

Board of Trustees Governance and Operation

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BOARD POLICY 1.0: COLLEGE VISION, MISSION, AND DIVERSITY STATEMENT

Adopted 7/21/99

Revised 11/8/05(RF), 6/10/08, 12/13/16, 11/14/17

College Vision

Eastern Wyoming College will be an innovative learning environment for academic excellence and community enrichment that champions student success.

College Mission

Student success is our first priority; as a learning community we provide opportunities that enable students to achieve their goals and enrich our unique region through work, partnerships, and student achievement.

College Diversity Statement

Eastern Wyoming College envelops a culture respectful of our diverse communities, learners, and society. Through active dialogue we engage in enriching the lives of our students, faculty, staff, and community by providing the safe and free exchange of ideas, knowledge, and perspective. Central to our mission is the dynamic understanding of diversity to include but not limited to: age, culture, ethnicity, gender, class, creed, orientation, and perspective. Diversity at EWC forms the foundation of our values, skills, and learning- culminating into the norms for how we build relationships, communicate, and resolve conflict. As an institution, we affirm the holistic understanding of diversity and endeavor to foster an environment for its growth, support, and future as it reveals who we are today and whom we will become tomorrow.

Administrative Rule 1.0.1: Strategic Objectives and Initiatives

Adopted 10/7/16, 12/13/16, 3/26/18, 10/22/20, 3/30/2021

Strategic Goal #1

The College will advance student success through highly engaged educational practices that include associate degree opportunities and transferability, career and technical programs, certificate programs, dual credit, community and adult education, and workforce development to prepare students for the modern workforce.

Objectives:

- Create and implement an Academic Master Plan.
- Create and implement a Strategic Enrollment Management and Student Success Plan.
- Create an environment that enhances a sense of diversity, inclusive excellence, and campus engagement.

Strategic Goal #2

The College's practices, financial resources and services are poised to provide quality educational programs, services, and a safe environment to our students and employees. The College commits to developing and implementing an infrastructure that will support facilities, quality programs, and technological solutions to address current and future needs of the institution.

Objectives:

- Efficiently utilize human, economic and environmental resources.
- Attract, recruit, and retain high quality people.

- Update, implement, and evaluate a comprehensive, multi-year Institutional Technology Plan.
- Update, implement, and evaluate the Facilities Master Plan.
- Continuous commitment to campus safety.

Strategic Goal #3

The College's structure and practices ensure clear and complete support for fair, ethical, and transparent processes to all that we serve.

Objectives:

- Foster a climate of inclusivity so that all students, employees, and visitors are welcomed, supported, and valued for their contributions.
- Advance a performance-based culture built on data-informed decisions and continuous improvement.

BOARD POLICY 1.1: COLLEGE BOARD PURPOSE AND OPERATIONS

Adopted 8/13/91

Revised 11/8/05(RF), 5/11/15, 10/10/17

College Board Membership - Reference: W.S. § 21-18-308 and 22-22-101 through 22-22-304

The Eastern Wyoming Community College District, which operates Eastern Wyoming College, is a legally defined area including all of Goshen County. The Board of Trustees shall exercise general supervision of the District and retains full legislative and judicial authority with the Statutes of Wyoming.

To insure equitable representation on the College Board, the College District is divided into four subdistricts. One member is elected from subdistricts number I, II, and III; three members are elected from subdistrict number IV, and one member is elected at large.

The business and affairs of Eastern Wyoming College shall be managed by the College Board. The College Board has full powers of organization and government of Eastern Wyoming College subject to such control as the Wyoming State Legislature and the Wyoming Community College Commission provide.

Members of the College Board are elected by the voters of the College District. The number of members of the College Board shall be seven members. The term of office of each elected member is four years. Four members are elected in years in which there is a presidential election, and three members are elected in years in which there is a national election but no presidential election. The College Board shall fill a vacancy in office as provided by law and Board Policy 1.3.

The College Board may appoint an advisory member to represent the constituents of Converse County as it relates to the operation of the Eastern Wyoming College Douglas Branch Campus. The College Board may request the Converse County Commissioners appoint an individual each December to serve in this capacity. The Advisory Member may attend all regular or special board meetings either in person or by telephone and shall not vote on issues coming before the College Board or participate in executive sessions.

Governance Philosophy

On behalf of the district's citizens, the Eastern Wyoming College Board of Trustees is entrusted with the authority and responsibility for the effective governance of the College which include:

1. The Board of Trustees connects the College to the community to ensure outcomes of the institution match the expectations of the community.
2. The Mission, Vision, and Strategic Directions for Eastern Wyoming College are guided by the community. These Strategic Directions are also shared by the Trustees, President, and college community of faculty, staff and students.
3. The Board of Trustees is intent on meeting the expectations of the community through evidence-based, informed practices that support the learning and futures of our students.

4. The Board of Trustees believes in a culture of transparency and inclusion in setting the direction of the College.
5. Board members shall have authority only when acting as a Board in session and conducted in accordance with Wyoming Open Meeting statutes (W.S. §16-4-401 through 16-4-408).
6. The Eastern Wyoming College Board of Trustees is committed to active involvement of all internal College constituencies in the governance of the institution. This is provided via an ongoing participative process of shared governance. The Board of Trustees affirms this belief by supporting the right of faculty, staff, administration, and students to express ideas and opinions with the assurance their opinions will be given consideration regarding decisions of the College via their respective alliances.
 - a. Shared governance provides an avenue of shared commitment for continuous improvement in both college effort and resources. Shared governance provides for all major constituents of Eastern Wyoming College to contribute to policies, procedures and practices. The Board of Trustees is the ultimate decision-making body and the Board entrusts the President with day-to-day administration of the College.
7. The Board of Trustees establishes the Office of President and delegates to the President the execution of its policies. The President is responsible to the Board of Trustees for the organization and operation of the College, the execution of the College employees' duties, and the welfare of the student body. The President is expected to perform duties contained in the President's job description and fulfill other responsibilities determined in annual goal-setting or evaluation meetings. The President has the authority to delegate to employees the responsibility for all or portions of these responsibilities; however, these responsibilities to the Board of Trustees resides solely with the President.

BOARD POLICY 1.2: COLLEGE BOARD MEETING

Adopted 3/8/94

Revised 11/8/05(RF), 5/11/15, 12/11/18

The Eastern Wyoming College Board of Trustees conducts business pursuant to the Wyoming Administrative Procedures Act, and in accordance with policies and procedures established by Eastern Wyoming Community College District, as defined in Administrative Rule 1.2.1.

Administrative Rule 1.2.1: College Board Meeting

Adopted 3/8/94

Revised 11/8/05(RF), 5/11/15, 2/26/18

REGULAR MEETINGS. It will be the general practice that regular meetings of the College Board shall be held, without other notice than this regulation, on the second Tuesday of each month in the Dolores Kaufman Boardroom, Room T274 Eastern Wyoming College. All regular meetings are open to the public.

SPECIAL MEETINGS. Special meetings of the College Board may be called at the discretion of the President of the College Board or by a majority of the members of the College Board by giving verbal, electronic or written notice of the meeting to each member of the Board and to each newspaper of general circulation, radio or television requesting the notice. The notice shall specify the time and place of the special meeting and the business transacted and shall be issued at least eight (8) hours prior to the commencement of the meeting. No other business may be considered at a special meeting.

EMERGENCY MEETINGS. The College Board may hold an emergency meeting on matters of serious immediate concern to take temporary action without notice. Reasonable effort shall be made to offer public notice. All action taken at an emergency meeting if of a temporary nature and in order to become permanent shall be reconsidered and acted upon at an open public meeting within forty-eight (48) hours, excluding weekends and holidays, unless the event constituting the emergency continues to exist after forty-eight (48) hours. In such case the College Board may reconsider and act upon the temporary action at their next regularly scheduled meeting, but no later than thirty (30) days from the date of the emergency action.

CONDUCT OF BUSINESS. Business will be conducted in accordance with Robert's Rules of Order for Small Boards. These rules will be superseded by rules and regulations and special rules adopted by the Board as well as local, state and federal law.

AGENDA. A final agenda will be developed by the College President seven (7) days prior to the regular Board meeting date. The agenda will be fixed and altered only when expedited board approval is required.

QUORUM. A majority of Board members constitute a quorum for the transaction of all business but a minimum of three (3) concurring votes is required to decide any question.

EXECUTIVE SESSION. An executive session is a meeting of the governing body whereby the public is excluded in order for the governing body to discuss certain discreet topics of official business. These specific topics are delineated in the Act. W.S. § 16-4-405. The pertinent topics as applied to the EWC

Board of Trustees are as follows:

1. **Personnel Matters:** The governing body may go into executive session to discuss the employment, dismissal, discipline, wages, salaries and benefits of a publicemployee.
2. **Litigation:** The governing body may go into executive session to discuss litigation to which the governing body is or may become a party.
3. **Real Estate:** The governing body may go into executive session to discuss the selection of a site or the purchase of real estate when the publicity would cause an increase in price.
4. **Gifts:** The governing body may go into executive session to discuss the acceptance of gifts, donations, and bequests that the donor has request in writing to be kept confidential.
5. **Student Discipline:** The governing body may go into executive session to discuss student discipline, suspension, and expulsions.

An executive session may be held only pursuant to a motion that is duly seconded and carried by a majority vote of the members of the governing body in attendance when the motion is made. The motion must specifically state the topic for which the executive session is being sought. W.S. § 16-4-405(b).

ORDER OF BUSINESS. Meetings of the College Board are conducted according to the following general procedures:

- a. Open meeting;
- b. Introductions;
- c. Student reports or presentations;
- d. Approval of the agenda;
- e. Reports of the College President;
- f. Approval of consent agenda;
- g. Consideration of unfinished business;
- h. Consideration of new business;
- i. Consideration of other business;
- j. Administrative updates and reports;
- k. Trustee topics;
- l. Adjournment

PRESUMPTION OF ASSENT. A member of the College Board who is present at a meeting of the College Board at which action on any corporate matter is taken shall be presumed to have assented to the action unless his/her dissent is entered in the minutes of the meeting or unless he/she shall file his/her written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent within five days to the Secretary of the College Board. Such right to dissent shall not apply to a member who voted in favor of such action.

MINUTES. The College Board shall keep minutes of its meetings and maintain a journal of its proceedings for recording the official acts of the District Board. The minutes and journal shall be open to inspection by any citizen upon reasonable notice and convenience.

Administrative Rule 1.2.2

Procedures and Guidelines for Policies and Administrative Rules

Adopted: 10/22/22

Consent Agenda

A consent agenda is a practice by which the routine and non-controversial board action items are organized apart from the rest of the agenda and approved as a group. This includes all of the business items that require formal board approval and yet, because they are not controversial, there is no need for board discussion before taking a vote.

If a trustee wants to have discussion concerning an item on the consent agenda, they must request to have the item moved off the consent agenda. The Board will then consider the item with the other items on the Action Agenda.

Typical items on the consent agenda include:

- Minutes from previous meeting
- Routine or annual contracts and agreements
- Designation of Depositories – done in December
- Resignations of faculty, professional or administrative staff
- Request to solicit bids
- Acceptance of bids
- Acceptance of gifts to the College
- Submission of grant applications
- Acceptance of reports or instructional program reviews
- Acceptance of Master Plan
- Academic calendar
- Budget transfers
- Change orders
- Capital Projects Budget revisions
- Scholarships and Grants Budget revisions – this would be after the initial budget was approved.

Advertising Board Policies

According to State Statute, Board Policies must have a first reading, followed by an ad in the paper notifying the community EWC wants to add or change the policy or policies. You must allow 45 days for written comments from the public. At the next board meeting following the 45 day comment period, a public hearing is held at the next board meeting and then the Board takes action during the business meeting.

Example: A policy is brought to the Board in **September** for first reading. If the policy is approved on first reading, the next day you will send your public notice to the Telegram asking them to print the notice on the specific date you need. Begin counting your days as of the day the notice is published and go 45 days. This will take you to the **November** board meeting. At this meeting, a public hearing at 5:45pm will be held. Later on the agenda, the Board will vote on whether to approve on final reading.

Sample Public Notice

PUBLIC NOTICE OF PROPOSED POLICIES

Public notice is hereby given by the Board of Trustees of the Eastern Wyoming Community College District, State of Wyoming that they intend to adopt the following revised policies: Board Policy 1.2 College Board Meeting and Board Policy 3.0 Equal Employment Opportunity Policy Statement. Such action to be taken at a (regular) meeting of the Board to be held at 5:45 p.m., on the 11th day of December, 2022 in Room 274 of the Tebbet Building located at 3200 West C Street, Torrington, Wyoming 82240.

Interested persons may submit data, views, and arguments relative thereto in writing, in care of the president of Eastern Wyoming College, 3200 West C Street, Torrington, WY 82240. Writings must be submitted no later than one day prior to the above meeting. A copy of the proposed policy is available for inspection at the Office of the President or can be found at <http://ewc.wy.edu/about-eastern-wyoming-college/presidentscabinet/board-of-trustees/board-policies/>.

Commenters may request a statement or principal reasons for overruling the consideration urged by the commenter. If requested, the statement will be issued either prior to or within thirty (30) days after action is taken.

Dated this October 19, 2022

***Board of Trustees
Eastern Wyoming Community College
District, State of Wyoming***

Board Policies

Board policies provide direction by the Board on the operation of the College. Before taking any policy for first reading, the Trustees will discuss it at a work session the month prior to first reading. Each policy must be considered by the Board on a first reading. If approved, then the 45 day comment period begins followed by final reading.

Administrative Rules

Administrative Rules are the procedures associated with a board policy. It lays out the process for how the administration will meet the requirements of the policy.

Administrative Rules are reviewed by the appropriate committee and then taken to the Leadership Team for discussion and approval.

Administrative Rules Process – New or Revised ARs

1. Proposed Administrative Rule changes or additions will be submitted to the appropriate standing committee or appropriate vice president for review and then brought before the Leadership Team for consideration. If the Leadership Team approves the new or revised rule it moves to Step 2 in the process.
2. The President’s Office will email the proposed Administrative Rule to the college community requesting written comments be submitted to the President’s Office within 10 working days.
3. After 10 working days, the proposed Administrative Rule and any comments submitted will be considered by the Leadership Team at their next meeting. Once the Rule is considered to be in

its final form it will be submitted to the Office of the President and reviewed by legal counsel, if necessary.

4. The final approval of the proposed Administrative Rule will be made by the College President.
5. The Board of Trustees will be notified of the President approved new or revised Administrative Rule at their next regularly scheduled board meeting.
6. The college community will be notified of the final version following the President's approval and it will be published to the EWC website.
7. In the rare event that circumstances require changes be made to existing Rules which does not allow time for this process, the President in consultation with the President's Cabinet may make necessary changes. The Board of Trustees and the college community will then be notified as detailed above.

BOARD POLICY 1.3: ELECTION AND DUTIES OF BOARD

Adopted 8/13/91

Revised 11/8/05(RF), 5/11/15, 10/10/17, 2/13/18

OFFICERS. The officers of the College Board are a Chair and Vice Chair, a Secretary, and a Treasurer, each of whom are elected by the College Board.

ELECTION AND TERM OF OFFICE. The officers of the College Board shall be elected annually by the College Board at a meeting held on or about December 1, or as soon thereafter as convenient for the members. Each officer shall hold office until the officer shall resign or shall be removed in the manner hereinafter provided or in such case resulting from the members death during his/her term of office.

REMOVAL FROM OFFICE. Any officer elected by the College Board may be removed by the College Board by a vote of a majority of the Board for non-attendance and non-performance of duties, or when it is in the best interest of the College Board to do so.

VACANCIES OF OFFICERS. A vacancy occurring in a Board office because of death, resignation, removal, disqualification, or otherwise, may be filled by the College Board for the unexpired portion of the term.

THE CHAIR. The Chair of the College Board shall be the principal executive officer of the Board, and subject to the control of the College Board, shall in general supervise and control all of the business affairs of the College Board. The Chair may sign, with the Secretary, or any other proper officer of the Board, thereunto authorized by the College Board, any deeds, mortgages, general obligation bonds, revenue bonds, contracts, or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the College Board or by these rules and regulations to some other officer or agent of the College, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the Office of Chair of the Board and such other duties as may be prescribed by the College Board from time to time.

THE VICE CHAIR. In the absence of the Chair or in the event of death, inability or refusal to act, the Vice Chair shall perform the duties of the Chair, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair. The Vice Chair shall perform such other duties as from time to time may be assigned by the Chair of the Board or by the College Board.

THE SECRETARY. The Secretary shall: (a) keep the minutes and proceedings of the College Board meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these rules and regulations or as required by law with the College seal affixed; (c) be custodian of the College Board records and of the seal of the College, and see that the seal of the College District is affixed to all documents the execution of which on behalf of the College District under its seal is duly authorized; and (d) in general, perform all duties incident to the Office of Secretary and such other duties as from time to time may be assigned by the Chair of the Board or by the College Board. The Executive Assistant to the College President shall serve as the Assistant to the Secretary, and in general, shall perform such duties as shall be assigned by the Secretary or by the Chair of the Board.

THE TREASURER. The Treasurer shall give a bond for the faithful discharge of duties in such penalty and such surety or sureties as the College Board shall determine. The Treasurer shall: (a) have charge and custody of and be responsible for all funds of the College District and shall disburse all funds on the order of the College Board; (b) receive and give receipts for moneys (monies) due and payable to the College district from any source whatever; (c) deposit all such money (monies) in the name of the College District in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of these regulations; (d) sign all general obligation bonds and coupons attached thereto; (e) in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Chair of the Board or by the College Board. The College's Vice President for Administrative Services shall serve as the Assistant Treasurer to the Board. The Assistant Treasurer shall give a bond for the faithful discharge of his/her duties in such penalty and with such sureties as the College Board shall determine. The Assistant Treasurer, in general, shall perform such duties as shall be assigned by the Treasurer or by the Chair of the Board.

VACANCIES. The College Board shall fill a vacancy in office by temporary appointment of a qualified person within 30 days from the date the vacancy occurs pursuant to W.S. § 22-18-111(b). Each appointee shall serve until his successor is elected at the next election. Each appointee shall be a resident of the trustee residence area previously represented. Within five (5) days from the date a vacancy occurs, the College Board may seek applications of interested candidates. The College Board will review the applications at its next regular meeting or at a special meeting, if necessary. The vacancy shall be filled by the affirmative vote of a majority of the remaining members of the College Board.

Administrative Rule: 1.3.1: Ethics

Adopted 3/10/09 Revised 5/11/15

The Board deliberates with many voices but governs with one. The Board will govern with an emphasis on outward vision rather than a preoccupation with internal affairs, strategic leadership rather than administrative detail, and a future orientation rather than past or present. It will encourage diversity in viewpoints and collective rather than individual decisions. It will strive for a clear distinction between the respective roles of the Board and the College President.

Code of Ethics

The Board, recognizing its responsibilities in conducting the business of the district, and providing for an adequate educational program, accepts for guidance the following principles regarding any member. Accordingly, the Board:

1. Owes first allegiance to the residents of the district.
2. Seeks to provide equal opportunity for all regardless of race, color, national origin, marital status, age, sexual orientation, sex, religion, political belief, veteran status or disability.
3. Recognizes that it is the duty of the President of the College to make recommendations to the Board regarding personnel which require board action.

4. Recognizes that it is the duty of the Board to formulate policies with the President of the College, but that it is the duty of the College President to implement policy through written procedures.
5. Recognizes that funds dedicated to educational purposes must be wisely, honestly, and economically expended.
6. Assists in keeping the public informed about the progress and needs of the College.

The individual trustee is responsible for ethical conduct. Accordingly, the individual trustee:

1. Does not seek special privileges or private gain.
2. Does not use position to promote personal, business, or professional interest. Trustees may not make a profit in any way in their outside employment or business interests from their service to the Eastern Wyoming College Board of Trustees. During board meetings, trustees shall disclose any conflict of interest involving an issue before the Board. While they may participate in the discussion of the issue, they shall not vote.
3. Shall neither initiate, participate in, nor influence in any way institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave of absence, etc.) to members of their extended families
3. Understands that the trustee has no authority as an individual but must act with the Board as a whole and must be governed by the decisions of the Board.
4. Will attend meetings regularly and be prepared to conduct business.

Standards of Good Practice

In support of effective community college governance, the Board believes:

- a. That it derives its authority from the community and that it must always act as an advocate on behalf of the entire community;
- b. That it must clearly define and articulate its role;
- c. That it is responsible for creating and maintaining a spirit of true cooperation and a mutually supportive relationship with its President;
- d. That its trustee members should engage in a regular and ongoing process of trustee development and continuous improvement; generally, each trustee is expected to attend at least one national or regional trustee development meeting every four years;
- e. That its trustee members come to each meeting prepared and ready to debate issues fully and openly;

- f. That its trustee members vote their conscience and support the decision or policy made;
- g. That its behavior, and that of its members, exemplify behavior and conduct that is above reproach;
- h. That it endeavors to remain always accountable to the community;
- i. That it makes decisions that give priority to students;
- j. That it honestly debates the issues affecting its community and speaks with one voice once a decision or policy is made.

BOARD POLICY 1.4: CONTRACTING AUTHORITY POLICY

Adopted 8/13/91

Revised 11/8/05(RF), 5/11/15

Reviewed 10/10/17

In general, only the College Board has the authority to enter into and execute contracts and agreements for the College District.

The Board may, at their option, specify conditions in which the College President may enter into and execute contracts and agreements on behalf of the Board, without direct Board oversight. These conditions are currently specified within Business Services Policies and Administrative Rules as they relate to purchasing procedures where contracts or agreements are necessary to acquire goods and services for purchases under the formal bidding threshold, currently \$30,000 per contract or agreement.

BOARD POLICY 1.5: DEPOSIT AND PAYMENT OF COLLEGE FUNDS POLICY

Adopted 8/13/91

Revised 11/8/05(RF), 5/11/15

Reviewed 10/10/17

All warrants, checks, drafts, or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the College District, shall be signed by the Assistant Treasurer (Vice President for Administrative Services) or the College Business Office Director or in such manner as shall from time to time be determined by the College Board.

All funds of the College District not otherwise employed shall be deposited from time to time to the credit of the College District in such banks, trust companies, or other depositories as the College Board may elect.

BOARD POLICY 1.6: AUDIT OF COLLEGE FUNDS

Adopted 3/16/99

Revised 11/8/05(RF), 5/11/15, 12/12/17

Independent auditors selected by the College District must perform an annual financial and compliance audit. Auditors selected shall conduct the audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the provisions of the Single Audit Act, the audit requirements of Subpart F of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance); U.S. Office of Management and Budget (OMB) Compliance Supplement; applicable Wyoming Statutes; and recognized industry standards (including the guidance provided in the audit guide titled Compliance Supplement for Audits of Institutions of Higher Learning and other Non-Profit Institutions issued by the National Association of College and University Business Officers' Publication, College and University Business Administration and the Governmental Accounting Standards Board). Auditors shall further adhere to reporting requirements of cognizant funding agencies, National Association of College and University Business Officers (NACUBO), Wyoming Community College Commission (WCCC), and Wyoming Department of Audit.

BOARD POLICY 1.7: COMPLAINT OR FORMAL GRIEVANCE POLICY

Adopted 9/14/93

Revised 11/8/05(RF), 10/10/19

The Board of Trustees recognizes the need for and requires that procedures be established for the expression of employment concerns of EWC personnel through both an informal and formal process, according to EWC Administrative Rules 1.7.1 and 1.7.2.

In order to insure the most complete processing of complaints or concerns within the environs of Eastern Wyoming College, the College provides the following procedures.

Non-Grievable Issues:

- Tenure recommendation.
- Determinations of responsibility for discrimination and harassment based on membership in protected categories in EWC's non-discrimination statement and any sanctions resulting from such determinations.
- Termination related to reduction in force or expiration of grants, failure to receive continuing contract/tenure, and expiration of employment contracts.
- The content of published personnel policies and procedures.

Grievable Issues:

- Disciplinary actions, including written warnings placed in the employee's file, suspensions, and dismissal, where the employee questions the appropriateness of the stated actions.
- Alleged violation, misinterpretation, or inequitable application of a college policy affecting the employee.
- Alleged violation of the Employee Code of Ethics Policy (3.10) and/or Employee Performance, Coaching and Discipline Policy (3.25).

The first procedure, the informal complaint procedure, is designed to permit an expedited and orderly processing of all complaints or concerns of faculty, professional staff, or classified staff in an informal manner, while at the same time insuring that the complaints are fully explored and that a reasonable effort has been made to resolve the difficulties without the necessity of formal grievance proceedings.

The informal complaint procedure must be utilized by EWC personnel to resolve any personnel problems arising at the College.

If the complaint cannot be resolved through this informal procedure, the person or persons involved may avail themselves of the formal grievance procedure.

Administrative Rule 1.7.1: Informal Complaint Procedure

Adopted 9/14/93

Revised 11/8/05(RF), 10/10/19

The informal complaint process is limited to thirty (30) calendar days from the alleged event. Any employee who has a complaint may utilize this informal complaint procedure. In implementing this procedure, the complaining party should proceed as follows:

1. The initial complaint should be first discussed between the persons involved; many problems may be resolved on this one-to-one basis.
2. If the person(s) concerned are unable to resolve the problem on a one-to-one basis, the following procedures should be followed:
 - (a) An employee of the College should define the complaint in writing to the complainant's supervisor within fifteen (15) days of the initial complaint. In the event the complaint involves his/her immediate supervisor, the complainant should notify the next higher level supervisor.
 - (b) In the event that the grievance concerns the College President, the complaint will be submitted to the Director of Human Resources.

This informal procedure does not rule out discussions among the complainant, his/her supervisors, or any other person who may assist in resolving the situation, including the Vice President in charge of the particular department or activity involved. The Board of Trustees should not be involved in any informal discussion of the complaint with any party involved.

In the event the above procedure does not result in a mutually agreeable solution, the employee may file a formal grievance with the Director of Human Resources, which will then be processed in accordance with the procedures set forth within the College's Formal Grievance Procedure.

Administrative Rule 1.7.2: Formal Grievance Procedure

Adopted 11/9/99

Revised 11/8/05(RF), 10/10/19

If the complaining party or parties have been unable or unwilling to resolve the complaint utilizing the procedures available under the "Informal Complaint Procedure," the complaining party or parties may proceed to file a formal grievance if Human Resources determines the complaint is a grievable issue pursuant to Board Policy 1.7 Complaints and Formal Grievance Policy.

1. The formal grievance procedure begins with the filing of a written complaint. The written complaint must be filed within five (5) working days following the alleged event, or ten (10) working days after unsuccessfully resolving the complaint informally; but in all cases not more than 40 calendar days from the alleged event.

The form for submitting the written formal grievance can be obtained from the Human Resources Office and will contain a concise statement of the grievance, the action(s) of the parties involved, a description of the alleged events, the date of the alleged occurrence, and the relief sought by the complainant.

2. The grievant shall submit the written complaint to the Director of Human Resources. The Director of Human Resources shall notify the relevant parties in the dispute of the receipt of a formal grievance within three (3) working days and within no more than ten (10) working days following the receipt of the formal complaint, shall investigate, facilitate, and answer the grievance in writing.

3. If either party is dissatisfied with the written decision from the Director of Human Resources, either party may request a review by the Grievance Review Committee. This request must occur within three (3) working days after receiving the written decision from the Director of Human Resources. The Grievance Review Committee shall conduct an investigation of the matter within ten (10) working days after the request is submitted. A written decision shall be submitted to the respective parties within three (3) working days after the investigation is completed.
4. If either party is dissatisfied with the written decision of the Grievance Review Committee, either party may request a review of the decision by the College President. The request must occur within three (3) working days after receiving the written decision from the Grievance Review Committee. The President shall conduct an investigation of the matter within ten (10) working days after the request is submitted. A written decision shall be submitted to the respective parties within three (3) working days after the investigation is completed, except as stated in paragraph 5 below.
5. In the case of a termination or suspension without pay of an employee, if the employee is dissatisfied with the written decision of the College President, either party may request a hearing before the Board of Trustees. Such a request for hearing must occur within five (5) working days after receiving the written decision from the College President. The Board shall then conduct a formal hearing in accordance with its Rules of Practice for Contested Cases.
6. Grievance Review Committee (each member shall serve for two years).

Employee Grievance:

- Administrator (Chairperson) appointed by College President
- Professional Staff Member appointed by Chairperson
- Faculty Member appointed by the Chairperson
- Classified Staff Member appointed by Chairperson
- At Large Employee selected by the Committee

Administrative Rule 1.7.3: Rules of Practice of Contested Cases

Adopted 10/12/93

Revised 11/8/05(RF)

Section 1. Authority. These rules of practice are adopted as authorized by the Wyoming Administrative Procedures Act, W.S. §16-3-101 et seq. (1977 as amended).

Section 2. Definitions. As used in these rules:

- a. "Board means the Board of Trustees of Eastern Wyoming College.
- b. "Chairman" means the Chairman of the Board or in his or her absence the Vice Chairman or other member of the Board designated by the Board to preside at a hearing.
- c. "President" means the chief administrative officer of the College.
- d. "Secretary" means the Secretary of the Board.
- e. "Hearing Officer" means an independent person, not a present nor past member of the Board nor present nor past employee of the College, who is hired by the board to conduct a hearing.
- f. "Contestant" means any instructor, administrator, student, or other person whose legal rights, duties or privileges are required to be determined by the Board.

RULES OF PRACTICE GOVERNING HEARINGS

Section 3. Notice of Hearing. The Board shall cause written notice of any hearing held under these rules to be served upon each contestant or his attorney at least ten (10) days prior to the date set for the hearing. Such notice shall include a statement of:

- a. The time, place and nature of the hearing.
- b. The legal authority and jurisdiction under which the hearing is to be held.

Section 4. Section of Notice. Service shall be made pursuant to Rule 4, or Rule 5(b) of the Wyoming Rules of Civil Procedure.

Section 5. Independent Hearing Officer. Upon request of the contestant or upon its own motion, the Board may appoint an independent hearing officer. The independent hearing officer will serve as an adviser to the finder of fact. The hearing officer serve as officer of proof and make evidential rulings, attend motion hearing, prehearing conferences, regulate the course of the hearing, conduct any voir dire examination, and make recommended findings of fact and conclusion of law.

Section 6. Voir Dire. The contestant will be allowed to voir dire the Finder of Fact.

Section 7. Motions. The Board, or Independent Hearing Officer may at any time after three (3) days' notice to all parties hear orally, or otherwise, any motion filed in connection with hearings under these rules.

Section 8. Docket. When a contestant is entitled to a contested hearing under these rules, there shall be established a file for each such contested case in which shall be systematically placed all papers, pleadings, documents, transcripts, and evidence pertaining thereto, and all such items shall have noted thereon a docket number assigned and the date of filing.

Section 9. Form of Pleadings. The form of pleading or other papers filed in each docketed case shall be substantially as follows:

BEFORE THE BOARD OF TRUSTEES OF
EASTERN WYOMING COMMUNITY COLLEGE
DISTRICT

IN THE MATTER OF

_____ Docket No. _____ Contestant

(Body of Pleading or Motion)

Signature

Name and Title (Typed or printed)

Attorney Signature

Address

Section 10. All hearing procedures will be controlled by these Rules, the Wyoming Administrative Procedure Act, W.S. § 16-3-101 et seq. (1977 as amended) and the Wyoming Rules of Civil Procedure.

Section 11. Pre-Hearing Conference. At a time on or before the day of the hearing, the Board or Independent Hearing Officer may direct the attorneys for the parties to appear to consider:

- a. The simplification of the issues.
- b. The necessity or desirability of amending the pleadings.
- c. The possibility of obtaining admission of fact and documents which will avoid unnecessary proof.
- d. Such other matters as may aid in the disposition of the case. Such conferences shall be conducted informally. A memorandum will be prepared which recites the actions taken at the conference, amendments allowed, and agreements of the parties and limitations of the issues to those undisposed of by admissions or agreements of counsel and the parties. The prehearing memorandum will control the course of the hearing unless modified by the Board to prevent manifest injustice.

Section 12. Order of Procedure at Hearing. As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

- a. The person conducting the hearing shall announce that the agency is open to transact business and call by docket number and title the case to be heard.
- b. The parties will be allowed an opening statement to briefly explain their positions and outline the evidence they propose to offer.
- c. The College's evidence will be heard. The College's witnesses may be cross-examined by the contestant or his attorney, by members of the Finder of Fact and its legal counsel, if any.
- d. The evidence of the contestant will be heard. The contestant's witnesses may be cross-examined by the college or its attorneys, by members of the Finder of Fact and its legal counsel, if any.
- e. Rebuttal evidence may be offered.
- f. All parties may offer closing statements.
- g. After all parties have been offered an opportunity to be heard, the chairman or hearing officer shall declare the evidence closed and excuse all witnesses. The evidence of the case may be reopened at a later date for good cause shown.
- h. Parties may tender briefs and proposed findings of fact and conclusions of law, or the fact finder may call for such briefs and findings of fact and conclusions of law.

- i. The chairman may declare that the matter is taken under advisement and that the decision and order of the Board will be announced at a later date.

Section 13. Witnesses at Hearings to be Sworn. All persons testifying at any hearing shall stand and be administered the following oath or affirmation by a member of the Board:

"Do you swear (or affirm) to tell the truth, the whole truth, and nothing but the truth in the matter now before the Board, so help you, God?"

Section 14. Attorneys. The filing of a pleading or other appearance by an attorney constitutes his appearance for the party for whom made.

Section 15. Taking of Testimony - Reporter. In all hearings, the proceedings, including all testimony, shall be reported verbatim, stenographically or by any other appropriate means determined by the officer presiding at the hearing.

Section 16. Decisions, Findings of Fact, Conclusions of Law, Orders. Following a full and complete hearing the Board, shall file a written decision and order containing findings of fact, and conclusions of law based upon the evidence, both testimonial and documentary, introduced and admitted during the course of the hearing. In addition, all matters which have been officially noticed may be taken into consideration as a basis for making findings of fact, conclusions of law and order based upon the hearing.

Section 17. Members of Board Present. No person shall vote upon a decision unless he shall have been present at the hearing.

Section 18. Appeals to District Court. Appeals to the District Court from decisions of the Board may be taken in the manner prescribed by the Wyoming Administrative Procedures Act.

BOARD POLICY 1.8: ADOPTION OF ADMINISTRATIVE RULES

Adopted 11/10/92

Revised 11/8/05(RF), 5/11/15

Reviewed 12/12/17, 10/24/22

The College President approves new administrative rules and changes to existing administrative rules. The Board of Trustees will be notified of any substantial changes to administrative rules.

BOARD POLICY 1.9: ANNUAL REVIEW OF STRATEGIC PLAN

Adopted 4/8/97

Revised 11/8/05(RF), 5/11/15, 2/13/18

The Eastern Wyoming College Board of Trustees shall provide input and direction on the College Strategic Plan priorities and goals. Additionally, the Board of Trustees shall perform an annual performance review of the Plan.

Administrative Rule 1.9.1: Annual Review of Strategic Plan

Adopted 4/8/97

Revised 11/8/05(RF), 5/11/15, 10/24/16, 2/13/18

Reviewed: 10/24/22

1. The Board of Trustees will hold an annual retreat in the fall for the stated purpose of reviewing the previous year's accomplishments, and developing the strategic priorities for the College and setting goals for the next fiscal year.
2. Strategic Action Plans from the key functional areas of the College will be developed or modified from October through December and will be due to the Academic Services office no later than February 28. All Strategic Action Plans for the next fiscal year will be based on those strategic priorities and goals set by the Board of Trustees in the fall.
3. The Board of Trustees will hold an annual retreat in June for the purpose of reviewing the Institutional Overall Strategic Action Plans compiled by the Academic Services office.
4. The Board of Trustees will consider for approval at their regular July board meeting those Strategic Action Plans reviewed at the June retreat. Approved Institutional Overall Strategic Action Plans will be considered for inclusion in the next fiscal year budget.
5. Annual reports of Strategic Action Plans from the previous fiscal year will be due to the Academic Services office by September 15 of each year and compiled for review.
6. All retreats will be conducted in accordance with the Wyoming Public Meetings Law.

BOARD POLICY 1.10: CHAIN-OF-COMMAND

Adopted 9/12/17

Reviewed: 10/24/22

All employees of Eastern Wyoming College report to a supervisor. The Eastern Wyoming College Board of Trustees provides oversight to the President. The chain-of-command is an unbroken line of reporting/supervisory relationships that extends through the entire College and defines the formal decision-making structure. The Board delegates to the College President the authority and responsibility to lead, manage, and direct the internal affairs and administrative details of the institution’s daily operations.

The purpose of the chain-of-command is to assist the College President in the following areas: 1) to establish the authority and responsibility of all campus staff members; 2) to ensure prompt response to situations requiring immediate action; 3) to delineate a mechanism to notify students of status change, condition, problems, concerns, or questions; 4) to outline the communication method for resolution of intra and inter work-center issues or to notify administration of problems; and 5) to create a means for conflict resolution.

All College employees shall adhere to the chain-of-command in carrying-out their duties and responsibilities. Each employee is accountable to their direct or immediate supervisor. When the direct supervisor is absent the responsibility for employee accountability and supervision passes to the next higher level supervisor. Exceptions to chain-of-command adherence exist for emergency situations and during unusual circumstances when the employee’s immediate supervisor is absent; in these unique cases the next higher supervisor shall be contacted. Open communications among various organizational levels in the supervisory chain is essential to successful College operations.

Administrative Rule 1.10.1: Use of Supervisory Chain

Adopted 9/12/17

1. Employees submit all concerns, reports, or other employee or client related matters to their immediate supervisor.
2. Supervisors, who are not department directors, will generally submit all concerns, reports, or other employee or client related matters to their department director.
3. Department directors will generally submit all concerns, reports, or other employee or client related matters to their supervisor and their supervisor may report this to the college president.
4. If employees have a matter that is not resolved by their immediate supervisor, they may go to the next supervisor in their chain-of-command up to and including the college president. All supervisors, directors and the president have open doors to discuss any and all employee concerns. If an employee is not able to resolve a concern through discussion, employees have the right to file a grievance. For guidance concerning grievance procedures refer to BOARD POLICY 1.7 (Grievance Policy) and Administrative Rules 1.7.1 (Informal Grievance Procedure) and 1.7.2 (Formal Grievance Procedure).