



**SHORT REPORT**

**HIGHER EDUCATION GOVERNANCE**

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Wyoming Legislative Service Office  
Research and Evaluation Division

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## **EXECUTIVE SUMMARY:**

This short report provides an overview of public higher education governance in the 50 states, as well as an in-depth summary of the University of Wyoming's current governance structure. The report describes the general models of higher education governance boards and the sources of legal authority for governance of public higher education institutions. The report also summarizes the different processes states utilize for the selection of governance board members and higher education executive officers. Finally, the report examines the powers and duties vested in the University of Wyoming Board of Trustees, the University President and Administrative Officers, and the University Faculty by the Wyoming Constitution, Wyoming Statutes, the Bylaws of the Trustees, and the University of Wyoming Regulations.

## **HIGHER EDUCATION GOVERNANCE STRUCTURES**

### **STATE GOVERNANCE STRUCTURES**

There are three general models of public higher education governance: a single, statewide coordinating board; one or more system governing boards, or individual institutional boards. Statewide coordinating boards set statewide policy for all state public higher education institutions. Even though they provide statewide policy, coordinating boards still allow for latitude of action by each public institution's local governing board. For example, the state coordinating board may set a statewide percentage limit for tuition increases but allow each institutional board to determine actual tuition increases within these parameters. Twenty-seven states, including Colorado, Nebraska, and New Mexico, have statewide coordinating boards. For example, the Colorado Commission on Higher Education coordinates the state's public colleges and universities, including the state's three system boards and six institutional boards.<sup>1</sup>

A system board is a state-level governing board that oversees public colleges or universities that are consolidated into one system or a multi-campus system. Wyoming community colleges are governed by a system board, the Wyoming Community College Commission. Twenty-three states have one or more system boards. Nine of these states, including Idaho, Montana, North Dakota

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<sup>1</sup> <https://www.ncsl.org/research/education/interactive-guide-to-state-post-secondary-governance-and-finance-policies.aspx#/>

and South Dakota, have a single, system governing board for all public higher education institutions. For example, the Montana University System Board of Regents oversees the state's sixteen public universities and colleges.<sup>2</sup>

An institutional board governs a single public institution. The University of Wyoming Board of Trustees is an institutional board.<sup>3</sup>

Some states have a mix of governing boards, with ultimate authority typically residing in a system or coordinating board. For example, North Carolina has ten institutional boards which are overseen by a system board with ultimate policy-making authority. Texas has multiple system and institutional boards which are overseen by a coordinating board.<sup>4</sup>

**See Appendix A: Governance Institution Data for all 50 States Compiled by the National Conference of State Legislatures.**

#### **SOURCE OF GOVERNANCE AUTHORITY**

States establish the legal authority for higher education governance boards in one of three ways: in their state constitution, in state statute, or by state charter. The state constitutions of 17 states, including Montana, Nebraska, North Dakota, and South Dakota, provide governance authority to postsecondary boards in their state. The most common source of authority for public higher education governance is state statute. Thirty-six states have governance boards that derive their authority from state statute, including Wyoming (the specifics will be discussed later in this report), Colorado, Idaho, New Mexico, South Dakota, and Utah. Only one state, Maine, has established a public higher education system, the University of Maine system, by charter.<sup>5</sup>

State policymakers have a responsibility to ensure postsecondary governance boards serve the public interest yet provide colleges and universities with sufficient autonomy to control their internal decisions and operations. State constitutional provisions can limit policymakers' abilities to influence postsecondary systems, institutions, and their governing boards. Changes to these

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<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>.

provisions usually require voter approval. State policymakers typically have greater influence when governance authority resides in state statute. Through legislative means, policymakers can mandate or incentivize governance boards to implement changes they feel would be beneficial for the state.<sup>6</sup>

### **SELECTION OF GOVERNANCE BOARD MEMBERS**

Coordinating and governing boards are typically charged with setting the overall vision for a state, system or institution. Depending on their scope of authority, board members can influence decisions related to system and campus leadership, performance goals, academic programs, faculty policies, budgets and financing, and other central issues.<sup>7</sup>

Board members for coordinating and governing boards are usually selected by appointment or election. A 2010 survey found that 77 percent of governance board members were appointed by the state governor and the majority of those appointments required consent of the state senate.<sup>8</sup> In some states, legislators and professional associations have the power to appoint board members.<sup>9</sup> Four states (Colorado, Nebraska, Nevada, and Michigan) elect public university board members. The elections are partisan in Colorado and Michigan, and non-partisan in Nebraska and Nevada.<sup>10</sup>

The 2010 survey also found that states have varying requirements regarding board composition. Requirements may stipulate that board members be selected based on criteria such as geographic residence, political affiliation, racial/ethnic identity, or gender. For example, the University of Missouri's Board of Curators is required by law to have members from each of the state's eight congressional districts and no more than five members from the same political party. States, however, do not always abide by legal requirements for higher education board composition.<sup>11</sup>

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<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Kelchen, R (2018). *Higher Education Accountability*.

<sup>9</sup> <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>

<sup>10</sup> Kelchen, R (2018). *Higher Education Accountability*.

<sup>11</sup> Ibid.

In addition to appointed or elected voting members, higher education governance boards may include:<sup>12</sup>

- Ex-officio members who are included on the board based on their professional credentials (higher education leaders, state K-12 superintendents, directors of non-education agencies, etc.).
- Students who are either appointed by the governor or chosen by their relevant student government organizations.
- Faculty members who are typically selected by their relevant professional associations.

### **SELECTION OF STATE HIGHER EDUCATION EXECUTIVE OFFICERS**

The state higher education executive officer is the most senior person charged with guiding postsecondary education public policy in their state. The officer is responsible for maintaining accountability in postsecondary education and providing leadership for postsecondary institutions in their state.<sup>13</sup>

State higher education officers may be selected by appointment--by a governor, coordinating board, system board, or institutional board--or directly hired by an agency head.<sup>14</sup> Hiring policies and requirements vary significantly across states. The vast majority of public higher education executive officers are selected by governing boards (31 officers in 23 states) or statewide coordinating boards (19 officers in 18 states).<sup>15</sup>

**See Appendix B: Appointing Authority of Postsecondary Executive Officers Compiled by the Education Commission of the States**

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<sup>12</sup> <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>

<sup>13</sup> [https://sheeo.org/wp-content/uploads/2019/04/SHEEO\\_RoadPolicyBrief.pdf](https://sheeo.org/wp-content/uploads/2019/04/SHEEO_RoadPolicyBrief.pdf)

<sup>14</sup> Ibid.

<sup>15</sup> <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>

## **UNIVERSITY OF WYOMING GOVERNANCE**

Founded in 1886, the University of Wyoming (University) is the only public four-year higher education institution in the state. Legal authority for governance of the University is provided by the Wyoming Constitution, Wyoming Statutes, Bylaws of the Trustees of the University, and the University of Wyoming Regulations (UW Regulations). The Wyoming Constitution establishes that the University shall be managed by a Board of Trustees (Board), and empowers the Legislature to enact laws prescribing the powers and duties of the Board. Wyoming statutes enacted by the Legislature define the powers and duties of the University Board of Trustees, faculty, and President. Among the powers conferred by statute to the Board is the authority to prescribe rules for the government of the University. The Bylaws of the Trustees further empower the Board to adopt, change or amend these rules, designated the UW Regulations. The UW Regulations, in turn, establish the Governance Structure of the University, including the administrative organization of the University, the power and duties of the President and other administrative officers, and the powers of the University faculty, as vested in the Faculty Senate. Finally, the UW Regulations empower the University President to establish Standard Administrative Policies and Procedures.

## **CONSTITUTIONAL PROVISIONS FOR UNIVERSITY GOVERNANCE**

Constitutional authority for governance of the University is set forth in Article 7 of the Wyoming Constitution. Article 7, Section 15 confirms the establishment of the University. Section 16 states that the University shall be equally open to students of both sexes, irrespective of race or color, and be “as nearly free as possible.”

## **MANAGEMENT BY BOARD OF TRUSTEES**

Article 7, Section 17 of the Wyoming Constitution specifies that the university, its lands and other property shall be managed by a board of trustees, consisting of not less than seven members, to be appointed by the governor by and with the advice and consent of the senate. The board of trustees shall also include the president of the university and the superintendent of public instruction as ex-officio members, who have the right to speak but not to vote.

## POWERS AND DUTIES OF THE LEGISLATURE

The Wyoming Constitution establishes the power and duty of the Legislature to (a) raise taxes or otherwise provide for the support and maintenance of the University; and (b) prescribe the duties and powers of the University Board of Trustees by law.<sup>16</sup>

## UNIVERSITY BOARD OF TRUSTEES: POWERS AND DUTIES

### BOARD OF TRUSTEES: STATUTORY POWERS AND DUTIES

Wyoming statutes specify the composition of the Board, trustee terms of office, powers and duties of the board, and board reporting requirements.

#### Board Composition; Member Appointment and *Term*

W.S. 21-17-201 states the government of the university is vested in a board of twelve trustees who are appointed by the governor. The statute specifies that no two board members shall be residents of the same county and at least one trustee shall be appointed from each appointment district established by W.S. 9-1-218, which are:

- District 1: Laramie, Goshen, and Platte counties
- District 2: Albany, Carbon, and Sweetwater counties
- District 3: Lincoln, Sublette, Teton, and Uinta counties
- District 4: Campbell, Johnson, and Sheridan counties
- District 5: Big Horn, Hot Springs, Park, and Washakie counties
- District 6: Crook, Niobrara, and Weston counties
- District 7: Natrona, Fremont, and Converse counties.

Wyoming Statute 21-17-201 further requires that not more than 75 percent of Board members be registered in the same political party. Wyoming Statute 21-17-201 also expands the ex-officio membership of the Board to include the governor and the president of the associated students of the university, in addition to the president of the university and the state superintendent of public instruction, as established by the Wyoming Constitution. In 2014, W.S. 21-17-207 was enacted

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<sup>16</sup> Wyo. Const. art 7, section 16 and section 17.

into law and added the director of the Wyoming community college commission as an ex-officio member of the Board.

Wyoming Statute 21-17-202 establishes the term of office of each trustee as six years. Each legislative session the governor shall nominate, with the advice and consent of the senate, successors to trustees whose term has expired or will expire before the next legislative session. Any member of the University faculty is prohibited by W.S. 21-17-202 to be appointed as a trustee.

### ***Board Powers and Duties***

Wyoming Statute 21-17-203 establishes the Board and their successors in office as a body corporate, named “the trustees of the University of Wyoming.” In addition, W.S. 21-17-203 defines the Board’s powers, duties and general functions. Per the statute, the Board possesses all powers necessary or convenient to accomplish the objects and perform the duties prescribed by law, and shall have custody of the books, records, buildings and all other property of the University. A chairman, secretary and treasurer shall be elected and perform duties prescribed in the bylaws of the Board. The bylaws shall also define the term of the officers and the times for holding meetings. Although the majority of the Board constitutes a quorum for the transaction of business, meetings with a less number may occur from time to time, with routine business entrusted to an executive committee of no fewer than three members as the bylaws of the board prescribe.

Wyoming Statute 21-17-203 also authorizes the Board to appoint and authorize a person to examine and approve for payment all legal claims against the Board. This person shall give bond with surety approved by the board, payable to the state of Wyoming in such sum as the board may fix, conditioned for the faithful performance of his duties. The chairman and secretary will sign a certificate of appointment and the bond will be filed with the state auditor. The statute further states, at each meeting of the Board all action taken by the person so appointed subsequent to the immediately preceding board meeting shall be submitted to the Board for its approval or disapproval.

Wyoming Statute 21-17-204 establishes the following additional powers and duties of the Board:

- The Board shall prescribe rules for the government of the university and all its branches, and elect the requisite officers, professors, instructors and employees, a director of finance and budget and a superintendent of buildings and grounds, any of whom may be removed for cause, and fix the salary and term of office of each.
- The Board shall prescribe the studies to be pursued and the textbooks to be used and determine the qualifications of applicants for admission to the various courses of study. No instruction either sectarian in religion or partisan in politics shall ever be allowed in any department of the university, and no sectarian or partisan test shall ever be exercised or allowed in the appointment of trustees or in the election or removal of professors, teachers or other officers of the university or in the admission of students thereto, or for any purpose whatsoever.
- The Board may:
  - Confer such degrees and grant such diplomas as are usual in universities or as they deem appropriate;
  - Through bylaws confer upon the faculty the power to suspend or expel students for causes therein prescribed;
  - Possess and use for the benefit of the institution all property of the university;
  - Hold, manage, lease or dispose of, according to law, any real or personal estate as is conducive to the welfare of the institution;
  - Expend the income placed under their control from whatever source derived, and exercise all other functions properly belonging to such a board and necessary to the prosperity of the university and all its departments.

Wyoming Statute 21-17-204 was amended during the 2020 Budget Session to prescribe additional Board duties (effective October 1, 2020):

- The Board shall adopt university regulations consistent with the requirements of W.S. 9-2-3006 for capital construction projects let by the University. (2020 Wyoming Session Laws, Chapter 30)
- The Board shall procure the professional services of architects, engineers, and surveyors in accordance with W.S. 9-23-205(f) through (h) and 9-23-106(g). (2020 Wyoming Session Laws, Chapter 29)

### ***Board Report to Governor***

Wyoming Statute 21-17-205 requires the Board to report through their chairman to the governor as required by W.S. 9-2-2014.<sup>17</sup> The Board shall report the progress, condition and wants of the university of each school or department, the course of study in each, the number of professors and students, the nature, costs and results of important investigations, and such other information deemed important or required by law in Wyoming or the United States. Itemized reports should be prepared by the secretary and treasurer showing the receipts and disbursements for the year, the appropriations resolution for that year, the purposes for which the revenue was expended, and the amount of revenue expended upon each school or department of work.

### **BOARD OF TRUSTEES: POWERS AND DUTIES ESTABLISHED BY BYLAWS**

The Bylaws of the Trustees of the University of Wyoming (Bylaws) contain 13 articles. Articles I, V, VI, VII, IX, and X, which concern governance of the University are discussed below.

#### ***Article I. Statutory Creation and Authority***

Article I specifies that the trustees six-year terms shall be staggered.

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<sup>17</sup> W.S. 9-2-1014 requires all agencies to submit with their budget request a written comprehensive report of the programs, objectives, activities and condition covering the previous fiscal period.

### *Article V. Duties of Officers*

Officers of the Board are elected annually. Article V establishes the duties of each officer as follows:

- The *Chairman* shall preside over all meetings of the Trustees and shall call the Trustees or Executive Committee into regular or special session. The Chairman has the authority to decide any disputes as to the application or meaning of the rules and Bylaws. The Chairman has the power to make temporary appointments to fill vacancies of the Trustees and board committees. The Chairman serves as an ex-officio non-voting member on all permanent committees of the Trustees. The Chairman, along with the Secretary, may sign any deeds, mortgage, bonds, contracts, or other instruments which the Trustees have authorized to be executed. The Chairman has the power to appoint ad-hoc committees as needed to address the business of the University.
- The *Vice-Chairman* shall perform the duties of Chairman in the absence of the Chairman or if the office becomes vacant.
- The *Secretary* shall be responsible for the minutes of the meetings of the Trustees; be custodian of the Trustees records and of the seal of the Trustees; sign with the Chairman of the Trustees such instruments; and be responsible for the supervision of duties delegated or assigned to the Deputy Secretary appointed by the Trustees.
- The *Treasurer* is responsible for an annual report that is completed by the officers and employees of the University. The report shall include all receipts and disbursements, and monies received, and maintain a general cognizance of fiscal and accounting procedures utilized by officers of the University designated by the Trustees to receive and disburse all monies.

### *Article VI. Other Officers*

Article VI establishes duties for other Board officers, including the Deputy Secretary, Deputy Treasurer, Internal Auditor and other officers and duties that are appointed at the discretion of the Trustees.

### *Article VII. Committees of the Trustees*

Article VII creates ten committees, each to be comprised of at least three Trustees. The duties and responsibilities of each committee are as follows:

- *Executive Committee*: shall consist of five Trustees: Chairman, immediate past Chairman (if such person remains on the Board), Vice-Chairman, Secretary, and Treasurer. The Executive Committee shall have authority to meet with the University president to exchange information and discuss issues and to act for the Trustees in all routine business matters wherein immediate decisions and actions are deemed necessary for the present welfare of the University.
- *Fiscal and Legal Affairs Committee*: responsible for assuring that the University's organizational culture, capabilities, systems and processes are appropriate to protect the financial health and the reputation of the University in all audit-related areas enumerated below. The Fiscal and Legal Affairs Committee will review the financial reporting processes, the system of internal controls, the audit process, and the process for monitoring and ensuring compliance with financial laws and regulations. It will monitor the University's internal and external auditor's findings.
- *Biennium Budget Committee*: responsible for working with University administration as it develops and submits the University's budget requests to the Governor as a state agency,
- *Facilities Contracting Committee*: responsible for working with University administration to develop and recommend modifications to the University's facilities planning, contracting and construction policies and procedures.
- *Financial Management and Reporting Committee*: responsible for taking an immediate and active role in developing a long-term, integrated, and comprehensive financial management and reporting system for the University; helping develop a meaningful short-term financial reporting protocol for the Board of Trustees so that the Board can meet its fiduciary obligations; and participating in developing the University's budget structure in coordination with the financial management and reporting system.

- *Honorary Degrees and Awards Committee*: responsible for recommending to the Board of Trustees the awarding of both the Trustees' Award of Merit and Honorary Degrees.
- *Trustees Legislative Relations Committee*: responsible for working closely with the Governor's office and the legislative leadership to develop a consensus of priorities for the University.
- *Vice President and Dean Search Committee*: responsible for informing the Board of Trustees of the progress of University searches for administrative officers and deans/directors of a college or school. The Vice President and Dean Search Committee may provide nonbinding feedback to the University's search committee during the recruitment process, confer with the University's search committee on the final candidate, and communicate with the full Board of Trustees as it determines.
- *Academic and Student Affairs Committee*: responsible for (1) reviewing and making recommendations to the full Board regarding the University's academic mission, as well as policies and resources needed to realize that mission, execute the University's academic strategic priorities, ensure the quality and integrity of each of the University's academic programs, and to ensure the University remains focused on an excellent student experience whether it is on a University campus or at a distance; and (2) reviewing and making recommendations to the full Board regarding policies, programming and services related to student engagement, wellness, development, and persistence.
- *Research and Economic Development Committee*: responsible for working with University administration to review and make recommendations to the full Board regarding policies and procedures pertaining to research compliance, core facilities, pre-award management and indirect revenue distribution. The Committee is also responsible for working with University administration to enhance the University's Technology Transfer and Research Products Center, including reviewing and making recommendations to the full Board regarding policies and procedures pertaining to inventions and copyrightable materials, technologies available for licensing, technology startup ventures, and the

protection, marketing, and ultimate transfer of intellectual property to industry. In addition, this committee is responsible for working with University administration in supporting entrepreneurial business ventures and provides recommendations to the full Board on such matters, including those pertaining to the use of the University of Wyoming Research Corporation.<sup>18</sup>

***Article IX. UW Regulations***

Article IX states the rules for the government of the University and all its branches, designated the “UW Regulations,” may be adopted, changed, or amended at any regular meeting or special meeting of the Board without prior formal notice, however, any intention to do so must be presented as a formal motion for action by the Board.

***Article X. President of the University***

Article X states the Board shall appoint the President of the University as long as there are nine affirmative votes of the Board. The initial term of the President shall be not less than one year, and the President shall continue in office at the will of the majority of the Board. Article X also states it will be the policy of the Board to confer with an advisory committee from the University faculty and staff prior to the selection of a new President.

Article X also describes powers and duties of the President established by UW Regulations.

**BOARD OF TRUSTEES: POWERS AND DUTIES ESTABLISHED BY UW REGULATIONS**

UW Regulation 1-1 (I)(B) states that the Board shall appoint the President, as provided in the Bylaws of the Board, as well as the following Officers upon the recommendation of the President following consultation with the appropriate University Officers and faculty: Vice Presidents, the Chief Diversity Officer, General Counsel, the Director of Government Relations, the Director of Intercollegiate Athletics, Deans, and the Executive Director of the School of Energy Resources.

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<sup>18</sup> Bylaws of the Trustees of the University of Wyoming; Section 7-1 through Section 7-10

UW Regulation 1-1 (I)(C) describes the powers and duties of the Board of Trustees Vice President and Dean Search Committee in relation to the University's Search Committee regarding the selection of administrative officers, including the provost, vice presidents, and college deans.

UW Regulation 1-1 (I)(D) states that the Trustees may remove any person appointed to an office or position pursuant to this section whenever in their judgment the best interests of the University will be served thereby. However, such removal shall be without prejudice to the contract rights, if any, of the person removed or the rights, if any, of such person as a tenured member of the faculty.

UW Regulation 1-1 (II)(A) states that in the event of the termination, resignation, death or incapacity of the President, the Trustees may appoint an acting President who will perform the duties and powers of the President during the time the Board directs. If no interim President is appointed, the Provost and Vice President for Academic Affairs shall perform the duties of President.

### **UNIVERSITY ADMINISTRATION: POWERS AND DUTIES**

The UW Regulations are comprised of 12 sections which govern the following:

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

UW Regulations Section 1, Governance and Structure, provides for the organization of the University, describe the roles and responsibilities of the University Staff Senate, and explains the authority and intended use of the UW Regulations and Standard Administrative Policies and Procedures. UW Regulation 1-1 designates the Officers of the University, provides procedures

for their selection and removal, and establishes the administrative organization of the University. The Regulation also outlines the powers and duties of the President and select Officers. Further information about the powers and duties conferred by Section 1 of the UW Regulations is provided below.

UW Regulation 1-101 explains the authority of the UW Regulations and Standard Administrative Policies and Procedures, as well as how they are established or amended. UW Regulations are general rules or statements addressing the governance, philosophies, principles or broad concepts inherent in carrying out the mission of the University. The President shall propose new Regulations and modifications or repeal of existing Regulations to the Board of Trustees.

University Faculty, Faculty Senate, faculties of the various colleges and of other academic units, Staff Senate, or University Officers may also propose Regulations to establish educational and academic policies for the University in order to promote the welfare of the University, the students and academic personnel; establish policies regarding student conduct, student life and student organizations; and establish faculty committees. These proposals shall be reviewed by the President and, per the President's favorable approval or, in the case of a Regulation proposed by the Faculty Senate, a three-fourths vote in the Faculty Senate, referred to the Board of Trustees.

Standard Administrative Policies and Procedures are operational rules for completing tasks related to a regulation. They must be approved by the President and administered by at least one University Officer.

#### **PRESIDENT OF THE UNIVERSITY**

##### ***President: Statutory Powers and Duties***

Wyoming Statute 21-17-104 states the president of the university shall be president of the several faculties and the executive head of all the departments. As such, subject to the board of trustees, the president shall have authority to give general direction to the instruction and investigations of the several schools and departments. In addition, if the interests of the institution require it, the president may be charged with the duties of one of the professorships.

***President: Powers and Duties established by Bylaws***

Article X, Section 10-2 of the Bylaws state the president, on behalf of the Trustees, shall be responsible for the custody of the books, records, buildings, and all other property of the University, and for the administration of the academic and business activities of the University in accordance with the directives, Bylaws, and UW Regulations and shall be clothed with all authority requisite to these ends.

The Bylaws require the President to inform and advise the Trustees with respect to the operations of the University and its relationships, and to serve as an ex-officio non-voting member of all permanent Trustee committees.

***President: Powers and Duties established by University Regulations***

UW Regulation 1-1 states that in addition to the powers and duties provided by Wyoming statute and the Bylaws of the University Trustees, the President is provided with the following authority and responsibility:

- the President shall enforce UW Regulations and is clothed with all authority requisite to these ends.
- the President may delegate any authority or responsibility of office to any other member of academic personnel or staff of the University; however, major areas of authority or responsibility shall have prior consent of the Trustees.
- the President shall establish standing administrative committees, which shall be responsible and advisory to the President.
- the President is authorized to settle claims against the University up to \$100,000.
- the President shall serve as the ordinary channel of communication between the Trustees and academic personnel and between the Trustees and all subordinate administrative officers and staff of the University. This regulation shall not be interpreted to limit the right of communication between academic personnel or other officers of the University and the Trustees or to limit the manner in which the Trustees may gain information as to the work and operation of the University.

- The President shall have as principal administrative officers a Provost and Vice President for Academic Affairs, a Vice President for Student Affairs, a Vice President for Finance and Administration, a Vice President for Research and Economic Development, a Vice President for Institutional Advancement, a Vice President for Information Technology, a General Counsel, a Director of Government Relations, a Director of Intercollegiate Athletics and a Chief Diversity Officer. The President also may have other assistants as are authorized from time to time and may also authorize the appointment of a Vice Provost, Associate Vice Provosts and Associate Vice Presidents for each of the principal administrative officers, who shall perform such duties as specified.

#### OTHER ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

##### *Other Officers: Powers and Duties established by UW Regulations*

UW Regulation 1-1 establishes the administrative organization of the University. In addition to conferring powers and duties to the President as described above, the regulation prescribes the authority and responsibilities of the following Officers:

- *Provost and Vice President for Academic Affairs* serves as the principal administrative officer for academic affairs, therefore, supervises the academic colleges and schools, academic personnel, academic centers and institutes, the Art Museum, the University of Wyoming Casper, enrollment management, international programs, University Libraries, and undergraduate and graduate education.
- *Vice President for Finance and Administration* serves as the principal financial officer of the University and is responsible to the President for the administration of all business and financial affairs of UW Operations. These operations can include business and capital planning, preparation and administration of the University budget and development of long-term financing strategies to support implementation of the Capital Facilities Plan. The position serves as the principal advisor to the President on the status of the University budget and should perform such duties as are required by statute or

UW Regulations. In addition, per the Bylaws, the Vice President for Finance and Administration shall serve as the Deputy Treasurer of the Trustees of the University.

- *General Counsel* provides legal advice to the University, supervises the General Counsel's Office, and coordinates communications with the state's Attorney General. The General Counsel is responsible for the administration of UW Regulations.
- *Vice President for Information Technology* is responsible to the President for general information technology functions of the University. As chief information officer of the University, the Vice President oversees and manages the elements of Information Technology, including administrative and academic computing, networking, telecommunications, computing laboratories and customer support services. The Vice President evaluates and analyzes beneficial emerging and advanced technologies and provides a stable, reliable technology infrastructure for the University.
- *Vice President for Institutional Advancement* is responsible to the President and Board of Trustees for private fundraising and relations with donors and maintain administrative supervision of the Office of Institutional Advancement.
- *Vice President for Research and Economic Development* is responsible to the President for the general administration supervision and coordination of research programs conducted by units of the University. The Vice President is responsible for reviewing and evaluating proposed research and economic development programs, continuing review of existing contracts and grants, and maintaining research compliance.
- *Vice President of Student Affairs* is responsible to the President for the general administrative leadership and coordination of programs and services designed to support the learning and development of UW students.
- *Director of Intercollegiate Athletics* is responsible to the President for the planning, direction and management of the Athletics Division.
- *Director of Government Relations* is responsible to the President for coordinating efforts to engage policy makers at the federal and state level to

promote the University and enhance the University's ability to meet its mission and goals. The Director provides advice, assistance, and information to the Board of Trustees, the President, and other University units with respect to government relations.

## **FACULTY: POWERS AND DUTIES**

### **FACULTY: STATUTORY POWERS AND DUTIES**

Wyoming Statute 21-17-103 defines "the faculty" as the president and professors of the university and states the faculty may enforce rules and regulations adopted by the trustees for the government of the students, reward and censure students as they may deserve, and generally exercise such discipline in line with university regulations. The statute also entrusts the immediate government of colleges or departments of the University to their respective faculties.

### **FACULTY: POWERS AND DUTIES ESTABLISHED BY UW REGULATIONS**

UW Regulation 2-1 designates the membership of the University Faculty as the University President, vice presidents with academic appointments, deans and directors with academic appointments, and members of the faculty who hold the standard professorial titles.

UW Regulation 2-300, Bylaws of the University Faculty, provides for the basic organization and processes through and by which the University Faculty may function in the exercise of its authority and responsibility as prescribed by UW Regulations. UW Regulation 2-300, Article II, Section 1, Delegation of Powers, states that the powers conferred upon the University Faculty by the Board of Trustees, subject to the limitations stated herein, shall be vested exclusively in the Faculty Senate established by these Bylaws, which body shall act for and in behalf of the University Faculty in the exercise of said powers.

UW Regulation 3-200, Article II, Section 2, Objects and Authorities, states that the Faculty Senate shall seek to determine and establish educational and academic policies which promote and protect the interests and welfare of the University community and further the full and free development and preservation of scholarly learning, teaching and research, including:

- establish and review policies relating to undergraduate and graduate curricula and courses of study.

- establish and recommend policies relating to general requirements for degrees, diplomas and certificates, and honorary degrees.
- establish policies and standards regarding the admission, registration and dismissal of students, and other matters which relate to the education of students.
- participate in the formulation and implementation of policy governing the status of faculty, including such matters as appointment, promotion, tenure, academic freedom, dismissal, sabbatical and other leaves of absence, travel allowance, and general economic benefits.
- participate in planning for the development, allocation and utilization of the University's human, fiscal and physical plant resources, including the formulation of policies and procedures governing budgetary priorities.
- consult with the Board of Trustees regarding the selection of a President of the University whenever that office shall become vacant.
- propose amendments or additions to the Bylaws of the Trustees and UW Regulations.
- provide the means through which any matter of interest to the faculty or pertaining to the University and its purposes may be brought to the Faculty Senate for discussion and appropriate action.

## **UNIVERSITY STAFF**

### **STAFF SENATE: POWERS AND DUTIES ESTABLISHED BY UW REGULATIONS**

UW Regulation 1-3 describes the roles and responsibilities of the University of Wyoming Staff Senate. The Staff Senate shall be the representative body of the University's staff employees and shall be advisory to the President.







## Appendix B: Appointing Authority of Postsecondary Executive Officers Compiled by the Education Commission of the States



### Appendix 3:

#### Appointing Authority of Postsecondary Executive Officers

The numbers in parentheses indicate states with more than one board. The next page provides a further explanation of several boards and agencies.

APPOINTING AUTHORITY	Number of States	Number of Boards or Agencies	States
Agency Board or Agency Committee	2	2	Alaska and Delaware
Coordinating Board	18	19	Alabama, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Virginia, Wisconsin, West Virginia (2) and Wyoming
Coordinating Board, With Approval of Governor	1	1	Arkansas
Governing Board	23	31	Alaska, Arizona, California (3), Connecticut, Florida, Georgia (2), Hawaii, Iowa, Kansas, Maine (2), Minnesota (2), Mississippi, Montana, Nevada, New Hampshire (2), New York (2), North Carolina (2), North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont and Wisconsin
Governing Board, With Approval of Governor and Senate	1	2	Utah (2)
Governor	2	2	New Hampshire and Pennsylvania
Governor, With Approval of Senate or Legislature	7	7	Colorado, Connecticut, Maryland, Minnesota, New Jersey, New Mexico and Ohio
Governor, on Recommendation of Coordinating Board	1	1	Washington
State Board of Education or Commission/Secretary of Education	6	6	District of Columbia, Florida, Idaho, Iowa, Massachusetts and New York



The following notes describe the appointing authority of higher education executive officers for various boards and agencies within the states.

- The **Alaska** Commission on Postsecondary Education's executive director is appointed by a board that oversees the agency. The University of Alaska Board of Regents appoints the system's executive director.
- **Connecticut's** Board of Regents for Higher Education appoints the system's executive director, and the governor appoints the director of the state office of higher education.
- **Florida's** governing board for the four-year system appoints its executive director, and the K-12 commissioner of education appoints the Division of Florida Colleges' director within the department of education.
- The **Iowa** Board of Regents appoints the system's executive director, and the K-12 commissioner of education appoints the director of the Division of Community Colleges and Workforce Preparation.
- **Massachusetts'** Board of Higher Education appoints the executive director with the approval of the secretary of education, who is appointed by the governor.
- **Minnesota's** governing boards appoint their system's executive director, and the governor appoints the director of the state higher education office.
- Coordinating and governing boards in **Mississippi, South Dakota and Wisconsin** appoint their systems' executive directors.
- **New Hampshire's** governing boards appoint their system's executive director. The governor appoints the Division of Higher Education director after consultation with the K-12 education commissioner, state board of education and the higher education commission.
- **New York's** two governing boards appoint their system's executive director. The governor appoints the director of the office of higher education within the department of education.
- The **Pennsylvania** State System of Higher Education Board of Governors appoints the system's executive director, and the governor appoints the director of the Office of Postsecondary and Higher Education within the department of education.
- **Rhode Island's** governor serves as an additional voting member of the Council on Postsecondary Education for the purpose of appointing, retaining or dismissing the executive officer.