

February 5, 2021
Location: Virtual/ Zoom Meeting

THE STATUTES OF WYOMING REQUIRE THAT ALL MEETINGS OF PUBLIC BODIES BE OPEN TO THE PUBLIC, EXCEPT IN SPECIFIC CIRCUMSTANCES, AND THE WYOMING COMMUNITY COLLEGE COMMISSION FULLY SUPPORTS THAT MANDATE.

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<https://communitycolleges.wy.edu/about-us/commission-meetings/>

ACTION AND REPORT AGENDA ITEMS FOR DISCUSSION (ACTION ITEMS IN BOLD)

February 5
Commissioner Workshop
The public is asked to attend this meeting via the Zoom link

If you desire to attend in person, please do so at the WCCC Office in Cheyenne

8:30 a.m. CONVENE COMMISSIONER WORKSHOP

Roll Call:

Commissioners

Commissioner Boal - Present

Commissioner Blikre – Present

Commissioner and Vice Chair Dooley – Present

Commissioner Frederick – Absent

Commissioner and Chair Freeze – Present

Commissioner Newman – Present

Ex Officio Members

Governor Gordon or Lachelle Brant – Present (Lachelle Brant)

Superintendent Balow or Shelley Hammel – Present (Shelley Hammel)

Community College Commission Executive Director, Dr. Sandy Caldwell – Present

Commission Staff

Dr. Ben Moritz – Present

Mr. Larry Buchholtz – Present

Ms. Paris Edeburn – Present

Ms. Christy Klaassen - Present

Mr. Rob Dennis – Present

A. Chapter 6 Regular Rules- Service Areas ([Presentation](#))

[TAB A](#)

Commissioner Freeze noted the workshop was intended to provide an opportunity to discuss subjects in depth as preparation for the Commission meeting later. She then turned it over to Dr. Caldwell.

Dr. Caldwell noted the presence of two items on the workshop agenda. One of which is a topic discussed for some time. She recalled that the topic of service areas came up at the August Commission meeting during discussion of draft emergency and regular rules for chapter 6 on annexation of a county into an existing district and formation of a new district. She recalled draft rules on service areas would be brought forward at the February 2021 meeting. The topic was also mentioned during the October meeting. Today's workshop is to focus on draft regular rules for Chapter 6 pertaining to Service Areas. There is not a need for Emergency Chapter 6 rules at this time. She noted that there are actually two sets of rules to be presented by Mr. Dennis, a set of Emergency Chapter 6 rules, which extend the previously past emergency rules on district creation and annexation.

There is another final set of regular rules before all for consideration. Dr. Caldwell confirmed the need for an adoption and reopening of Chapter 6 rules for additional consideration. She explained Mr. Dennis's goal in providing awareness of Chapter 6 rule changes and step through the process and draft Service Area rules. She also clarified discussion will occur during the workshop and regular meeting in both the consent and regular agendas.

Mr. Dennis continued with a presentation through the workshop item. As an introduction, he noted he would detail Chapter 6 Service Area proposed rules including selection, oversight, and modification thereof. He also noted a forthcoming update on the status of Chapter 6 rules relative to annexation of counties into an existing district and the creation of a district. He noted the final adoption later, during the regular meeting, of the current version of chapter 6. He added that prior to adopting new rules on Service Areas, the final adoption of Chapter 6 district creation and county annexation is required. He also recalled the adoption of Chapter 5, NC-SARA at the December 4, 2020 meeting which he will provide an update.

Mr. Dennis noted three statutes pertaining to service areas including 21-18-202 (b)(iv), 21-18-202(b)(vi), and 21-18-2029(b)(viii). All of which focus on the powers and duties of the Commission. He went on to detail each statute and their respective application. Mr. Dennis provided historical context on Service Areas as quoted in rules. He recognized service areas were in rules up to around 1985. Subsequently, Service Areas were detailed in the 1991 Omnibus Act. Additional service area rules were solidified in 1993 including the establishment of the current Service Areas. Between 2001 and 2021

the rules governing service area oversight, selection, and modification disappeared. The lack of rules on Service Areas was brought to light as rules in Chapter 6 were being established for district creation.

The agency has drafted a new set of Chapter 6 rules with specific focus on service areas. The new rules will reside in a new section after the district creation and county annexation promulgated rules. Mr. Dennis noted again the set of rules on district creation and annexation will need adoption prior to adopting new service area rules. Components of the new Service Area rules include:

- Confirms Commission's role in modifying service areas.
- Reinforces collaboration between local district, and county.
- Does not establish a draconian evaluation procedure.
- Maintains adjacent county requirements.
- Establishes an application process.
- Requests how the modification will benefit Wyoming residents.
- Encourages counties to work directly with community college districts to adapt to local needs.
- Confirms alignment with the Wyoming Community College System Strategic Plan.
- Provides for a public hearing for public comments and involvement.

Mr. Dennis then reviewed further, the rules draft will add a new section (section 8). He reviewed the subsections of the rule. First component includes the Commission's role in service area oversight. He noted next, that the rules encouraged districts and counties to work together to collaborate on the needs of individual service areas. Then he detailed the tentative application process for service area modification. He noted the application requirements which tentatively include a statement of the consultation efforts undertaken between the county and district or districts. The statement will need to include a number of details such as how the new service area will align with the statewide system strategic plan. Additionally, the application clarifies that the applicant county must have a contiguous border with a county in the district for which the county is applying. He noted 2000 Wyoming session laws detail an entire county must be part of one service area. The process concludes with a public hearing and the Commission rendering a final decision.

Commissioner Blikre asked if there was a time limit for the Commission to consider an application and make a decision. Mr. Dennis noted there currently was not a time limit, but added the application must be presented to the Commission prior to a 30-day window allowing the Commission to properly receive, post, and consider the application. Commissioner Blikre suggested there should be some limitations on ourselves

(Commission). Dr. Caldwell suggested a time limit could be added providing time boundaries, thus not allowing the Commission to sit on the application and adding a guarantee of resolution one way or another. She recalled a similar discussion during the August meeting. She suggested that this application was not as extensive as district formation. She felt 90 days was difficult to achieve for the Commission and others during the district creation timeline. She thought that once the Commission receives an application, adding in some time boundary is reasonable. She then turned to Mr. Mackenzie Williams, Commission's Attorney General.

Mr. Williams recommends that internal timelines are usually governed by an internal policy, because the timeline do not govern outside entities other than the agency. He suggested that as an option, other agencies will devise something similar. He also recognized there is not a requirement to have a time period, but it is discretionary on the part of the Commission. Commissioner Blikre, noted it was not something that may need to be done today, he had suggested the idea for consideration.

Commissioner Boal asked if the rules had been out for public comment and there had been review for the statutory period. He also asked if the public or colleges had submitted any concerns for this particular section. Mr. Dennis responded this section of rules has yet to be presented for public review and comment. He clarified the process of adopting draft rules with final adoption at potentially the June meeting. He also noted there is plenty of time to make other changes to the rules. Dr. Caldwell added the agency could work on a potential timeline since the timeline was mentioned during an earlier meeting. She suggested the timeline could be prepared for the Commission's review, when they discuss the topic in the regular meeting later in the morning. She also noted that the timeline does need to be at least 90 days. While not at the same level of complexity of district creation, there would be follow up on the agency's part to make sure the information can be collected and substantiated. 90 days could be a minimum and she would not be opposed to 120 days to allow for careful consideration of the materials. She noted the timeline adds opportunity for further communication with those impacted by the change and a resolution of the application. Commissioner Freeze agreed that the 120-day timeline is most appropriate given the number of interested parties involved in the process to collect and consider feedback. Mr. Buchholtz suggested, while the draft rules are on the screen, in subsection (f) he proposed the addition after the first word "decision" in the sentence, "within 120 days of the public hearing,". Commissioner Blikre thought it was a great recommendation. Dr. Caldwell noted that the sentence should include the reasons behind the decision. The sentence should read as. "Shall issue its final decision, articulating the reasons for that decision, within 120 days of the public hearing." Dr. Caldwell noted final edits will be completed prior to the regular meeting.

Dr. Caldwell had an additional question as to the location of a clause noting the receiving district could reject a county applying to join the current district. She added somewhere that clause had been deleted out. Mr. Dennis noted the clause had been removed after Attorney General Mackenzie Williams had reviewed. Dr. Caldwell noted that a county needed to first work with their local service area. Then it needed to go to the receiving district board to make potential application because that would be a programming and governance issue. When first discussed we did not want to force a college district to take on a new county without their first agreeing to do so, thus reflecting local control.

Mr. Williams tried to recollect his comment on this section. The issue is that within the Omnibus bill the Legislature wanted the Commission to come back to the Legislature with an articulation of what the Service Areas should be for all the college districts. Then the Legislature did not do anything with that information. Since that time, the Colleges have been proceeding on the basis that those service areas are the service areas that are present. The Legislature has continued to refer generally to service areas in other areas of statute.

His reasoning for the removal of the clause was that the Commission should formally establish those service areas at the outset, but then have that process by which the counties and boards of trustees could apply to change those areas going forward. He added it would be a policy decision if the Commission wanted to make sure the application always goes through the Board of Trustees of the receiving district of the relevant colleges. There would have to be a method to resolve any sticking points in shifts of Service Areas. That was one of the reasons he had suggested the Commission being able to make a change on its own relative to the Service Area.

Commissioner Freeze noted perhaps it was a question of including a clause where local boards need to weigh in on any recommendations. It would not be requesting approval but saying local boards would need to act. Mr. Williams noted that the suggestion does make sense, but it does raise the question if the local board refuses the consideration. Mr. Williams suggested providing the colleges an ample opportunity to weigh in. If, however they choose not to, that would certainly be up to them.

Dr. Caldwell asked to consider it briefly as she formulated some potential wording. She also recognized there were a couple presidents on the line and perhaps they might share their thoughts.

President Tribley shared that there are many balls in the air, articulating the value of local control, the value of student success, and the focus of reducing volatility and increasing stability. He added, imagine a student is at any community college and they are

currently in a program. Within 120 days to a year their program offered by a particular college at a particular county, because of these rules, goes to a different college and their program no longer exists in their home. After these changes a period of time for stability would be best for our students. The other part of that stability would be accreditation. The institution cannot have large sections of the financial portfolio changed within a matter of 120 plus days. Time and stability are needed for the students and for the accreditors. Even with these changes, all should be thinking regarding time needed to implement and provide supports for the affected students, colleges, and counties.

Dr. Freeze reflected that Dr. Tribley had brought up an excellent point. She also noted that the Commission would want to address the timing regarding the change and when it would go into effect, certainly a change in the middle of an academic year is least desirable.

Dr. Caldwell shared her thoughts on the topic. Timing would absolutely need to be part of the application which would need to include provisions similar to how we did with the formation of a district. The new county and the colleges would have to ensure that students will have the ability to complete their programs. In the working draft of the application itself, the Agency had recognized there has to be provisions for students to be successful. Rendering a decision and when an effective date might be two different things. The Agency can make sure that component is included in the application process. All have to protect those students and there has to be assurances, that the pathway between the colleges can be facilitated.

Dr. Schaffer asked a question for clarification. The beginning of this section talks about the Commission being able to initiate changes of the service areas on its own accord. Dr. Schaffer was curious under what circumstances, what might necessitate the Commission acting and if it is directed from other areas, it might be making clear in these statements. Again, Dr. Schaffer is curious under what circumstances the Commission would find it necessary to change Service Areas. He also asked if other qualifiers were needed especially if the Commission deems that it is within their scope to make those changes.

Dr. Caldwell asked if Mr. Williams would provide his perspective. In her thought process, the Commission would perhaps make the change only in the matter pertaining to a number of things which cannot be imagined. There is a need to be cautious of being too prescriptive. Her additional thought was what if there was a dissolution of a Service Area. Or if there was a situation where two districts and counties could not come to a consensus. The Commission may have to decide. Dr. Caldwell also mentioned that district service area formation was submitted to the Legislature. The Legislature then requested and tasked the Colleges and the Commission to make the recommendations.

She suspected that only when there is a disagreement and consensus is not reached or there is the dissolution of a district.

Mr. Williams noted the particular circumstance he was thinking about when adding this segment was paired with a practical and legal aspect. The practical aspect as Dr. Caldwell mentioned, the Legislature asked for a report on what the Community College service areas should be, a clear implication of the directive was that the Legislature would somehow act on the report. The Legislature never acted as far as he could tell. Mr. Williams has spent a lot of time researching this topic. Yet then legislative priorities shifted. The circumstance Mr. Williams was considering given that the statutes clearly contemplate there are service areas and where they are used. Even though the Legislature has not established the specific service areas, it clearly contemplates that there are service areas and then works within that reality when legislating. The circumstance he was considering was to formalize the establishment of the service areas, which he was unsure if it was ever really done. He noted that there has been an informal establishment of the service areas and all have agreed. There does not or seem to be any official action which had been taken that Mr. Williams is familiar with. His initial thought was to allow a mechanism at the outset to be part of the rules was for the Commission to simply establish the service areas formally the way they currently exist to provide a baseline, or starting point. If future changes should arise, then that is when the procedure would be used. Most likely by a community college district or perhaps a county, but not exclusively. That is where he turned to the legal justification. The statute is pretty bare bones. He then read,

“Following a public hearing, the Commission may review or modify to maintain service areas, provided all counties to be annexed to a service area are contiguous to that service area, and determinations are subject to judicial review.”

Looking at that statute it does appear that the Commission does have the ability to change or modify the service areas as needed. He further noted that what the Commission is doing in the rules draft presented is to layer on additional processes and feedback from the colleges and from the counties. There is no legal reason that this would have to happen, it would be just the preferred policy proposal from Dr. Caldwell and the agency staff. This would make sense because the Commission needs information from the colleges and counties to render a final decision. The feedback is procedurally very important.

Mr. Williams noted that relevant to Dr. Schaffer's question, was regarding initially establishing service areas as they currently operate. As far as future use, that would be best left to the subject matter experts like Dr. Caldwell and the Commission staff.

Dr. Caldwell noted that the agency will also look back to see if that action was taken by the Commission. This was a topic some folks at the LSO had felt confident about. She felt that some specific language could be added within to address as to whether any action was taken on the topic of service area formalization. Dr. Caldwell also recognized that Dr. Travers wanted to make a comment.

Dr. Travers noted that a further complication of this process, is that there may be community in one of the counties which is very unhappy with the services. And then there will be three other communities within the same service area which are happy with the services provided, thus complicating the situation. Dr. Travers wanted to mention that dynamic.

Commissioner Freeze noted Dr. Travers scenario was part of the rationale behind that all of a county or none of it must be a part of the service area. She added that the discussion had been excellent and this is the reason why discussion is done in a workshop format and will be reflected in the future final rule.

Dr. Caldwell added there was potential time before the topic was presented in the regular meeting, and asked if language could be added to include 120 days, regarding the boards of trustees within that, and add some clarifying language on its own initiative. Language could also be added in which the service areas are listed in the rules thus clearly establishing the service areas. If there were changes it would always need to be reflected within the rules. Changes could be completed between now and when they come up for consideration.

Commissioner Freeze reflected that it is good to have as much of this discussion as possible to receive comments from the group to move forward and so that people understand the full scope of what's happening. She added that in terms of listing the service area, if when the current areas were established by the Commission, we could list that in the rules with the date would be appropriate. We tend to lose these things over time. The more that can be reflected in the rules the better. Hearing no further comments from the Commissioners, Commissioner Freeze noted that the agency could move forward with the proposed changes.

Dr. Caldwell noted one more comment so that there will be an expectation. She suggested that it might also be wise that whenever we move forward on the rules today,

that through the comment period, that when the rules do come up for consideration and adoption, that a workshop be provided and a draft application be reviewed. She also did not want to lose sight of Dr. Tribley's comments. Action would not be taken on them, but Commissioners could see how the rules would then be applied in an application at the same time.

Mr. Dennis suggested that the needed requirements could potentially be included in the current rule draft under subsection "D" regarding what the components would be provided as part of the application therefore requesting potential student impact.

Commissioner Freeze, seeing that there were no other comments, reflected that there was some good information for which to move forward.

Mr. Dennis noted that he had a few more slides to cover and proceeded quickly. He elaborated a little further on the other section of Chapter 6, which included a draft timeline for the service area timeline noting that the Commission will be moving forward with draft regular rules.

Mr. Dennis then switched to Chapter 6 rules detailing community college. He noted the receipt of two public comments for this segment of rules. One was from Director Cooley at the Department of Workforce Services and the other comment came from Wenlin Liu of the Budget and Economic Analysis division of A&I. Both had suggested some minor modifications in the 30-day section from the district application for which the Agency had to complete upon receiving and application. They specified that the information the agency had to obtain. Director Cooley recommended conducting 10-year occupational projections. Mr. Liu's suggestion was that the agency include in their research population projections by age category. Mr. Dennis referred all back to Dr. Moritz's on age group projections by population conducted on October 7, 2020. Mr. Dennis added that the Commission will have the opportunity to incorporate these final comments into the final minutes. He then provided a draft of the comments incorporated into the draft regular rules. He noted that the current set of draft rules before the Commission did not include the comments and proposed including the needed modifications at the Commission's will.

Commissioner Freeze asked if consideration had been given to just change "A" to be consistent with the time indicated in other sections. Mr. Dennis responded that yes, he had considered that change, yet held off pending the Commission's recommendation. Commissioner Freeze noted that for consistency and validity of data, that the data projected 25 years out would not have a whole lot of value. Dr. Caldwell recommended that the changes should be made. She noted the changes were discussed during the

November 20th meeting on Gillette College because of the inability to receive these estimates. Even in a practical matter, the agency had to include the letters that they could not meet it. Dr. Caldwell would recommend that Mr. Dennis should make the change for the regular rule's adoption under the consent agenda so that when the Commission gets to that point the change will be completed. The agency just needed to know if that is the general direction that the Commission would like the agency to proceed. Commissioner Freeze asked if that was the general direction that should be moved. Commissioners Newman, Dooley, and Boal responded in the affirmative. Commissioner Freeze asked if there were any additional concerns then she confirmed that the Commissioners had their direction. Mr. Dennis continued with reviewing the timeline for Chapter 6 rules adoption for district creation and county annexation.

Mr. Dennis then provided a quick update on Chapter 5 rules noting that at the upcoming meeting the Commission will pass the second set of emergency rules. He added that the second set contained the exact same copy as the first set. The second set just extends the 120 days to provide more time to pass the regular rules for this chapter. He noted further that the regular rules have been sent to the Governor's Office for review and approval. Mr. Dennis anticipates the 45-day comment period will start within two weeks of this current meeting. This set of rules should be before the commission at the April 15th meeting for final adoption. Mr. Dennis concluded his presentation.

B. Budget update and report

[TAB B](#)

Dr. Caldwell introduced Mr. Buchholtz, noting that we have tried to be providing consistent budget updates as much as possible regarding the budget.

Mr. Buchholtz noted he presented the same update as before which included the supplemental budget request. He noted this is the same document as presented at the last meeting. The document has not changed, but he will draw attention to a couple items in the actual supplemental budget bill recently posted to the Legislative Service Office website. The two documents have a little nuanced change. He referenced the first actual budget which includes Community College administration, this is the first location of a change or difference.

Regarding one position, there was a proposal and motion to take to take and eliminate salary and benefit money, away from the Commission, the S5 indicator or school foundation fund, for the position funded in the Commission from that funding. Then general fund money was taken from a prior vacant position, to replace the money from the S5 funding. It takes the agency's vacant position and eliminates it thus making the agency a total of 11 position. This is not what we wanted to happen. Currently there is a total 13 agency staff. Dr. Caldwell has sent a letter to the chairs of the Joint Appropriations Committee asking them to reconsider this, not encouraging keeping school foundation funding, but providing General Fund funding to pay for that one position. He noted this as the current status of the Administration budget. The end figure is \$244,000 less than what is in the current document do the replacement of the document. Mr. Buchholtz noted his belief that this detail is the only item different than what was presented at the last workshop.

Next up is the state aid budget. Mr. Buchholtz noted the reduction in state aid with no reduction in community college health insurance. There is there a reduction in the library funding. All figures are exactly the same as they appear in the supplemental budget bill. There are no surprises in the baseline bill.

Adult Education was the next budget shown. Based on early approval of recommendations made by staff, there is a small reduction directly impacting the program by \$53,000 which will be biennialized a full \$106,000 going into the 2023-2024 budget. The agency had proposed eliminating most of the funding towards the high school equivalency program. Funding is decreased down to \$1,000 for test administration review travel.

Mr. Buchholtz elaborated that the WYIN program cuts the student loan side by \$650,000. The Governor's recommendation is to take half of that cut in fiscal year 2021/2022. Ten or twenty thousand dollars will be returned for fiscal year 2022. Most importantly, the teacher grant side remains completely solvent. All faculty funding will remain through this biennium. The agency will not be denying funding for someone to complete their program or education. The student funding amount will decrease into to the amount of money available for student loans going forward. This will be very impactful in the 2023-2024 biennium. The agency will have the ability to only fund a decreased number of applicants. The agency will create new student allocations and distribute those out to the colleges and UW.

Mr. Buchholtz noted there is a draft bill in the Senate Education committee that proposes fully funding nursing faculty. Last year's exception request from the Commission was only funded about 50% in the Governor's recommendation. The Joint Appropriations

Committee bumped it up to about 75% of the exception request but still leaving the program short about \$265,000. In previous conversations, Mr. Buchholtz had shared the agency has taken funding from the faculty instruction side to make up the student funding hole. The Senate Education Committee had taken up the discussion and now the bill proposes funding some of the program with CARES money. Yet it is unknown what stipulations might be in the next CARES stimulus package. CARES packet contents will be known later after the package is approved.

The next program is a proposal to return money from the Overseas Combat Program. Last year the agency returned from the program to the General Fund, a little over \$600,000. The figure is a little more because the entitlement went down during the current year. This program used to cover all tuition and fees. Legislation passed previously and going into full effect this past summer stipulates that the fund now just covers tuition. There was also a reduction in the rate for specialized or graduate work down to the undergraduate rate. All of these changes have resulted in considerable savings for the program.

Wyoming Public Television is impacted. Mr. Dugas had submitted a letter on his own to the Governor's Office and the Joint Appropriations Committee regarding not proceeding with Step 3 cuts as they would be really impactful. He also included a note about limiting WPTV's ability to contract with Satellite providers to broadcast statewide over their networks.

Included on the last page of the document for the workshop, the entire reconciliation of all monies received through CARES, HERF, and GEER funding. Highlighted in yellow are all monies staff have done to get money into the hands of the Colleges. In total \$47.8 million in CARES act and GEER money was distributed to the colleges. The colleges also received two HEERF direct distributions. The first distribution, was comparatively small with a requirement that half of it go to students and half to the institution. A caveat on the first distribution to the colleges was the money could not be used to replace any lost revenue. The second distribution, which is currently ongoing and 60% larger than the original distribution, requires the same amount of money originally to be used in HEERF one to be used for direct student aid. The remainder can be used for other institutional costs and or revenue losses in certain categories. This will ultimately help institutions bottom lines for the current fiscal year.

Mr. Buchholtz also noted the existence of section 300 major maintenance in the budget bill. He noted that in May, the actual reduction was 75% down thus taking the colleges allocation from \$27 to \$10 million. The Governor suggested in his supplemental budget bringing major maintenance up by \$10 million to \$20 million in major maintenance which provides less of a cut. The JAC brought back major maintenance funding further

replacing for all agencies in special projects to be filled with general fund money. The JAC adopted a move taking the major maintenance calculation fund from 2% to 1.5% of replacement value thus resulting in a \$7 million reduction. Now in the supplemental budget bill it shows that rather than \$27 million in the major maintenance the colleges now have \$20 million, a reduction but nearly as drastic as the original bill.

The Capital construction bill is a completely separate bill. He reminded all of the actions and Commission recommendations taken last summer and that capital construction bill did not pass during the previous legislative session. The original bill, contemplated all the projects approved at a 50/50 match which was a general or SIPA funds to local revenue. The new capital construction bill, a revival of the previous bill, takes all level 3 construction and authorizes the colleges to proceed with their own money. There is no state funding included with the budget for the projects. It includes language that says if it had been included previously and we had authorized it, then the legislature can authorize it. There is one level 2 project line item forwarded, one of which funding a project which is a design study at Northern. The other project is the capital renewal project at Western which is fully funded with SIPA money to finish that project.

Dr. Caldwell reminded all of the importance of keeping the budget in front of the Commission. She added there will be a budget workshop at the April meeting. At the workshop, baseline figures will be included for the purpose to provide direction on how the colleges should be building their budget for adoption at the June meeting. The April meeting will also include a workshop on Capital construction. She reminded all, additional exception requests for state aid cannot be submitted. The biennial budget process starts again including a recalibration of the base period. She further noted this as a challenging time considering when sustainable funding recommendations are included.

Commissioner Newman expressed concern regarding the potential loss of two positions in the Commission. Dr. Caldwell responded that this issue was very concerning. One of the positions had been offered and was held vacant. The state is facing challenging times. To eliminate a filled position is very concerning, especially with the amount of work the Commission is tasked with. The Colleges do not have the capacity for the Commission to move that type of work their way. If Step 3 cuts are taken, it will result in a \$94 million deficit. We are watching the news and Boards of Trustees as the colleges take desperate measures. Dr. Caldwell noted that the Commission is being called upon to do more work and to not have a position when being asked to do the policy work is drastic. She will detail it more in the legislative update.

February 5
Wyoming Community College Commission Meeting
The public is asked to attend this meeting via the Zoom link

If you desire to attend in person, please do so at the WCCC Office in Cheyenne

10:20 a.m. **CALL TO ORDER**
 ROLL CALL

Commissioners

Commissioner Boal - Present
Commissioner Blikre – Present
Commissioner and Vice Chair Dooley – Present
Commissioner Frederick – Present
Commissioner and Chair Freeze – Present
Commissioner Newman – Present

Ex Officio Members

Governor Gordon or Lachelle Brant – Present
Superintendent Balow or Shelley Hammel – Present
Community College Commission Executive Director, Dr. Sandy Caldwell – Present

Commission Staff

Dr. Ben Moritz – Present
Mr. Larry Buchholtz – Present
Ms. Paris Edeburn – Present
Ms. Christy Klaassen - Present
Mr. Rob Dennis – Present

10:21 a.m. **Convene Executive Session**

- To obtain legal advice or to discuss litigation or other legal matters, in accordance with W.S. 16-4-405(a)(ix)

Commissioner Freeze asked for a motion to move into executive session:

Commissioner Freeze asked for a motion to move into executive session at this time to obtain legal advice or to discuss litigation, or other legal matters in accordance with W.S. 16-4-405(a)(9). Those admitted to the closed discussion include the Commissioners; Ex Official members, Governor

Mark Gordon, Superintendent Jillian Balow or their designees; AG representative Mackenzie Williams; Executive Director Dr. Caldwell, Deputy Director Dr. Ben Moritz, CFO Mr. Larry Buchholtz, and CTO Ms. Paris Edeburn. The executive session was held on a separate zoom link. The current zoom link will remain active and in recess until the executive session ended and the Commissioners return. Commissioner Boal and Newman moved. Commissioner Dooley seconded. Motion carried unanimously.

Adjourn Executive Session

10:30 a.m. **Reconvene Regular Session at the Zoom link above**

The regular meeting was reconvened at 10:30 a.m. Commissioner Freeze opened by noting that during the executive session the Commission did not take any action.

Commissioner Freeze asked for a motion to release the Attorney General's opinion related to the ability of a community college district to assess less than 4 mills. Commissioner Blikre moved, Commissioner Newman seconded the motion to release the Attorney General's opinion. There was no discussion. Motion Carried.

Commissioner Freeze briefly noted the contents of the of the recent formal Attorney General's Opinion included that any community college county can elect to levy less than 4 mills at any time. This fact was upheld by the AG's formal opinion. The assessing district can make that change at any time on an annual basis. Certainly, the college and county must assess 4 mills to receive state aid. The opinion will be posted on the Commission's website right away. All are welcome to review the opinion and the Commission is happy to entertain any questions from anyone. Mr. Buchholtz added that with a browser refresh the Opinion is available on the website.

INTRODUCTIONS

Commissioner Freeze noted the presence of over 30 on the zoom link.

Dr. Caldwell and Mr. Buchholtz introduced a new staff member, Ms. Christy Klaassen. Ms. Klaassen has joined the staff on January 4th, filling the position vacated by Mr. Dennis. Christy joins us from being a full-time mom. She has taken a foray into education as an elected board member of the Laramie #1 County School Board. Ms. Klaassen introduced herself as being in public service as being an elected trustee on the school board. Prior to becoming a mom, she had a career in as the Director of Government Affairs for another commission in Washington D.C. It was at a federal level commission and her job was primarily

to be the face and the voice for that Commission in front of the White House, Department of State, and Congress. She noted how nice it was to be doing a little of that work along with Mr. Buchholtz for the Commission regarding legislative affairs and policy. Commissioner Freeze recognized and welcomed her aboard. Dr. Caldwell provided a quick review of Presidents in attendance including: Dr. Dale, Dr. Divine, Dr. Travers, Dr. Tyndall, Interim President Watson, Dr. Schaffer. She noted that Dr. Tribley was on the call earlier but had been called away for an emergency. Several of the College Trustees have joined. She noted Ms. Erin Taylor from the Wyoming Association of Trustee's had joined as well as other staff members and colleagues on the call. Commissioner Freeze noted that there are 41 participants on the zoom link.

APPROVAL OF THE AGENDA

Commissioner Freeze asked for a motion to approve the agenda. Commissioner Blikre moved, Commissioner Boal seconded. There was no discussion. Motion Carried.

Commissioner Freeze introduced and sincerely thanked Commissioner Frederick for his 4 years of service, time and all he has done for the Commission, the community and Wyoming. Commissioner Frederick noted his thankfulness for all the time and all the collaboration. He added that his freedom and flexibility to contribute to the meeting has significantly changed resulting in his reasoning to not continue. He also shared his appreciation for the Commission staff. It has been his pleasure to represent the state and the colleges. Concluding, he wished all the best of luck.

Dr. Caldwell noted that the Executive Director of Wyoming Public Television had also joined, Mr. Terry Dugas.

A. ORGANIZATIONS/ALLIANCES:

- Wyoming Association of Community College Trustees

Ms. Regina Clark introduced herself as the newly elected WACCT president. She recognized her appreciation for Erin Taylor. Ms. Clark is currently on the Board of Trustees at WWCC. She is also looking forward to working with Erin Taylor as she guides Ms. Clark through the next couple months or years. Ms. Clark noted Kathy Dolan from Casper College is the new WACCT Vice President. Dr. Judith Bartmann will continue as Secretary and Don Ericson with LCCC will continue as Treasurer.

Ms. Clark thanked Mr. Ernie Ober, former past president. Mr. Ober served as the president for three years and has been involved with the community colleges for years. WACCT really appreciates all that Mr. Ober has done for the organization.

Ms. Clark continued that Ms. Taylor did discuss some details with the Legislature and then held discussions with the Trustees. In January, Ms. Taylor conducted a virtual advocacy workshop with 35 in attendance. The community colleges have done a really good job, switching over to a successful COVID format. The colleges and WACCT will continue to provide updates as COVID protocols evolve. It will be hard for the faculty to have their regular Legislative update. Ms. Taylor will be sending out a communication soon.

She also highlighted the new WACCT video which reviews what it means to be a board member and what the Trustees receive from their WACCT membership. There are a few new Trustees in the organization. She noted further that Dr. Donaldson had joined the call. Dr. Donaldson is the Vice President of their college board.

WACCT has also developed a Support the Solution video which was assembled with the help of Northwest College. The WACCT board was very impressed with the video. All colleges had a part in the video's production.

The WACCT board has passed a resolution in support of the Sustainable Funding Workgroup efforts and giving legislators some other ideas in supporting the colleges. Each college will take the resolution back to their individual boards. WACCT thanked the Commission for all their extensive support of the colleges. They are grateful to have the support of the Commission.

Commissioner Freeze asked if any of the Trustees were attending the upcoming Legislative Summit. Ms. Clark responded that she was not sure and she had yet to hear from someone specifically asking so. Further noting there have been a few Trustees who have been very active. Commissioner Freeze noted that the Summit consisted of three days of virtual meetings and that it was a good agenda. It also included some good detail as to what might be on the horizon for a new administration.

- Wyoming Department of Education

Ms. Hammel provided an update from the Wyoming Department of Education. She noted that there has been significant work done with all district, state and federal partners as a result of COVID. With ESSRA1 funding, districts have drawn approximately \$11 million. WDE has set aside the state support portion into two programs. The first

program set aside was for LETTERS (Language Essentials to Teachers of Reading and Spelling). It will be offered to all K12 educators across the state and it is focused on strengthening educators focus and understanding of literacy instruction. The program kicks off in the fall and follows the traditional 9-month school calendar. WDE is encouraging educators to enroll for the fall cohort.

The second area where ESSRA1 funds was set aside to support districts in a tool called fast bridge, which will be used in three critical areas: reading, math, and behavior. The program is very fast and is set up to provide a formative assessment. The program will help teachers identify gaps in student knowledge. It is critical that teachers have tools in their hands to identify where students need to go next.

WDE is looking to provide access to the ESSRA2 funds, which are specifically earmarked for teachers. Referred to as EANS funds. Work continues on finding the most beneficial use of these funds, ESSRA2 set aside dollars. Look forward to future announcements regarding ESSRA2 funds.

Regarding federal accountability, and COVID adjustments, WDE has submitted an addendum to the state's ESSA plan. The addendum requests the ability to shift the timeline forward for identified long term goals in the areas of academic achievement, graduation rates, and progress in achieving English language proficiency. It identifies WDE's interest in revising specific indicators relative to federal accountability determination for the 2020-2021 school year for the areas of comprehensive support and improvement schools, and for the identification of targeted support, and school improvement status. The addendum is necessary because WDE is unable to calculate the meaning behind annual differentiation because of missing data from the current school year. Because of the shift to blended learning, our state along with other states, availed themselves of a waiver to not participate in state assessments. Prior to the submission of the request, WDE did provide opportunities for public comment and consulted with the Governor's Office. Additionally, consultation letters were sent to the Eastern Shoshone and Northern Arapahoe tribes. And staff had meaningful discussions with other educational stakeholders. Public and stakeholder input overwhelmingly supported the addendum. WDE also submitted a waiver for the targeted schools on improvement for fall 21 based on the same lack of data. WDE will continue to support schools previously identified as CSI and TSI, and any other interested school seeking additional technical support. In late January the State Board of Education approved a WDE request based on their chapter 3 rules to except all 48 school districts resulting that school performance ratings will not be calculated for the 2020-2021 school year.

WDE is working closely with SBOE on the annual profile of graduate project. This team is continuing work and gathering public input.

Outside of COVID, work continues for districts needing technical assistance and work towards student growth

The State has received a grant of \$43 million to create the Striving Readers program. This is a \$43 million investment to support a comprehensive literacy plan. Members have been selected to represent families and young children in the K-12 school system, higher education, the legislature, the Governor's Office, just to name a few. The Taskforce has met once to learn more about the grant and their role and will meet again at the end of the month to create Wyoming's statewide literacy plan.

WDE is currently seeking public comment on the 2021 Science performance standards the period is open through March 17. WDE has also called for public input for English and language arts content and performance standards. Input is open through March 26th. During this same time period, WDE has issued a call for participation for individuals interested in serving on the ELA standards committee.

WDE is also tracking several bills which will have a similar impact on the education system or K-12 level. Ms. Hammel noted that WDE is tracking similar bills to the tracking of the WCCC.

Superintendent Jillian Balow has been promoting strong work on literacy both within Wyoming and nationally. This week she just opened up a CCSSO event around literacy. She has also been very vocal advocate about sharing concerns related to the negative impacts on funding based upon President Biden's pausing of oil and natural gas leases on federal lands.

- Presidents' Council – Dr. Darren Divine, President

President Divine briefly provided updates on three items. The Wyoming Innovation Network (WIN) was introduced out of the Governor's Office. The project builds on the foundation of previous partnerships between the colleges and the University to develop a consortium for economic development. The goal is to support economic opportunities keeping existing talent in the state and attract outside talent to the state too such as: Software engineering, entrepreneurship training, advanced manufacturing, etc.

President Divine also noted that it has been a very challenging start to the year. He and fellow Presidents have been notifying individuals they will not be continuing their employment. This is the current reality across the state.

President Divine continued to detail the Presidents coverage plan for the legislative session. During any legislative session, straws are drawn to ensure coverage for two presidents on ground any one time. They have found this years' hybrid session to be more of a challenge to cover. The Presidents will continue to use the legislative tracking sheet produced by Mr. Buchholtz to assign a president to track each bill. Mr. Buchholtz commented that he had delegated the project to Ms. Klaassen.

Commissioner Freeze noted that on behalf of the Commissioners, she shared the pain for what everyone has been going through. Not only for the start of this year but as it comes to a head at this point. It is never easy to tell staff that they will not be continuing and knowing that everyone has the main concern of serving students to the best of abilities with limited resources. The Commission is here to support the Presidents in their efforts.

- Educational Attainment Executive Council – Dr. Kim Dale, Co-Chair [TAB C](#)

Dr. Dale thanked all for the opportunity to provide an update. She reminded all Dr. Hicswa had accepted a new position thus leaving a co-chair vacancy on the attainment committee. Dr. Dale is honored to serve as a co-chair with Dr. Seidel from UW. She also appreciates the confidence of the other Presidents in doing a good job. She's and the council are very patient in doing work correlated with student access and success. This is an exciting opportunity and she is very passionate about this work having been in the industry for 25 years. The work that she has done has been corelated with student access and success. She has had first-hand experience on how this can truly change lives of students and the state.

The last year for the group has been focused on a strategic plan and metrics, completing an impressive body of work. To refresh everyone's memory, the first goal is to increase the Wyoming working population between the ages of 25-64 who poses a post-secondary credential. The plan includes four focus areas: Program Alignment, Access and Infrastructure, Funding and Affordability, and a College Going Culture among K-12, adults, workforce, and industry. There are a lot of metrics and outcomes detailed in the plan. Now is time for implementing the plan. She provided three documents with links for Commission review. The first is an agenda from the October meeting with lots of documents. One can read about initiatives and tactics to achieve the goals. There is also a comprehensive document covering what has been completed to date since October. This report is a statutory requirement. There is a draft agenda for the meeting on the 18th.

Dr. Dale suggested celebrating successes including all the incredible work which has been done. She pointed out the good work related to the recent launch of the WYO Transfer website. A herculean effort was undertaken by a great team of professionals for this initiative.

- Community College Faculty Alliance

There was no report.

- Wyoming Public Television – Terry Dugas, General Manager [TAB D](#)
 - Plains Indian Sign Language: [Video](#)

Mr. Dugas, thanked all and noted his submission of two reports, an annual report to the Governor and Commission, which will become a part of the Commission’s record. He has also submitted the standard quarterly report. He referenced a link within the agenda to a video on the Plains Indian sign language project. Mr. Dugas said the short version video documentary can be used in classrooms. He showcased the shortened version for the Commission. He had nothing further to add.

- Governor’s Office – Ms. Lachelle Brant

Ms. Brant acknowledged how wonderful it was to hear of all the updates. She noted that this is a busy time in the office. There are many bills hitting the Governor’s desk for signature. She appreciated Dr. Divine’s introduction on the new WIN initiative. She further noted the Governor’s appreciation for all those who serve and have served on the Commission. Thank you, Commissioner Frederick. The Governor will be announcing new and reappointments for the commission in the near future. Good luck with the rest of the meeting.

Commissioner Freeze thanked her for her and the Governor’s leadership and continued support with education initiatives.

- B. PUBLIC COMMENT (Comments should be limited to 3 minutes duration for each agenda item. Please state your name, affiliation, locale, and agenda item(s) to address)

There were no public comments.

- C. LEGISLATIVE UPDATES:

- WCCC - Dr. Sandy Caldwell [TAB E](#)

Dr. Caldwell noted that she had included a legislative update in her packet. However, it was dated January, 25th and things have changed subsequently when we are in the midst of a legislative session. She noted that this is a very different Legislative session, one that nobody has previously experienced. There has been tremendous communication, and she is grateful for agency staff involvement. Ms. Christy Klaassen has been fantastic in her ability to jump in such a short time span. Starting January 4th, she is already mastered the legislative tracking. Dr. Caldwell will provide some general updates and then ask Ms. Klaassen to provide further details.

Dr. Caldwell will note three aspects during her discussion of updates, providing a refresh on the budget, capital construction, Joint Appropriations. Mr. Buchholtz went over this section during the workshop. She will also talk about the current session. And she will note some federal legislation, noting that the Department of Education also provided some update on federal legislation, yet Dr. Caldwell share a little on the postsecondary side.

Dr. Caldwell reflected most of the first 8 days of the current legislative session focused on committee bills. An advantage to current session structure is the ability to review previous meetings in an effort to seek clarification. In her legislative update, because of the recordings, she was able to provide information on the December 10th budget hearing. The upside of the budget hearing, after reviewing the cut plan, was the college presidents had a chance to talk about the impacts of cuts to the colleges. Mr. Dugas was also able to talk about the impacts to WPTV. Chairman Freeze detailed the Sustainable Funding Workgroup recommendations. Joint Appropriations is the committee that requested the Commission take on this role. Dr. Caldwell noted the JAC's appreciation for the comprehensive nature taken by the Commission in the participative nature of the workgroup and seeking broad input with national level guidance. She suggested all avail themselves to watch the proceedings.

Dr. Caldwell reflected a couple of things did occur in the budget markup providing both hope and concern. There was consideration to not cut the college budgets further which might have a devastating impact. While not moving forward it did provide some hope regarding recognition that further cuts would have devastating impacts on the state. An unfortunate surprise was the removal of school foundation funds and consequence of having a cut position from the Commission. She recognized the challenge of deferring that work to the colleges. She had submitted a letter to the JAC and one to the executive branch requesting the impacts of cutting that position. And specifically, to the executive branch a request to not take additional step 3 cuts. There was little done during round robin. She is still waiting for the letter to be posted. House Bill 001 and Senate File

001, mirror budget bills, came out Wednesday night. The agency will provide some suggested language to see if the possibility of Step 3 cuts or the lost position can be remedied.

She reminded all of Mr. Buchholtz detail on CAPCON, with the authorization to proceed on the Western infrastructure projects and other projects authorized to proceed.

The CREG report came out with a better than anticipated outlook. But the outlook is still bad. The colleges are looking to take a \$94 million dollar hit over the years if they step 3 cuts are not implemented. Without step 3 cuts the colleges are still shorted by \$85 million. This report remains a significant impact to the colleges and the situation remains really bad.

The legislative bill tracking sheet is updated daily. In addition to CAPCON, the agency has been watching meat processing legislation. Currently three colleges are participating in a meat processing program. Legislation regarding Gun Free zones and WYIN faculty funding are both up for consideration. She is hopeful the general funds will budget the program going forward. The agency does not want to see any of the Nursing programs reduced. House Bill 77, the school consolidation bill is also on the radar and there may be possible consequences to the college districts. Senate File 83, Gillette College Community College District, is under consideration. Management Council review of the bill was not reported on by the press correctly. Management council did not receive the bill from the Select Committee because it was not within the scope of the Committee which was misreported in the papers. Withdrawal from the interstate compact is being watched carefully. WCCC uses the ECS extensively. The agency is also waiting on other bills. Most notably a bill from the JAC, which they have noted on three occasions would provide for a mill levy to nontaxing districts. Ms. Taylor may provide more nuanced context for the proposed bills.

The Omnibus bill has passed at the Federal level. It is uncertain of what is in the second CARES act will provide additional funding for the colleges. The bill may have a direct distribution to the colleges thus providing more flexibility on the funding and an extension on the CARES and HERF dates. In the next stimulus package, the bill is being heavily worked, and the agency is monitoring through SHEOO. A simplification of the FAFSA is also being provided in the Omnibus bill.

Ms. Klaassen provided further updates acknowledging she has learned a whole lot about meat processing in the last couple days. There is a lot of interest on the house side for house bills 52 and 54. There are additional plans to push forward a substitute bill. She thought it was very helpful for Dr. Tyndall to speak during the recent meeting, explaining

the development of and the need for industry in the area in the state. He did mention workforce training in HB 51. HB 54 was passed in committee and HB51 was tabled to work on some of the language. She recommended all look at HB 54 and SF 58. SF 58 has a lot of support by the Senate Education Committee. The Committee really wants to see if any new funding from CARES can make up the funding difference for WYIN.

- WACCT - Ms. Erin Taylor

[TAB F](#)

Ms. Taylor noted there is no better time to spend time with then the Community College family. The WACCT Board has talked about many of the same bills at their recent meeting. WACCT did take a position on a couple of the bills and a few they will be actively opposing. Senate Joint Resolution 001 which deals with taxes to voters will fundamentally change how the state operates taxation. It is the first step in a negative direction and deals with how colleges obtain mill levies. She added that this bill is very concerning to many of the Trustees on a very broad level. WACCT also is opposed to SF 67 repealing the gun free zone legislation. WACCT has opposed this bill in the past has some good talking points to provide as the bill moves forward. There are different sponsors on the bill. Issues such as gun control have become front and center. This bill might get more attention than it has in the past.

Ms. Taylor did not have any other bills to add to the review. But many additional bills are expected including one coming down from the Wyoming Tomorrows Task Force to focus on Wyoming's adult student population, retooling part of the Hathaway Scholarship. WACCT is also expecting to see a proposing a statewide mill levy. This would be a result of the select committee working on funding this summer. They did have a bill with a number of issues, including Gillette College, sustainable funding for the colleges, the role of the commission. WACCT is expecting to see some of the components rolled out. She expects there will bill addressing sustainable funding for the colleges and separate senate file on Gillette College.

She noted it has been really tough connecting during the hybrid session, because of the online nature of this session. There are no hallway discussions and she is having a hard time getting a hold of people. She asked that information that might have been overhead be passed her direction. During the interims there will not be a virtual session for two weeks. As such she expects to make a lot of phone calls. Additionally, she wanted everyone to know WACCT, in cooperation with the President's and the Trustees has put together a pretty strong advocacy effort even with all the challenges. And maybe because of all the challenges the effort has been successful. The effort is being customized towards the legislators that they know.

D. CONSENT AGENDA ([Executive Summary](#))

[All items on the Consent Agenda will be considered together and incorporate the respective actions recommended for each item. A commissioner may have any item removed from the Consent Agenda and placed on the Regular Agenda.]:

Commissioner Freeze reminded all that all items are considered together on the consent agenda. She then asked if any Commissioner desired to remove an individual item from the Consent agenda. There were no requests to remove an item.

Commissioner Freeze entertained a motion to approve the Consent Agenda. Commissioner Boal moved and Commissioner Newman seconded.

I. CONSIDERATION OF MINUTES OF PREVIOUS MEETINGS:

- **October 7, 2020 Sustainable Funding Workshop** [TAB G](#)
- **October 7, 2020 Commission Workshop** [TAB H](#)
- **October 8, 2020 Regular Commission Meeting and Workshop** [TAB I](#)
- **October 10, 2020 - Campbell County Listening Session** [TAB J](#)
- **October 14, 2020 - Campbell County Listening Session** [TAB K](#)
- **November 7, 2020 - Gillette College Tour** [TAB L](#)
- **November 20, 2020 - Special Commission Meeting** [TAB M](#)
- **December 2 & 4, 2020 - Special Commission Meeting** [TAB N](#)

II. ACCEPTANCE OF REPORTS:

- **Performance Indicator Report** [TAB O](#)
- **Program Review Report** [TAB P](#)
- **Summer 2020 Enrollment Report** [TAB Q](#)
- **Financial Report** [TAB R](#)
- **2020 College Audit Report** [TAB S](#)

III. CONSIDERATION OF AND ADOPTION FOR CHAPTER 5 AND CHAPTER 6 RULES. ([Executive Summary](#))

- A. Chapter 5 Emergency Rules For NC-SARA (Extension) [TAB T](#)
- B. Chapter 6 Creation of New College District and County Annexation [TAB U](#)

E. REGULAR AGENDA:

Commissioner Freeze introduced the regular agenda and introduced Dr. Caldwell.

- I. DRAFT REGULAR RULES ([Executive Summary](#))** [TAB V](#)

A. Chapter 6 - Service Area Administration

Dr. Caldwell noted that the Commissioners had a very productive conversation in the workshop earlier in the day. She noted that Mr. Dennis, Dr. Caldwell, and Mr. Williams all worked during the break to include the discussed updates which have now been made. She subsequently introduced Mr. Dennis. This does start the process of establishing regular rules. Emergency rules are not in needed because of the lack of an urgent issue. There is time to hold the comment period, make any changes, and then take-action to potentially adopt the resulting rules.

Dr. Caldwell noted that the Commissioners had a very productive conversation in the workshop earlier in the day. She noted that Mr. Dennis, Dr. Caldwell, and Mr. Williams all worked during the break to include the discussed updates which have now been made. She subsequently introduced Mr. Dennis. This does start the process of establishing regular rules. Emergency rules are not in needed because of the lack of an urgent issue. There is time to hold the comment period, make any changes, and then take-action to potentially adopt the resulting rules.

Mr. Dennis shared his screen which portrayed the amended Chapter 6 rules and noted focusing in on two areas of updates, the first, subsection (c), allowing for boards of trustees or members of the district inheriting a new county into the new service area, the opportunity to approve receiving that county. We added, *“Before applying for modification, the colleges or counties shall consult with any concerned college or county to address prompting the modification application including approval by the potentially receiving district”*. Subsection (f) was formatted as discussed prior in the morning to read as, *“The Commission shall issue its final decision articulating the reasons for that decision within 120 days of the public hearing. This decision is the final agency action”*. The time limit was inserted into the consideration process. Mr. Dennis noted that these are draft rules and there is time to edit the rules within the approval process. Mr. Dennis asked if additional modifications or discussion were needed.

Dr. Caldwell noted for the record that a draft application for service area change was forthcoming and would be available for reference at the point of rule change final adoption. The application will include a provision of the applicant and associated districts look for continuity and stability for students who may be in programs during the process. Dr. Caldwell noted the expectation of a draft application when the rules are brought back for final adoption.

Commissioner Freeze asked for a motion to approve the draft rules. Commissioner Blikre moved, Commissioner Dooley seconded. There was no further discussion or questions. Motion carried unanimously.

II. APPROVAL OF REVISED COMMISSION 2021

[TAB](#)

[W](#)

MEETING CALENDAR

Commissioner Freeze introduced Dr. Caldwell to detail the revised meeting calendar. Dr. Caldwell commented that the meeting rotational schedule has gotten a little out of kilter and off track based on the impacts of COVID-19. For example, the virtual nature of this meeting. The goal is to hit a restart on the Commission calendar so that the rotation can be brought current. She referenced the proposed schedule on the agenda. She had previously spoken with the Executive Council which includes all the college presidents. It has been 3 years since there was a Commission meeting at EWC. June should provide the opportunity to get them back into the rotation. The Commissions April 15 meeting will be in Casper potentially using a modified format based on COVID conditions. The June meeting will be held at EWC, thus bringing EWC back into the rotation. Following the June meeting the next meeting will be held at the Northern Wyoming Community College District Sheridan campus. The Commission has not met in Sheridan for about three years. Then the Commission would return to the past rotation format. In 2022 we have a potential special meeting in August at Central Wyoming College where the budget would be adopted. The last official in person meeting was held at Central Wyoming College. This new schedule presents a more accurate calendar and provides a needed restart to make sure all Commissioners are visiting all nine campuses.

Commissioner Freeze entertained a motion to approve the calendar. Commissioner Boal moved and Commissioner Blikre seconded. There was no additional discussion regarding dates. Motion carried unanimously.

III. NEW PROGRAM APPROVAL (INFORMATIONAL ITEM):

(Note that we are trying a new packet template for easier reading. Upon review, a discussion of the Program Approval Template will take place.)

[\(Executive Summary\)](#)

Commissioner Freeze noted that there will be two institutions conducting program approvals.

Dr. Caldwell commented that most programs must go through and be vetted by the appropriate councils for approval. She recognized a little bit of a timing challenge but both programs made it fully through the review process.

Dr. Moritz added that there was a note on the agenda regarding a new process. This was a carryover from a previous agenda. The new process is already in use and there has been no negative feedback. Dr. Moritz noted two colleges have submitted requests for new programs. He reiterated the review process and that all four programs up for consideration had gone through the process and all were approved. There were two programs at Casper College and two at LCCC on the agenda for final review and approval.

- Casper College

[TAB X](#)

President Divine from Casper College introduced their two programs. He noted the two programs for review include and Spanish AA and a certificate in Aviation. The Spanish AA is really a refinement from previous programs, narrowing the previous program down. It is designed to address the developing needs in Natrona County specifically for Spanish.

Aviation is simply an attempt to incentivize the students to finish their general education requirements. The Aviation program will lead to a stackable degree towards the AAS. The goal is to get an AA for the basic work they have done. The AA will then stand as a stackable degree leading to an AAS. Dr. Divine paused for questions. There were no questions from commissioners on either program.

Commissioner Freeze entertained a motion to approve both of Casper Colleges programs. Commissioner Newman moved, Commissioner Blikre seconded. There was no further discussion. The motion carried unanimously.

- LCCC

[TAB Y](#)

Dr. Moritz introduced representative from LCCC to discuss their proposed programs. Dr. Schaffer expressed his appreciation to the Commission for consideration and approval, LCCC's proposed two certificate level programs. One program pertains to craft brewing, adding, this is the next step in a long history in brewing, brewing science and spirit production. This is a one-year certificate program and it will be delivered online with an externship/internship. It will include a focus towards those brewing at the home level with an interest in

moving into the next level or into a move towards the brewing industry. It has an entrepreneurial and science-based focus. The program is not designed to develop master brewers. LCCC is looking at addressing the need for trained people in the industry of craft brewing.

The other program is a credit diploma or certificate in partnership with Laramie High School. LHS has some great infrastructure for many of their programs including automotive. LHS is looking to leverage their culinary facility. LCCC and LHS will offer a credit diploma delivered in a shortened time frame over the student's junior and senior years. Graduating students will have their diploma, a LCCC credential, and industry certification. The certificate would be available to those who want to wet their appetite for a future career in the culinary arts. Certification will also provide those who have it, to earn a higher hourly wage. Dr. Schaffer is excited about the program potential.

Commissioner Blikre asked how many students the brewing program is anticipated to attract and enroll. Dr. Schaffer noted that there is considerable program capacity as an online program. There may be an issue in certifying potential breweries for student internships. LCCC will be relying on established relationships in the state. There will also be a logistical challenge with coordinating internships. Dr. Schaffer noted that they would love to see 15 to 20 students in the cohort, but the program is designed to scale substantially.

Commissioner Freeze had some additional questions about the proposed Culinary program. Specifically, she asked who is teaching and leading the program? Dr. Schaffer noted the concurrent program as a pathway to a credential and that it would be taught by LHS faculty. The program curriculum would go through the standard curriculum oversight and outcomes alignment process. The curriculum should be simple as it is based on the national serve safe curriculum.

Commissioner Freeze asked if the program would ladder into other LCCC programs? Dr. Schaffer noted that it does not lead to anything else at LCCC. He suggested that one area of emphasis could move into business or entrepreneurship. Dr. Schaffer noted he has also had early conversations about finding a pathway towards UW's work on Hotel and Restaurant Management. The Culinary program also provides students who want to continue on to another career obtain a better wage.

Commissioner Freeze suggested that this is a little bit of a new way in terms of a pathway for education. She commended Dr. Schaffer for providing an innovative program, allowing students to obtain some closure as they move through their

high school experience. Dr. Schaffer suggested LCCC is trying to focus on opportunities that provide pathways to credentials. This is an early push on credential completion.

Commissioner Freeze entertained a motion to approve LCCC's two programs for a credential in craft brewing and culinary arts. Commissioner Blikre moved, and Commissioner Dooley seconded. There was no further discussion. Motion carried.

F. EXECUTIVE DIRECTOR'S REPORT:

[TAB Z](#)

Dr. Caldwell shared her written report noting a couple of things. She added there is a celebration in order for a two of the colleges. For Northwest College and Western Wyoming Community College both of their Bachelor of Applied Science programs were approved by the Higher Learning Commission. Dr. Caldwell recognized that things got a little crazy with COVID. She subsequently introduced both of their presidents to talk about their respective programs. And she noted further that when the first program goes through HLC, it approves the institution to provide up to two programs.

Dr. Lisa Watson appreciated the opportunity to just celebrate for a minute, adding that this is positive for the state, students, and the community. Last Friday, when they found out their program was approved, getting word out to celebrate something positive was a really nice change. Once word about the program approval got out, their phone started ringing off the hook. They found it amazing regarding the number of people who are interested, and looking for a live on-site experience. NWC is hearing from freshman as to how they can step through the AA or AAS into the new BAS program.

Dr. Dale noted it is great to hear some good news after all they have gone through the past year. She added that WWCC had conservatively estimated potential enrollment, but they expect to exceed the number of potential enrollees. WWCC is also seeing excitement from their business and industry partners. The new program will be available in an online, asynchronous format. The devil is in the details, but WWCC is excited to have the official approval.

Dr. Caldwell noted the balance of the Executive Directors report. She noted the new initiative out of the Governor's Office, the WIN program, which looks at how economic vitality can be completed across the region and the state.

Dr. Caldwell acknowledged the report includes the Commission's priorities established last June. As an update on each one of the priorities. She had previously mentioned the Sustainable Funding Work Group and the WIN collaboration.

She added another piece of good news which includes an upcoming press release coming out from the University and eventually the colleges. UW, with the colleges was successful in receiving an economic development grant. Kuddos to the Community Colleges and the University. This grant helps with a piece that helps with the entrepreneurial direction.

Dr. Caldwell shared further that in the consent agenda there was an update on summer enrollment. The agency is closely tracking the 2020 fall and 2021 spring enrollment. The fall report will be up for adoption at the April meeting. Fall college enrollment across the country was down significantly. She noted our colleges are down, but not nearly as much as our colleagues nationally. The enrollment decline varies from college to college, but Wyoming colleges are faring much better. Lastly, the April meeting will include an update on in hiatus and eliminated programs. All of which will be exhibited in a report on the consent agenda at the April meeting.

Dr. Caldwell concluded her report noting that the rest of it is for the Commissioner's reading pleasure.

G. OTHER BUSINESS:

- Good News from the Colleges

[TAB AA](#)

Commissioner Freeze encouraged all to read the good news items from each of the colleges. She noted the primary priority for the Commission is student success within the state. She also suggested all should read the handout about the Student Transfer Success program and the positive collaboration with the University.

- Student Transfer Success – WYOTransfer.org Launch

[TAB BB](#)

Dr. Caldwell introduced Ms. Paris Edeburn to detail the WYO Transfer Success Platform. Dr. Caldwell noted further the program was, in the words of Dr. Tyndall, pretty slick.

Ms. Edeburn reflected on her excitement. The WYO Transfer Success program is 30 years in the making. The IPE is a really nice and super easy tool for students to get the information they need. Students can sign up for an account. The program works with all the colleges and the university, and includes a single sign on. Any student who has been enrolled for the past ten years will find their past information included in the system and it can be mapped.

Commissioner Freeze recalled the days of the UW articulation and common course numbering it is amazing to see the progress. Commissioner Blikre noted his appreciation for everyone who had worked so hard to make this happen. President Tyndall noted that he felt the program was so slick, because the student's records can be pulled in on the system and then compared into the different UW degrees. Students can also drop coursework into various degree plans to complete comparisons. He reflected that this is a powerful tool.

Dr. Caldwell lastly shared the program will provide for a common transcript. The transcript came out of the SLEDS project. The Agency did take the time to inform former Chairman, Dr. David Northrup, and the late Senator Hank Coe know about the outcome of this project before they passed away. Additionally, the agency submitted a summary and concluding report to the LSO knowing that this was going live and that the agency had met the obligations of the original legislation.

ADJOURNMENT

Meeting stands adjourned.

Commissioner Jackie Freeze, Chair

Date

Dr. Sandy Caldwell, WCCC Executive Director

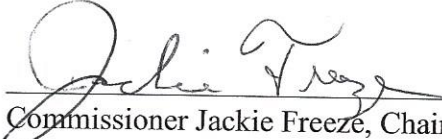
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Commissioner Jackie Freeze, Chair

4-21-2021
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Dr. Sandy Caldwell, WCCC Executive Director

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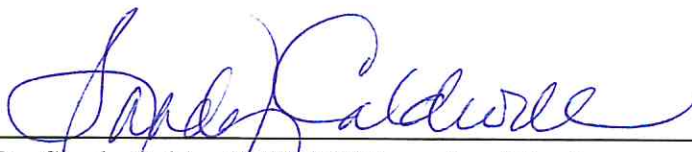
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ADJOURNMENT

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Commissioner Jackie Freeze, Chair

Date



Dr. Sandy Caldwell, WCCC Executive Director

4/15/21
Date