A meeting of the Educational Policy and Institutional Resources Committee of the Board of Trustees of the University of Vermont and State Agricultural College was held on Friday, May 20, 2016 at 10:15 a.m., in the Livak Ballroom, 417-419 Dudley H. Davis Center.

MEMBERS PRESENT: Chair Bill Botzow*, Vice Chair Donna Sweaney, Briar Alpert, Cynthia Barnhart**, Frank Cioffi, Carolyn Dwyer, Richard Gamelli, Ron Lumbra, Curt McCormack, Anne O’Brien, Kesha Ram, Soraiya Thura, and Tristan Toleno

OTHER TRUSTEES PRESENT: Board of Trustees Chair David Daigle***

TRUSTEES ABSENT: President Thomas Sullivan

REPRESENTATIVES PRESENT: Faculty Representatives Laura Almstead and Chris Burns, Staff Representatives Amanda McIntire and Bryan McKinney, Alumni Representative Afi Ahmadi, Student Representatives Tyler Davis and Alyssa Johnson, and Graduate Student Representatives Devin Champagne and Kelsey Hudson

REPRESENTATIVES ABSENT: Faculty Representative Jan Carney, and Foundation Representative Wolfgang Mieder

PERSONS ALSO PARTICIPATING: Provost and Senior Vice President David Rosowsky, Vice President for Research Richard Galbraith, Associate Provost for Teaching and Learning Brian Reed, Vice Provost for Student Affairs Annie Stevens, Student Government Association President Jason Maulucci, Director of Capital Planning and Management Robert Vaughan, Dean of the College of Medicine Frederick Morin, Chief Information Officer and Dean of Libraries and Learning Resources Mara Saule, Vice President for Executive Operations Gary Derr, Vice President for Enrollment Management Stacey Kostell, and Vice President for University Relations & Administration Thomas Gustafson

*left the meeting at 12:04 p.m.
**left the meeting at 12:05 p.m.
***left the meeting at 11:57 a.m.

Chair Bill Botzow called the meeting to order at 10:25 a.m. and welcomed new members Trustees Briar Alpert and Soraiya Thura, Staff Representative Bryan McKinney, and Student Representative Alyssa Johnson.

Approval of Minutes

The minutes from the previous meeting, held on March 14, 2016, were presented for approval. A motion was made, seconded and voted to approve the minutes as presented.
Provost’s Report

Provost David Rosowsky began his report by referencing his *Across the Green* memo, a series of periodic letters which provide updates on current initiatives and information on topics of interest to the broader academic community. He highlighted topics from the April edition including providing timely course information for students, the Academic Success Center, General Education, the FY17 budget and the first year of IBB, a regular update on the Innovation and Entrepreneurship Ecosystem, capital projects, and new academic leadership. Provost Rosowsky concluded his report by encouraging members to read the memo for information on these topics.

Routine and Annual Reports

Provost Rosowsky announced that Director of Capital Planning and Management Bob Vaughan will be offering his update on the capital projects at the afternoon session of the Committee of the Whole with an opportunity for questions to be offered at that time so will not be presenting his report at this meeting.

The Provost then invited authors of annual and routine reports to offer highlights and entertain questions and comments from the Committee.

Annual Research Report

Vice President for Research Richard Galbraith reported on the past year’s activities administered by the Office of the Vice President for Research (OVPR). He reported that the Sponsored Project Administration (SPA) and the Research Protections Office (RPO) play a significant role in supporting the research undertaken by faculty. In FY15, SPA supported the development and submission of over 1,150 proposals totaling over $225,000,000. SPA also negotiated and accepted on behalf of the University 673 awards representing over $132,000,000 in funding. RPO reviewed and managed 2,000 protocols for research involving human subjects, vertebrate animals, and bio-hazardous materials. The Office of Animal Care Management supports $22M in annual research funding. Vice President Galbraith also reported on the Office of Technology Commercialization, Vermont Advanced Computing Core, and Instrumentation and Technical Services. After his report, Chair Botzow asked if there were any dashboard indicators or trends that should be watched. He suggested that this might be of interest to the Committee and could be added to the Workplan. Vice President Galbraith responded that all of the numbers need to go up and that is what has been occurring. For example, there were twice as many patents this year compared to last year. Vice President Galbraith suggested that the numbers this year serve as a base line and comparisons can be reported on next year. Trustee Frank Cioffi pointed out that with all that has been occurring in Washington with research funding, that UVM and the OVPR have done remarkably well.

Annual Graduate Education Report

Dean of the Graduate College Cindy Forehand began her report by referencing the 2016 Graduate College report *Advance* which was distributed to the EPIR Committee members.
Dean Forehand reported that this year marked the beginning of a 5-year plan to increase graduate enrollment by 30%, including a doubling of the international graduate student population. Recruitment efforts have been paper-based but the College is transitioning to a new online admissions system. Targeting efforts include increasing their presence at graduate student recruitment fairs and participating in virtual fairs that provide a broader base of potential applicants. In addition, the College has initiated a focused effort to increase international enrollments and has developed a new pre-master’s program to attract academically talented international students. The College has also been working with the Deans to develop new programs as well as supporting current programs. A new master’s program and two certificates of graduate study have been approved in AY16. Dean Forehand added that IBB has been great for graduate education since she has been working directly with the Deans to fund graduate programs.

**Annual Academic Advising Report**

Associate Provost for Teaching and Learning Brian Reed, Vice Provost for Student Affairs Annie Stevens, and Student Government Association (SGA) President Jason Maulucci provided an update on student advising. Associate Provost Reed reported on three initiatives to strengthen student advising: the establishment of a centrally located advising center embedded within the Academic Success Center (ASC) which will be located on the first floor of the Davis Center; the appointment of a faculty fellow for first-year experience and advising; and a partnership with the Student Government Association for a peer advising/peer mentoring system. Vice Provost for Student Affairs Annie Stevens then reported on the Academic Success Center which will integrate academic and support services with the student affairs side. The ASC will bring together the Orientation Program, a new First-Year Experience Program, Advising Center, TRIO and Upward Bound programs, the Learning Co-Operative, and the ACCESS Office. The ASC will provide the infrastructure for these programs.

SGA President Jason Maulucci reported that the Advising Center will be staffed in part by specially trained student peer advisors employed by the SGA and supervised by Advising Center staff. Any student can drop in and use the advising services. In addition, the SGA has launched a unit-specific peer mentor pilot program. The peer mentors will provide first-year students with guidance specific to their school/college. The SGA has conducted the first of many comprehensive trainings in order for these mentors to serve as a useful and insightful resource for first-year incoming students. The next step will be to develop metrics for analyzing the results of the pilot program. Trustee Cioffi asked how much the SGA is putting into the program. SGA President Maulucci responded the SGA is investing $170K each year moving forward and those dollars will go directly into student stipends. In addition, they are in the process of hiring a full-time staff person to coordinate the program. Chair Botzow asked how this advising program connects to the career services advising. Vice Provost Stevens responded that the benefit of the new advising center is that it will be located right next to the Career Experience Hub. Both will be working in tandem with students who come in for academic reasons but might be actually needing to talk to someone about their major or career goals or internships. Provost Rosowsky added that over the summer a series of physical moves will take place to co-locate all of the student services centrally on campus.
Associate Provost Reed added that they will provide a report on the progress of this initiative next year. Board of Trustees Chair David Daigle asked about measuring the utilization rate of these services, and should the students not take advantage of these opportunities, is there a way to reach out to them to make sure they are engaged. Vice Provost Stevens responded that the best example of student utilization is the success of the Career Experience Hub. They measure what the utilization is, the kinds of questions students are coming in with, what are the current needs of the students and are the needs shifting. Those analytics drive what the University is doing and how to help get the information out to students. Typically, the biggest challenge for students is that the campus is fairly decentralized in the academic units. Having a place where they know they can stop in, and having two places that are right next door to each other, the students can get those kind of questions answered and referred appropriately. The minute a student is accepted at UVM, a series of communications goes out to them. Associate Provost Reed added that an added factor is that the students themselves are intimately involved with this program so there is a mechanism for outreach.

**Action Items**

- **Larner Learning Commons Project**

Director of Capital Planning and Management Bob Vaughan was joined by Dean of the College of Medicine Rick Morin and Chief Information Officer & Dean of Libraries & Learning Resources Mara Saule to provide an overview of the Larner Learning Commons Project. Director Vaughan reviewed the floor plan showing that up to 7,000 square feet of existing space in the Larner Medical Education Center is to be renovated to create library space, quiet study space, offices, projection and learning studios, conference and active learning space. Dean Saule reported that it will include the latest technology and Dean Morin added that the space will transform the entire medical curriculum to active learning. The estimated budget is $2,000,000 which will be entirely supported by gift funds.

The following resolution was presented and an opportunity for discussion was offered:

**Resolution Approving Larner Learning Commons Project**

WHEREAS, the administration today reported on the strategic and operational need for the Larner Learning Commons Project and the associated program scope;

THEREFORE, BE IT RESOLVED, that the Committee hereby approves the conceptual scope that the administration presented on this date and refers the Project to the Budget, Finance & Investment Committee for financial review and approval.

In response to Trustee Ron Lumbra’s question about fundraising, Dean Morin reported that they have most of the funds and he is confident that the cost will be covered by 100 percent philanthropy. Director Vaughan added that this is all existing space and there will be no new construction.

There being no further discussion, a motion was made, seconded and the Trustees voted on the resolution as follows: Bill Botzow – Yes, Donna Sweaney – Yes, Briar Alpert – Yes, Cynthia

- **College of Engineering and Mathematical Sciences Restructuring Proposal**

Provost Rosowsky provided an overview of the College of Engineering and Mathematical Sciences Restructuring Proposal. He reviewed the background and goals of the 2005 reorganization and informed the Committee of the reasons for a return to a departmental structure. Trustee Cynthia Barnhart asked if the 2005 goals are still the same goals with the restructuring. Provost Rosowsky responded that the College will be better able to achieve those goals with a more typical departmental structure than the program structure that is currently in place. He added that employers look for departmental disciplinary units.

The following resolution was presented and an opportunity for discussion was offered:

**Resolution Approving College of Engineering and Mathematical Sciences Restructuring Proposal**

RESOLVED, that the Board of Trustees approves the restructuring of the College of Engineering and Mathematical Sciences (College) as proposed by College, reported to the Faculty Senate on April 11, 2016, and approved by the Provost and President on April 29, 2016.

There being no further discussion, a motion was made, seconded and the Trustees voted on the resolution as follows: Bill Botzow – Yes, Donna Sweaney – Yes, Briar Alpert – Yes, Cynthia Barnhart – Yes, Frank Cioffi – Yes, Carolyn Dwyer – Yes, Richard Gamelli – Yes, Ron Lumbra – Yes, Curt McCormack – Yes, Anne O’Brien – Yes, Kesha Ram – Yes, Soraiya Thura – yes, and Tristan Toleno – Yes. The resolution was approved as presented.

- **Revisions to the Provisions of the University Manual Governing Deans and Officers of Administration Proposal**

Vice President for Executive Operations Gary Derr highlighted the revisions made to sections of the University Manual pertaining to appointments, performance review and termination of deans and officers of administration. Referring to section 301.5.3 Severance, 2nd paragraph of Appendix A, Chair Botzow suggested substituting the word “may” for the word “can” on Page 3.

The following resolution was presented and an opportunity for discussion was offered:

**Resolution Approving Revisions to the Provisions of the University Manual Governing Deans and Officers of Administration**

RESOLVED, that the Board hereby authorizes the revision of Sections 301 and 404 of the University and University Officers’ Manual as set forth in Appendix A.
There being no further discussion, a motion was made, seconded and the Trustees voted on the resolution as follows: Bill Botzow – Yes, Donna Sweeney – Yes, Briar Alpert – Yes, Cynthia Barnhart – Yes, Frank Cioffi – Yes, Carolyn Dwyer – Yes, Richard Gamelli – Yes, Ron Lumbra – Yes, Curt McCormack – Yes, Anne O’Brien – Yes, Kesha Ram – Yes, Soraiya Thura – yes, and Tristan Toleno – Yes. The resolution was approved as presented and Appendix A updated to reflect the Chair’s proposed amendment.

Report by the Faculty Senate Curricular Affairs Committee Chair

Faculty Senate Curricular Affairs Committee (CAC) Chair Laura Almstead provided a brief overview of six action items including:

- A new B.S. degree in Food Systems from the College of Agriculture and Life Sciences. This degree will fill a gap in UVM’s existing Food Systems offering and help solidify UVM’s presence in the field.
- A new B.S. in Economics from the College of Arts and Sciences. This proposed degree will allow the Economics Department to better prepare a segment of talented student for graduate study in economics and related fields.
- A new Master of Science in Medical Laboratory Science (MSMLS) from the College of Nursing and Health Sciences and the Graduate College. The MSMLS will provide rigorous and comprehensive training for developing leaders in the MLS profession and meets a critical national and regional need for the MLS workforce.
- A new Certificate of Graduate Study in Epidemiology (CGSEPI) from the College of Medicine in cooperation with the Graduate College and Continuing and Distance Education. This proposed online certificate fills a specific and defined market need including a regional demand for credential enhancement opportunities for individuals with a specific interest in epidemiology.
- A new minor in Writing from the College of Arts and Sciences. The proposed Writing minor will prepare students with critical reading and writing skills.
- A new interdisciplinary minor in Jewish Studies from the College of Arts and Sciences. This proposed new minor offers an interdisciplinary and cross-cultural approach to the study of the Jewish experience.

Alumni Representative Afi Ahmadi questioned whether it would be confusing having two bachelor degrees in Economics in the same College. CAC Chair Almstead responded that there are other programs with two bachelor degrees. The purpose is to give students an opportunity to have a choice. Provost Rosowsky pointed out that the creation of this B.S. in Economics resulted from Academic Program Review. The findings were that the University lacked a bachelor’s in quantitative economics. Trustee O’Brien expressed an interest in startup costs for new programs versus return on investment. Provost Rosowsky responded that each program is different. The proposals do require a financial plan and under IBB, those plans belong to the Deans. CAC Chair Almstead added that the CAC does look at the financial plans.

Other Action Items:
- Vice President for Enrollment Management Stacey Kostell provided an overview of the technical amendment to the section of the Residency Policy regarding continuous enrollment.
The following resolutions were presented and an opportunity for discussion was offered:

**Resolution Approving B.S. in Food Systems in the College of Agriculture and Life Sciences**

RESOLVED, that the Board of Trustees approves the creation of a Bachelor of Science in Food Systems in the College of Agriculture and Life Sciences, as approved and advanced by the Provost and President on March 18, 2016.

**Resolution Approving the Creation of a B.S. in Economics in the College of Arts & Sciences**

RESOLVED, that the Board of Trustees approves the creation of a Bachelor of Science in Economics in the College of Arts & Sciences, as approved and advanced by the Provost and President on April 29, 2016.

**Resolution Approving the Creation of a M.S. in Medical Laboratory Science in the Graduate College**

RESOLVED, that the Board of Trustees approves the creation of a Master of Science in Medical Laboratory Science in the Graduate College, as approved and advanced by the Provost and President on March 18, 2016.

**Resolution Approving the Creation of a Certificate of Graduate Study in Epidemiology in the Graduate College**

RESOLVED, that the Board of Trustees approves the creation of a Certificate of Graduate Study in Epidemiology in the Graduate College, as approved and advanced by the Provost and President on March 18, 2016.

**Resolution Approving the Creation of a Minor in Writing in the College of Arts & Sciences**

RESOLVED, that the Board of Trustees approves the creation of a Minor in Writing in the College of Arts & Sciences, as approved and advanced by the Provost and President on March 18, 2016.

**Resolution Approving the Creation of a Minor in Jewish Studies in the College of Arts & Sciences**

RESOLVED, that the Board of Trustees approves the creation of a Minor in Jewish Studies in the College of Arts & Sciences, as approved and advanced by the Provost and President on March 18, 2016.
Resolution Approving Revisions to Residency Policy

RESOLVED, that the Board of Trustees hereby accepts technical corrections to the Residency Policy, including those required by the U.S. Department of Veterans Affairs to comply with Section 702 of the federal Veterans Access, Choice, and Accountability Act of 2014, as set forth in Appendix B to this resolution.

There being no further discussion, a motion was made, seconded and the Trustees voted on the seven resolutions as follows: Bill Botzw – Yes, Donna Sweaney – Yes, Briar Alpert – Yes, Cynthia Barnhart – Yes, Frank Cioffi – Yes, Carolyn Dwyer – Yes, Richard Gamelli – Yes, Ron Lumbra – Yes, Curt McCormack – Yes, Anne O’Brien – Yes, Kesha Ram – Yes, Soraiya Thura – Yes, and Tristan Toleno – Yes. The resolution was approved as presented.

Academic Excellence Goal #6 – Increase Research & Scholarship in areas that generate high impact, recognition & visibility.

Referring to his October 17, 2014 report to the EPIR Committee addressing Academic Excellence Goal #6, Vice President for Research Richard Galbraith provided an update of several goals. For the past three years, the OVPR has increased research and extramural funding to their highest levels. One of the goals noted in the 2014 report was to increase total sponsored awards by over $10 million to above $130 million annually within five years. The OVPR has achieved that in two years. Vice President Galbraith then reviewed extramural funding by purpose, sponsor type and awarded by college. He pointed out that the funding by itself doesn’t do anything. The University has to do something with the funding that’s going to gain recognition, have impact and that’s going to be looked at locally and nationally as worthwhile and of high quality. Vice President Galbraith then shared the following four “stories” as examples of the national impact of research at UVM:

- Dengue Vaccine Study
- Wild Bee Decline Threatens U.S. Crop Production
- Positive Skew of all Language
- Sinking Land Around Washington, D.C.

All four stories had been published in scientific journals and picked up by national media. Vice President Galbraith pointed out that for a small state and a small university, UVM has world class researchers doing world class research. Trustee Curt McCormack asked if the successful grant funding is an example of IBB. Vice President Galbraith responded that it is too early for this to be a function of IBB as they are just now seeing results of seeds planted five years ago. In referencing local and state relationships, Trustee Kesha Ram asked if the funds invested in research contracts in the state are tracked regularly and if it is improving and also if there are ways that both sides can be in more partnership. Vice President Galbraith responded that they do track it regularly and are actively engaged. Chair Botzw added the work the OVPR does with their partners does get into legislation.

Shaping the University of Vermont Narrative

Vice President for Enrollment Management Stacey Kostell and Vice President for University Relations and Administration Tom Gustafson reported on their work with the firm 160over90
which had been retained to create consistent and distinct message about the University of Vermont. They provided an update on current communication projects, the new creative concept, and plans for campus implementation. Current 2016 projects include Davis Center and campus signage, the Admissions Viewbook and video, and a campus tour intro presentation. Campus-wide implementation includes the recent hiring of a new Creative Director who will create a campus-wide communications strategy and work with schools and colleges to ensure consistency. Trustee Briar Alpert asked if this is what UVM is or is it more aspirational of what UVM wants to become. Vice President Kostell responded that she thinks it’s both which is why they did the research.

Career Advisory Board Update

Trustee Carolyn Dwyer reported that the April Career Advisory Board covered three topics:

- The Spring Career Fair which saw record increases in business and student participation. The feedback from employers was that having a less crowded space offered better interaction with the students. They plan to stick with the two-day format moving forward.

- The Career Outcomes Survey for 2015 which saw a continued improvement in response rates. This year the rate was 47 percent compared with just 12 percent in 2013, the first year the survey was conducted. They are making progress toward the national standard of 65 percent. One part of the plan to reach this goal is to collect phone numbers at Cap & Gown distribution. They are also looking for greater involvement from the academic departments.

- In the ongoing effort to improve use of the Four Year-Plan, the Career Center held focus groups with both staff and students. They received valuable feedback from both groups including reducing the length to make it more user friendly. The faculty opportunities for improving use fell into three categories: Training; Communication; and Systems. In addition to looking at how they will move forward with these suggestions, the staff also noted the value of conversation with faculty and their eagerness to engage in conversation. As reported at the last meeting, the Career Center continues to build on its successes and look for opportunities to improve by building partnerships internally and externally.

Other Business

Referring to the Committee Workplan, Vice Chair Sweaney invited Committee members to send any additions or corrections to Trustee Coordinator Corinne Thompson.

Adjournment

There being no further business, the meeting adjourned at 12:15 p.m.

Respectfully submitted,

Bill Botzow, Chair
301 Deans

301.4 Performance Review.

301.4.1 Annual Review.

The Provost shall conduct an annual performance review of each Dean. The Provost will meet with each Dean individually to discuss the results of the performance review and, following consultation with the President, to convey a reappointment decision and the salary upon reappointment.

301.4.2 Third Year Review.

The Provost shall conduct a formative review of a Dean’s performance during the springfall semester of the initial third year of appointment. The primary objective of the evaluation is to facilitate continued improvement of the academic leadership and management of the College or School. For Schools and Colleges with academic departments, input will be sought from every Department Chairperson and, separately, from the faculty and staff. For Schools and Colleges without Departments, the faculty and staff shall be given an opportunity to provide input into the third year performance review. Such input will be based upon the Dean’s performance of the responsibilities set forth in section 301.3 and as otherwise defined by the University through proper channels. The Office of the Provost will distribute and administer standardized evaluation forms in electronic format, so that confidentiality may be assured. The standardized form shall have the following characteristics: 1) the form will use a combination of descriptive criteria upon which the Dean shall be ranked and opportunities for narrative comments to justify the ranks assigned; 2) respondents may reveal their identity but are not required to do so; and 3) the identities of the participants will not be revealed to the Dean under review. The Provost shall prepare a written report on the Dean’s performance, which shall include a summary of the Chairpersons’ evaluations (when applicable) as well as faculty and staff evaluations. The Provost shall share this written report with the Dean, who shall have the right to submit a written response. The Provost will maintain a record of the performance appraisals, the individual evaluation forms, and any responses from the Dean.

301.4.3 Periodic Comprehensive Review.

A Dean shall undergo a comprehensive summative performance review at intervals of no longer than five years. The primary objective of the review is to provide advice to the President as he/she determines, in consultation with the Provost, whether the Dean will be reappointed following the appointment year in progress. Such a review may be commenced at an earlier point by the President at his/her own initiative, or upon request of the Provost, the Dean, a majority of the Chairpersons of the academic unit, or one-third of the faculty of the academic unit eligible to vote under the bylaws of the College or School.

The Provost shall appoint a committee of nine faculty members to review the Dean, such appointments to be made during the springfall semester of the review year. Three faculty members will be elected representatives from the academic unit, three will be appointed by the Faculty Senate Executive Council, and three will be appointed by the Provost, including
the committee chairperson, who must come from outside the academic unit. The review committee shall conduct its work in an expeditious manner. It will begin its work with a thorough review of the third-year evaluation documents. It shall consult with Chairpersons (if there is a departmental structure), faculty, staff, and students from the academic unit, and others deemed appropriate from within or outside the University. The committee shall submit a written report to the Provost no later than MayFebruary 1 of the academic year in which the review commences. The Provost shall present the full report of the review committee to the Dean, with a copy to the President, and shall distribute an accurate summary of the findings of the report to every faculty and staff member of the academic unit.

The Executive Council of the Faculty Senate shall monitor the Deans’ review process and shall report to the Senate no less often than once every three years as to the adequacy of its operation.

301.5 Appointment Termination

Decanal appointments terminate through resignation, non-reappointment, or termination for cause.

301.5.1 Resignation

Resignation by a Dean must be made in writing to the President, with a copy to the Provost. The resignation shall become effective on a date and terms memorialized in writing and mutually agreed by the Dean and the President and memorialized in writing.

301.5.2 Notice of Non-reappointment.

A Dean will be considered for re-appointment annually is subject to annual reappointment consideration after the initial appointment. Following The President, following consultation with the Provost, the President may also give a Dean notice of non-reappointment for the following year at any time during prior to the expiration of an appointment (fiscal) year in progress relative to the following (fiscal) year. The provided that a non-reappointment may decision must be based upon job performance quality or reasonably derived strategic, programmatic, administrative, or budgetary financial reasons. Notice of non-reappointment shall be given in writing with a statement of reasons. Severance shall be made available as stated below.

301.5.3 Severance

If An appointment terminated through notice of non-reappointment shall become effective at the close of business on the date that notice of non-reappointment is given, there are six (6) months or more remaining in the appointment last day of the fiscal year in progress, the
Dean will - Deans who have served the University as such for at least three years shall receive notice of non-reappointment in lieu of any six months’ severance payment unless, in the Provost’s discretion, the Provost elects to provide pay, including a customary retirement contribution, payable within thirty days following the date of termination at the salary rate in effect at the time of notice of non-reappointment. Deans who have served for less than three years shall receive three months’ severance in lieu of continuation of the Dean’s appointment for all, or a portion of, the remainder of the year in progress. If, on the pay, including a customary retirement contribution, payable within thirty days following the date of termination at the salary rate in effect at the time of notice of non-reappointment is given, there are fewer than six (6) months remaining in the appointment year in progress, the Dean will receive a combination of notice and - Vacation time does not accrue relative to a severance, such that the combined period of notice and the severance payment represents a time period equivalent to six (6) months. Any accrued but unused vacation will be paid at the time of severance payment or within thirty (30) days accumulated but unused as of the date of termination shall be paid at the time of severance payment of the last day of service as Dean, except in cases where the Dean assumes or resumes a twelve-month University appointment in which vacation accrues, in which case vacation will be carried over.

The Provost may enlarge the amount of severance only upon favorable recommendation of the Provost and following consultation with the Board of Trustees.

Severance shall not be awarded if a Dean assumes or resumes a faculty appointment as set forth in section 301.5.4 or in the case of termination for cause as described in the preceding paragraph only with the advance consent of the President. Severance shall not be provided if the Dean accepts another administrative appointment at the University following the effective date of non-reappointment as Dean.

301.5.4 Assumption or Resumption of Faculty Appointment.

A Dean who receives notice of non-reappointment or who resigns the deanship, and who has a preexisting tenure or contract right to assume or resume a faculty appointment, may do so after following termination of the decanal appointment ends. This election must be made in writing to the Provost, with a copy to the Dean and academic department chair, within thirty (30) calendar days of issuance of the notice of non-reappointment or the Dean’s submission of a notice of resignation.

A. In lieu of severance, a Dean who elects to assume or resume a faculty appointment shall be granted a six (6)-month one-semester administrative leave of absence to prepare for the assumption or resumption of duties as a faculty member. During the administrative leave, the Dean will be compensated at the salary and benefits level applicable to the upcoming decanal appointment through the period in which severance payment is to be paid, if any, in accordance with Section 301.5.3. The balance of the administrative leave period will be compensated at the salary and benefits level applicable to the faculty appointment, effective at the time of issuance of the notice of non-reappointment. A leave
implemented under this provision will customarily begin on the first day of the new fiscal year, the faculty appointment to commence during spring semester of such year.

The faculty salary of a Dean assuming or resuming a faculty appointment shall be determined by the Provost in accordance with established procedures, consultation with the successor Dean of the unit, who in turn will consult with the Chair. Any administrative supplement or other compensation associated with the deanship shall end as of the effective date of termination of the decanal appointment; however, the faculty salary may reflect consideration of administrative experience gained as well as factors such as the salary range of faculty of the same rank in the academic unit, academic experience and expertise, standing in the academic discipline, and faculty or other duties to be performed.

A recipient of a leave of absence to prepare for the assumption or resumption of duties as a faculty member will be required to return to the University and serve at least one (1) full academic semester following the administrative leave. Failure to fulfill this obligation shall require the full and immediate repayment of salary and benefits received from the University while on administrative leave, unless the faculty member, Dean/Director and Provost agree on alternative arrangements.

301.5.5 Termination for Cause.

A Dean may be terminated for cause for conduct constituting serious malfeasance or nonfeasance, including without limitation violations of University policy or law relevant to fitness as Dean, gross insubordination, falsification of records, or grossly negligent acts or omissions in the performance of duties. Any allegations of serious malfeasance or nonfeasance shall be referred to, or initiated by, the Provost. If, after consulting with the President, the Provost concludes that the alleged conduct, if proven, would constitute a basis for termination, the procedures below will apply.

Notice of Charges. The Provost will promptly issue the Dean written notice of charges and a summary of the preliminary supporting evidence, and provide the Dean with an opportunity to respond within a specified time to the charges in a meeting and in writing. If the Provost determines that it would be in the best interests of the University and/or the College or School for the Dean to be placed on paid administrative leave pending the results of an investigation, in the absence of extenuating circumstances the leave will be instituted with written notice to the Dean immediately following provision of the opportunity to respond to the charges.

Investigation. The Provost will promptly commence an investigation responsive in nature and scope to the pending charges. If an investigative procedure otherwise relevant to the charges applies (such as those relating to investigative audits or discrimination complaints), the Provost will request initiation of such process and await its findings and recommendations. The investigation will be completed within twenty business days except in extenuating circumstances, in which latter case the Provost will advise the Dean in writing of the delay and the revised date for completion of the investigation.
a. Notice of Decision. Promptly after the investigation is complete, the Provost will in writing convey its results to the Dean, who will be given an opportunity to respond to the Provost in writing within ten business days. The Provost will issue a final written decision within twenty business days of receipt of the Dean’s written response to the investigative report or within twenty business days following expiration of the response period if no response is submitted. The Provost’s decision shall include a reiteration of the charges; a ruling on the charges, including a summary of the supporting evidence and statement of rationale for the decision; if the decision is to terminate the appointment, the effective date of termination; and the appeal process, including the filing deadline.

b. Appeal of decision; final decision. The Dean may appeal to the President within ten business days following issuance of the Provost’s decision. The appeal is made by the Dean filing with the President a notice of appeal and an explanation of the basis for the appeal. If an appeal is filed, the President will issue a final written decision within twenty business days of receipt of the appeal, a copy of which will be sent to the Provost. If the Dean does not appeal within the required time frame, or does not obtain from the President an extension of time within which to appeal for reasonable cause shown, the decision of the Provost shall be final. Compensation associated with the decanal appointment shall end as of the effective date of termination.

c. Faculty appointment. A Dean who is terminated for cause and who has a preexisting tenure or contract right to assume or resume a faculty appointment, may do so after the decanal faculty appointment ends notwithstanding a termination for cause of the deanship, unless the faculty status is itself affected under procedures applicable to faculty appointments. This election must be made in writing to the Provost, with a copy to the Dean and academic department chair, within thirty (30) calendar days of notice of termination for cause. Duties associated with the faculty appointment shall resume as soon as feasible in light of Department needs as reasonably determined by the Chair in consultation with the successor Dean, but ordinarily no later than the first full semester following termination of the decanal appointment. A dean who is terminated for cause and is returning to the faculty will not receive a paid administrative leave prior to assuming or resuming their faculty duties, but may be on unpaid leave from the effective date of termination as dean until the date the faculty position commences.

PART 400 UNIVERSITY OFFICERS; VICE PRESIDENTS AND OTHER OFFICERS OF ADMINISTRATION

404 Appointment Termination.

Except as provided in the University Bylaws, Officer of Administration appointments terminate through resignation, non-reappointment, or termination for cause, as stated below.
404.1 Resignation

Resignation must be made in writing to the President (and to the supervising senior officer if the individual’s supervisor is not the President). The resignation shall take effect upon a date and terms memorialized in writing and mutually agreed by the Officer of Administration and the supervising senior officer.

404.2 Notice of Non-reappointment.

An A supervising senior officer may give an Officer of Administration (“Officer”) will be considered for re-appointment annually after the initial appointment. The official to whom the Officer reports (“supervisor”) may give the Officer notice of non-reappointment at any time during before the expiration of an appointment (fiscal) year in progress relative to the following (fiscal) year. The non-reappointment may shall be based upon job performance or reasonably derived strategic, programmatic, administrative, or budgetary financial reasons. Notice of non-reappointment The notice shall be given in writing.

404.2.1 Severance.

If, on the date that notice is given, there are six (6) months or more remaining in the appointment year in progress, the Officer will receive severance. The applicable severance award shall be granted as stated in section 404.2.1.

404.2.1 Severance.

An appointment terminated through notice of non-reappointment in lieu of any severance payment unless, in the supervisor’s sole discretion, the supervisor elects to provide severance for all, or a portion shall become effective at the close of business of, the remainder fiscal year in progress. Officers of Administration who have served the year University in progress in lieu of continuation that capacity for at least three years shall receive six months’ severance pay payable within thirty days after expiration of the Officer’s appointment for all, or a portion of, at the salary rate in effect at the year in progress. If, on the date that time of notice of non-reappointment is given, there are fewer than six (6) months remaining in the appointment year in progress, the Officer will three months’ severance, such pay payable within thirty days after the expiration of the appointment at the salary rate in effect at the time of notice of non-reappointment. A severance award in excess of that the combined set forth in this section may be granted only with the prior approval of the President. When the proposed severance award relates to an Officer of Administration who reports to the President, the President must first consult with the Board of Trustees.

Vacation time does not accumulate relative to any severance period of notice and the severance payment represents a time period equivalent to six months. Any accrued vacation will shall also be paid at the time of the severance payment or within thirty (30) days of the last day of service; except in cases where the Officer of Administration assumes or resumes
another University appointment in which vacation accrues, in which case vacation will be carried over to the new appointment.

The supervisor can enlarge the amount of severance described in the preceding paragraph only with advance consent of the President, who in turn must confer with the Chair of the Board of Trustees.

Severance shall not be provided if the Officer accepts another appointment at the University following the effective date of non-reappointment as an Officer.

404.2.2 Assumption or Resumption of Faculty Appointment.

An Officer of Administration who receives notice of non-reappointment, or who resigns the appointment, and who has a preexisting tenure or contract right to assume or resume a faculty appointment, may do so after termination of the Officer's administrative appointment ends. This election must be made in writing to the Office of the Provost, with a copy to the Dean and academic department Chair where and the appropriate Dean and Chair within thirty (30) calendar days following the date of issuance of the notice of non-reappointment or submission. In lieu of a notice of resignation.

An Officer, the severance for which section 404.2.1 provides, individuals who elect to assume or resume a faculty appointment shall be granted a six-month administrative leave of absence to prepare for that the faculty salary and benefits level to be effective as of the date of assumption or resumption of duties as a faculty member. During the administrative leave period, the Officer will be paid at the salary and benefits level applicable to the Officer appointment through the period in which severance payment is paid, if any, in accordance with Section 404.2.1. The balance of the administrative leave period will be paid at the salary and benefits level applicable to the upcoming faculty appointment. The faculty salary of an Officer assuming or resuming a faculty appointment shall be determined by the Provost in a manner consistent with applicable procedures.

A recipient of a leave of absence to prepare for the assumption or resumption of duties as a faculty member will be required to return to the University and serve at least one (1) full academic year following the administrative leave. Failure to fulfill this obligation shall require the full and immediate repayment of salary and benefits received from the University while on administrative leave, unless the faculty member, Dean/Director and Provost agree on alternative arrangements.

The salary of an officer of administration assuming or resuming a faculty appointment shall be determined by the supervising senior officer in consultation with the Dean of the College or School, who will also consult with the Department Chair or equivalent. Any compensation, whether salary or benefits, associated with the Officer of Administration appointment shall end as of its effective date of termination. The faculty salary may include appropriate consideration of administrative experience gained as well as factors including
the salary range of faculty of the same rank in the academic unit, academic experience and expertise, standing in the academic discipline, and duties to be performed.

404.3 Termination for Cause.

An Officer of Administration may be terminated for serious nonfeasance or malfeasance, including without limitation violations of University policy or law relevant to fitness as an Officer of Administration, gross insubordination, falsification of records, or grossly negligent acts or omissions in the performance of duties. Any allegations of serious malfeasance or nonfeasance shall be referred to, or initiated by, the senior supervising officer. For purposes of this provision, the Senior Vice President shall be the senior supervising officer relative to Vice Presidents. If, after consideration of the nature of the charges and any preliminary supporting evidence, the senior supervising officer concludes that the conduct, if proved, would constitute a basis for termination, the procedures below will apply.

404.3.1 Notice of Charges.

The senior supervising officer will promptly issue the Officer of Administration written notice of charges and a summary of the preliminary supporting evidence, and provide the Officer of Administration with an opportunity to respond within a specified time to the charges in a meeting and in writing. If the senior supervising officer determines that it would be in the best interests of the University for the Officer of Administration to be placed on paid administrative leave pending the results of an investigation, in the absence of extenuating circumstances the leave will be instituted with written notice to the Officer of Administration immediately following provision of the opportunity to respond to the charges.

404.3.2 Investigation.

The senior supervising officer will promptly commence an investigation responsive in nature and scope to the pending charges. If an investigative procedure otherwise relevant to the charges applies (such as those relating to investigative audits or discrimination complaints), the senior supervising officer will request initiation of such process and await its findings and recommendations. The investigation will be completed within twenty business days except in extenuating circumstances, in which latter case the senior supervising officer will advise the Officer of Administration in writing of the delay and the revised date for completion of the investigation.

404.3.3 Notice of Decision.

After the investigation is complete, the senior supervising officer will in writing convey its results to the Officer of Administration, who will be given an opportunity to respond to the senior supervising officer in writing within ten business days. The senior supervising officer will issue a final written decision within twenty business days of receipt of the written response to the investigative report or within twenty business days following expiration of the response period if no response is submitted. The senior supervising officer’s decision
shall include a reiteration of the charges; a ruling on the charges, including a summary of the supporting evidence and statement of rationale for the decision; if the decision is to terminate the appointment, the effective date of termination; and the appeal process, including the filing deadline.

404.3.4 Appeal of Decision; Final Decision.
The Officer of Administration may appeal to the President within ten business days following issuance of the senior supervising officer’s decision. The appeal is made by the Officer of Administration filing with the President a notice of appeal and an explanation of the basis for the appeal. If an appeal is filed, the President will issue a final written decision within twenty business days of receipt of the appeal, a copy of which will be sent to the senior supervising officer. If the Officer of Administration does not appeal within the required time frame, or does not obtain from the President an extension of time within which to appeal for reasonable cause shown, the decision of the senior supervising officer shall be final. Compensation associated with the Officer of Administration appointment shall end as of the effective date of termination. Termination of the administrative appointment does not affect secondary faculty appointment status unless such status is suspended or terminated under procedures otherwise applicable to faculty appointments.

404.3.5 Faculty appointment.
An Officer of Administration who is terminated for cause and who has a preexisting right to assume or resume a faculty appointment, may do so after the appointment ends notwithstanding a termination for cause, unless the faculty status is itself affected under procedures applicable to faculty appointments. This election must be made in writing to the Provost, with a copy to the Dean and academic department chair, within thirty (30) calendar days of notice of termination for cause. Duties associated with the faculty appointment shall resume as soon as feasible in light of Department needs as reasonably determined by the Chair in consultation with the Dean, but ordinarily no later than the first full semester following termination of the Officer of Administration appointment. An Officer of Administration who is terminated for cause and is returning to the faculty will not receive a paid administrative leave prior to assuming or resuming their faculty duties, but may be on unpaid leave from the effective date of termination as an Officer of Administration until the date the faculty position commences.
Residency

Policy Statement

The Vermont Legislature has established a lower rate of tuition for students who are Vermont residents. These regulations define eligibility requirements for in-state status classification. All students at The University of Vermont and State Agricultural College (UVM) shall be assigned an in-state or out-of-state status classification consistent with these regulations. The establishment of domicile in Vermont is necessary, but not sufficient, for a student to qualify for in-state status.

Reason for the Policy

To define criteria for in-state residency status of students in accordance with Vermont Statute (Title 16, Chapter 75, section 2282).

Applicability of the Policy

This policy applies to all University of Vermont students.

Policy Elaboration

In-State Classification Rules

1. Domicile shall mean a person's true, fixed, and permanent home. It is the place at which one intends to remain indefinitely and to which one intends to return when absent.
2. In addition to establishing domicile, an in-state status applicant must reside in Vermont continuously for one full year prior to the semester for which in-state status is sought.
3. A residence or domicile established for the purpose of attending UVM shall not qualify a student for in-state status.
4. An in-state status applicant who applies for admission or registers for class within one year of first moving to the state shall have created a rebuttable presumption that residency in Vermont is for the purpose of attending UVM and/or acquiring in-state status for tuition purposes.
5. A domicile or residency classification assigned by a public or private authority other than UVM neither qualifies nor disqualifies a student for UVM in-state status. Such classification may be taken into consideration, however, in determining the student's status at UVM.

6. It shall be presumed that a student who has not reached the age of majority (18) holds the domicile of his/her parents or legal guardian(s).

7. Receipt of financial support by a student from his/her family shall create a rebuttable presumption that the student's domicile is with his/her family, regardless of whether the student has reached the age of 18.

8. A student who has not reached the age of 18 whose parents are legally separated or divorced shall be rebuttably presumed to hold the domicile of the parent with legal custody.

9. A student of parents legally separated or divorced may be granted in-state status if a noncustodial or joint custodial parent is domiciled in Vermont and has contributed more than 50 percent of financial support for at least one year prior to the semester for which in-state status is sought.

10. The burden of proof as to eligibility for in-state status rests with the student. Eligibility must be established by clear and convincing evidence.

Residency Rules for Members of the Armed Forces and Their Family Members - In compliance with the Higher Education Opportunity Act, the following rules and definitions apply for members of the armed forces, their spouses and dependent children:

1. A member of the armed forces who is on active duty for a period of more than 30 days and whose domicile or permanent duty station is in Vermont, or his or her spouse or dependent children, will be charged tuition at the in-state rate.

2. The member of the armed forces or his or her family member eligible for in-state tuition under this paragraph will continue to be eligible for in-state tuition as long as the individual is continuously enrolled, even if there is a subsequent change in the permanent duty station of the member to a location outside of the State of Vermont.

3. For purposes of this Rule for members of the armed forces the following definitions apply:
   a. “Armed Forces” means the Army, Navy, Air Force, Marine Corps, and Coast Guard.
   b. “Active duty for a period of more than 30 days” means active duty under a call or order that does not specify a period of 30 days or less.
   c. “Active duty” means full-time duty in the active military service of the United States and includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty.

Residency Rules for V. A. Beneficiaries – In compliance with section 702 of the Veterans Access, Choice, and Accountability Act of 2014, individuals will be charged tuition at the in-state rate if the individual:
1. is a veteran using educational assistance under either chapter 30 (Montgomery G.I. Bill – Active Duty Program) or chapter 33 (Post-9/11 G.I. Bill), of title 38 United States Code, who lives in Vermont and enrolls in the University within three years of discharge from a period of active duty service of ninety days or more;
2. is anyone using a veteran’s transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319), who lives in Vermont and enrolls in the University within three years of the transferor veteran’s discharge from a period of active duty service of ninety days or more; or
3. is anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)), who lives in Vermont and enrolls in the University within three years of the Service Member’s death in the line of duty following a period of active duty service of ninety days or more.

After the expiration of the three year period following discharge or death as described in 38 U.S.C. § 3679(c), a student who initially qualifies under this subsection will continue to be charged tuition at the in-state rate as long as he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at an institutionthe University, even if he/she enrolls in multiple programs.

Definitions

In-state status: eligible for Vermont resident tuition rate

Procedures

In-State Status Classification Documentation:

1. The student must submit with the Application for In-State Status all relevant information.
2. The classification decision shall be made by the Residency Officer based upon information furnished by the student, information requested of the student, and other relevant information available consistent with University policies and procedures and legal guidelines.
3. Additional documents and/or verification may be requested.
4. The student's failure to produce information requested may adversely affect the decision for in-state status.
5. A student or others furnishing information may request the deletion of irrelevant private data from documents.
6. A determination of in-state status is valid only if a student actually enrolls for the semester in question. If a student does not enroll, they must submit a new and timely Application for In-State Status for subsequent semesters.

Appeal of In-State Status Classification:

The decision of the Residency Officer must be appealed in writing to the Residency Appellate Officer within thirty calendar days of the date of the Residency Officer's written decision. Appeal to the Residency Appellate Officer is the final internal appeal at UVM.
In-State Status Reclassification:

1. A student who does not qualify for in-state status classification may reapply for such classification once each semester by submitting the Application for In-State Status to the Residency Officer.

2. In-state status reclassification becomes effective for the semester for which the successful application was made, provided that the Application for In-State Status was received on or before the last day to add/drop classes for that semester. An application may be submitted as early as 75 days in advance of the first day of classes for a semester or as requested by the Residency Officer. Approved residency reclassification will not be applied retroactively to previous terms.

Re-Examination of Classification Status:

Classification status may be re-examined upon the initiative of the Residency Officer in the exercise of sound discretion. Circumstances such as periodic enrollment may be cause for re-examination. An in-state student who leaves Vermont may be required to re-apply and re-establish residency upon returning.

Forms

Application for In-State Status
http://www.uvm.edu/~rgweb/forms/download/app_in_state.pdf

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Residency Officer
Registrar@uvm.edu
(802) 656-8515

Residency Appellate Officer
Residency.Appeals@uvm.edu
(802) 656-2045

The Vice President for Enrollment Management is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

None
Effective Date

Approved by the Board of Trustees on May 21, 2016July 9, 2015