m.

The UW Board of Trustees meeting was called to order at 8:11 a.m. Trustee Brad Bonner moved the Board enter Executive Session

1. To consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party (16-4-405(a)(iii))
2. To consider the appointment, employment, right to practice or dismissal of a public employee and to consider accepting or tendering offers concerning wages, salaries, benefits, and terms of employment during all negotiations (16-4-405(a)(ii) and 16-4-405(a)(x));
3. To consider or receive any information classified as confidential by law (16-4-405(a)(ix)); and
4. To consider the selection of a site or the purchase of real estate (16-4-405(a)(vii))

Trustee Michelle Sullivan seconded the motion. The motion carried. The Board entered executive session at 8:15 a.m.

Trustees participating: Kermit Brown (Chairman); Michelle Sullivan (Vice Chairman); Laura Schmid-Pizzato (Treasurer); Brad Bonner (Secretary); David Fall; Elizabeth Greenwood; Brad LaCroix (via video conference); Carol Linton; Jim Mathis; John McKinley; Macey Moore (via video conference); and Dave True.

Ex-officio Trustees participating: UW President Ed Seidel, ASUW President Kameron Murfitt, and (via video conference) Wyoming Community College Commission Executive Director Ben Moritz. Wyoming Governor Mark Gordon was absent; (via video conference) Deputy Policy Advisor Lachelle Brant attended on his behalf. State Superintendent for Public Instruction Megan Degenfelder was absent.

The executive session was attended in its entirety by the following:

- Provost and Executive Vice President for Academic Affairs Kevin Carman
- Vice President and General Counsel Tara Evans
- Deputy General Counsel Paula Whaley
- Vice President for Budget and Finance Alex Kean
- Vice President for Government Affairs and Community Relations Mike Smith
- Executive Director and Deputy Secretary RoseMarie London
- IT Specialist Margarita Rovani

The following administrators attended during their respective topics:

- Associate Vice President for Institutional Marketing Chad Baldwin
- College of Education Dean Jenna Shim
- Vice President for Campus Operations Bill Mai

- Associate Vice President for Campus Operations Mike Samp
- UW Chief of Police Josh Holland
- Vice President for Student Affairs Kim Chestnut
- Associate Vice President Student Success and Graduation Nycole Courtney
- Acting Director of Internal Audit Becky Garcia
- Associate Vice President for Human Resources Bob Link
- UW President's Chief of Staff Kelsey Kyne

Respectfully submitted,



RoseMarie London
Executive Director and Deputy Secretary, UW Board of Trustees

Appendix A

Diversity, Equity, and Inclusion Review Working Group Report to President Ed Seidel *April 16, 2024*

V. Definition of DEI

DEI is a broad umbrella term encompassing a spectrum of ideals, values, and activities some of which are federally mandated, required for accreditation, and/or represent other unobjectionable activities. Through its work, the Working Group has found that in this broad sense DEI is integrated throughout higher education, including at the University of Wyoming. However, the legislative intent of the budget footnote appeared more focused on specific activities grouped with DEI efforts. In the absence of a definition of DEI within the budget footnote, the Working Group directed its attention toward other legislative language and laws from other states to draft a definition responsive to the perceived legislative intent.

Diversity, Equity, and Inclusion efforts are defined as advocating, promoting, or funding a program, activity, or function that:

1. Advantages or disadvantages, or attempts to advantage or disadvantage, an individual or group on the basis of race, color, sex, national origin, gender identity, or sexual orientation, to equalize or increase outcomes, participation or representation as compared to other individuals or groups; or
2. Promotes the position that the action of a group or an individual is inherently, unconsciously, or implicitly biased, privileged or inherently superior or inferior on the basis of color, sex, national origin, gender identity, or sexual orientation.

This excludes any of the following:

- a. Requirements necessary for athletic and accreditation compliance.
- b. Academic freedom, including research, teaching, and learning.
- c. Training students and employees on the non-discrimination requirements of state and federal law.
- d. Requirements necessary to establish or maintain eligibility for or compliance with any State or federal programs or laws, including equal opportunity.
- e. Requirements for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students, low-income students, or individuals with disabilities.
- f. Private scholarships administered by an institution other than UW (not including those matched with state-appropriated dollars).
- g. Student fees to support student-led organizations and their use of faculty sponsors and University facilities.
- h. Constitutionally-protected speech or actions.
- i. Expenditure of funds used for de minimus administrative activities not unique to any one program or activity (e.g., utilities, facilities use, etc.).