A meeting of the Board of Trustees of the University of Vermont and State Agricultural College was held on Saturday, May 21, 2016, at 8:30 a.m. in the Livak Ballroom, 417-419 Dudley H. Davis Center.

MEMBERS PRESENT: Chair David Daigle, Vice Chair Ron Lumbra, Secretary Joan Lenes, Briar Alpert, Cynthia Barnhart, Bill Botzow, David Brandt, Robert Brennan, Frank Cioffi, Carolyn Dwyer, Richard Gamelli, Bernie Juskiewicz, Curt McCormack, Don McCree, Anne O’Brien, Ed Pagano, Kesha Ram, Soraiya Thura, Tom Sullivan, Donna Sweeney, Tristan Toleno*, Lisa Ventriss and Jeff Wilson

MEMBERS ABSENT: David Aronoff and Governor Peter Shumlin

ALSO PARTICIPATING: Provost David Rosowsky, Vice President for Legal Affairs and General Counsel Fran Bazluke, Vice President for Finance and Treasurer Richard Cate, Vice President for University Relations and Administration Thomas Gustafson, Vice President for Executive Operations Gary Derr, Vice President for Human Resources, Diversity and Multicultural Affairs Wanda Heading-Grant, Vice Provost for Student Affairs Annie Stevens, Chief of Staff and Senior Counsel to the President Sharon Reich Paulsen, Director for the Center for Health & Wellbeing Jon Porter, Executive Director of Benefits & Employee Operations Harold Pierce, Classification/Comp Team Lead Ginnie Gude, and Associate Director of Athletics Jeff Schulman

*participated via conference phone; departed the meeting at 10:15 a.m.

Chair David Daigle called the meeting to order at 8:36 a.m.

Approval of Previous Meeting Minutes

A motion was made, seconded and it was voted to approve the minutes from the March 14, 2016, meeting as presented.

Public Comment

Chair Daigle opened the public comment period by inviting Felicia Kornbluh, President of United Academics (UA) and Associate Professor of History and Gender, Sexuality, and Women’s Studies, to address the Board.

She reminded Trustees that United Academics represents approximately 800 full and part-time faculty members who are committed to research, to demanding and compassionate pedagogy, and to the values of honesty and critical inquiry to which their training directs them.

Dr. Kornbluh raised two matters. The first was a request that this comment period be moved from early Saturday morning and that Board members and commenters be permitted to engage in dialogue with one another. She mentioned legislative trustee attendance at a recent reception in
Montpelier where this issue was discussed and thanked them for their attendance. She shared that many UA members believe that the current public comment period does not allow the Board to hear from faculty and other community members before taking up business and therefore limits their ability to have their concerns considered. She asserted that a more accessible time would allow the Board to have better sense of what is going on around campus, to hear from members of the UVM community about their concerns, and to engage in dialogue.

Dr. Kornbluh next addressed UA concerns related to incentive-based budgeting (IBB). In particular, there is concern about data that indicates a 30% decline in the number of credit hours taught by part-time bargaining unit faculty members. She acknowledged that, upon consultation with the administration, the 30% figure might be slightly high; however, members remain very concerned. She opined that when faculty members lose credit hours, the University loses diversity of faculty and intellectual diversity to which students are exposed. Another concern relates to the strategic initiative fund retained by central administration under the IBB model and the size and use of the fund. She provided the following examples of concerns: funding not being available for a position in the history department, paltry investments in Islamic Studies, and the lack of funding to support a University-wide language requirement.

Dr. Kornbluh concluded her remarks by thanking the Board for its time and expressed her willingness to make herself available to engage in conversation.

Chair Daigle next invited Alison Pechenick, a senior lecturer in Computer Science, to address the Board. Ms. Pechenick shared a bit of her background, including that she grew up stuffing circuit boards in her parents’ electronic controls company and has been employed by IBM and General Motors. Through her work as an industrial engineer and supervisor, technical consultant and computational modeler, she said, she has learned the value of encoding the inputs of experienced line works and domain experts, to seed optimization algorithms and inform decision support systems.

She reported having been present at yesterday afternoon’s Faculty Senate meeting, at which Chair Daigle offer remarks. She thanked him for sharing his background in portfolio management as the prism through which he considers risks and opportunities and differences and parallels. She also appreciated that he shared the key characteristics that he believes distinguishes successes from failures, with leadership at the top of the list. She expressed her delight that Chair Daigle’s remarks addressed the University’s governance triangle and his invitation for ideas to create greater connectivity. Given her background, and 15 years of service on various committees of the Faculty Senate and United Academics, Ms. Pechenick shared that she has often thought about the faculty-board-administration relationship in terms of bridges, whose components, even in situations of tension and compression, collectively represent a system which provides stability, support, and structural integrity.

Ms. Pechenick expressed her desire to increase faculty-board connectivity noting that faculty are eager to learn about the Board and its processes. She shared her desire for faculty to be engaged in conversations and to explore ways to use the budget model and learn how and when refinements are appropriate, to share ideas about what a liberal education at UVM is and how to preserve the core values of a UVM education, and to explore why, despite robust and creative pedagogies and strong classroom content, there is concern about workforce readiness regarding
fundamental skills such as showing up on time, teamwork, interpersonal skills, critical thinking, and quantitative reasoning.

Ms. Pechenick concluded her remarks by thanking Trustees for their dedication, energy and their work on behalf of the University of Vermont.

Committee Reports

Audit Committee

Chair Bernie Juskewicz offered highlights from the last Audit Committee meeting held April 25, 2016. He reported that Claire Esten presented Grant Thornton’s FY 2016 engagement plan including the audit scope, methodology, materiality, timeline, and areas of significant risks and focus for the FY 2016 audit. Ms. Esten also reviewed areas of focus highlighting the new Governmental Accounting Standards Board (GASB) Statement 72, Fair Value Measurement and Application that will require the measurement of investments at fair value. Chair Juskewicz emphasized the need for clear communication between Grant Thornton and the University to ensure that UVM is in line with the new GASB requirements.

Mary Foster, Managing Director in Grant Thornton’s Higher Education practices, provided the Committee with an overview of Grant Thornton’s State of Higher Education in 2016 publication detailing the current trends in higher education. Chair Juskewicz pointed out that the report is online if other Trustees are interested in reading it.

Chair Juskewicz noted that he was authorized and directed by the Committee to retain Grant Thornton LLP, to conduct the mandatory annual audit of the financial statements and compliance audits for the fiscal year ending June 30, 2016.

Chief Information Officer and Dean of University Libraries Mara Saule and Associate Chief Information Officer Julia Russell provided the Committee with an annual update on the Information Security Risk Management Portfolio. They reported that, over the past year, Enterprise Technology Services (ETS) helped address this risk with the successful implementation of a new email and calendaring system. The new system provides stronger security and improved controls. Plans for ETS going forward include a pilot procurement workflow for purchasing technology products, the implementation of multifactor authentication for PeopleSoft, and a funding model to support upgrades to the University’s secure payment card network.

Director of Compliance Services Tessa Lucey offered the Committee an update on the Compliance program and work plan activity. The Office is working with the Office of General Counsel and members of senior leadership to finalize a new Code of Conduct, which is scheduled to be completed by the fall. The Office continues to address compliance and regulatory risks as they arise and provides consultation services on an as-needed basis across all sectors of the University. In addition, the Office continues to maintain and promote the Ethics and Compliance Reporting and Help Line.
Chair Juskewicz concluded by reporting that this year’s audit process began last week and that Grant Thornton representatives will continue to be on-site through next week and return to campus in August.

*Educational Policy and Institutional Resources Committee* (EPIR)

Committee Chair Bill Botzow reported that the Committee met twice since the last full Board meeting. A brief meeting was held on March 14th, prior to the special full Board meeting, for the purpose of considering and referring two proposals to the Board in order to have them ready for this coming fall. At that meeting, the Committee endorsed, and the Board subsequently approved, the creation of a new minor in Neuroscience in the College of Arts and Sciences and the creation of a new minor in Behavioral Change Health Studies in the College of Medicine. Provost David Rosowsky also provided a brief update on the Academic Success Center.

Chair Botzow next offered highlights from the meeting held yesterday morning and encouraged all Trustees to read today’s summary report and also the meeting minutes when they become available, because his oral report today will not adequately cover the full details of the discussions. He further acknowledged the participation of constituency representatives at committee meetings and the value of their participation.

Chair Botzow observed that, in addition to the Provost’s routine report on current academic initiatives, the Committee engaged in conversation with the authors of written annual reports on Research, Graduate Education and Academic Advising.

Director of Capital Planning and Management Bob Vaughan reviewed the Larner Learning Commons Project, which was endorsed and referred to the Budget, Finance & Investment Committee for financial review and approval. This project will be entirely supported by gift funds. Chair Botzow expressed his excitement for how education is evolving with experiential learning.

Other action items presented and endorsed by the Committee for Board approval include:

- A College of Engineering and Mathematical Sciences restructuring proposal to return the *School of Engineering* to the departmental structure that was in place until 2005.

- Revisions to the provisions of the University Manual to streamline sections pertaining to appointments, performance review and termination of Deans and other Officers of Administration.

Laura Almstead, Chair of the Faculty Senate Curricular Affairs Committee, offered a routine report, which included six academic proposals.

1. 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.
2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

The Committee endorsed all six proposals for recommendation to the Board.

The Committee also endorsed a technical amendment to the section of Residency Policy regarding continuous enrollment.

Vice President for Research Richard Galbraith revisited academic excellence goal #6 with Committee members. This goal calls for increasing research and scholarship in areas that generate high impact, recognition and visibility. After providing an overview of research and extramural funding, he 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.

Vice President for Enrollment Management Stacey Kostell and Vice President for University Relations and Administration Tom Gustafson updated the Committee on the administration’s continued work with the firm 160over90 to create consistent and distinct messaging 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 introductory presentation. A new Creative Director was recently hired to create a campus-wide communications strategy and work with our Schools and Colleges to ensure consistency.
Trustee Carolyn Dwyer, who serves as a member of the Career Advisory Board, offered a brief update on a meeting held since February. She reported on several initiatives, including the spring career fair, the career outcomes survey, and the ongoing efforts to implement the four-year plan.

Chair Botzow concluded his remarks by reporting that the Committee reviewed its work plan for the coming year.

Trustee Frank Cioffi publicly thanked current and former Presidents and members of the administration and staff for their efforts and successes with improving career services at the University of Vermont.

Board Chair Daigle acknowledged that yesterday was the first EPIR Committee meeting he has attended during his time on the Board and stated that he was impressed with the meeting content and energy level of all participants.

**Budget, Finance and Investment Committee** (BFI)

BFI Chair Don McCree reported that the Committee has met twice since February. A budget planning meeting was held on April 13, 2016 in preparation of presenting the budget for approval at this meeting. He publicly thanked Committee members and representatives for their hard work, and expressed his appreciation to Vice President for Finance and Treasurer Richard Cate and his team, who support the Committee.

Chair McCree next reported that the Committee endorsed nine resolutions for Board approval and offered highlights on each recommendation.

The Committee approved the spending authorization of $1.625 million for the construction of a new UVM Rescue Facility. A proposed combination of funds would cover the costs (Rescue funds, President’s Strategic Initiatives Fund, FY16 General Fund utility savings), with UVM Rescue repaying a total of $700,000 over the next 10 years.

The Committee approved the FY 2017 general fund budget proposal, which includes a 3% tuition increase and totals $348,516,000. That total includes a $1.2 million increase in deferred maintenance as the administration continues to build that fund. The Committee also endorsed resolutions setting room and meal rates, student fee and high school tuition rates. He noted that, when combined with increases for fees and room and board, the cost of attendance for in-state students increased 3.4% and cost for out-of-state students increased 3.2%.

Investment Subcommittee (ISC) Chair Rob Brennan reported that, as of April 30th, the endowment balance was $435 million and that the year to date 2016 has returned 1.3%. In February, the ISC reviewed asset allocations and made minor changes to the policy benchmarking weights. He noted that, relative to peers as measured by Cambridge Associations and National Association of Colleges & University Business Officers (NACUBO), the University is above median on return and does well for its size.

Chair McCree reported that the Committee received a routine report from Vice President Cate. In addition to presenting the FY 2016 third-quarter budget to actuals, a brief update on the capital project pre-funding and net tuition stabilization accounts was offered. As of March 31,
2016, no additional funds have been spent from either account. Vice President Cate reviewed the capital projects sources and use of funds spreadsheet prepared at the request of Board Chair Daigle to provide transparency regarding the variety of funding mechanisms the University uses for capital projects.

UVM Foundation CEO & President Rich Bundy offered a progress report on fundraising efforts for the STEM Facility and Alumni House projects. As to the Alumni House, of the $11.2 million non-debt goal, $9.4 million has been raised in non-debt funding. The Foundation is using $1.8 million of its own resources, and is continuing efforts to raise the remaining $1.7 million. The STEM Facility will be funded by a mix of private gifts and non-debt funding. As of April 30, 2016, the Foundation had already secured $7.5 million in non-debt funding commitments; the remaining non-debt goal is $18 million. The donor pipeline remains robust, and the Foundation remains confident that a high percentage of the non-debt goal will be achieved through donor funding.

Board Chair Daigle requested that, if possible, Vice President Cate’s report on sources and uses for capital projects and President/CEO Bundy’s fundraising report be reconciled.

Chair McCree reported that the last action taken by the Committee was approval of a resolution, prepared by bond counsel, which authorizes the refunding of 2005, 2007 and 2009 bonds. Based on current market conditions the bond issue is expected to total approximately $82 million. The current plan is to price the bonds in the market the week of June 20, 2016 and to close the deal on July 28th.

Chair McCree concluded his remarks by reporting that the Committee reviewed its work plan for the coming year.

Board Governance Committee

Before offering his Chair’s report, Trustee Cioffi thanked President Sullivan and his staff for their assistance in coordinating a memorial service held on campus last month for his daughter Alexa, who passed away unexpectedly.

Chair Cioffi reported that the Committee met on Monday, March 28, 2016, to review proposed changes to the Resolution Regarding Delegation and Retention of Board Authority and those changes were unanimously approved for referral to the full Board.

As previewed by Committee Vice Chair Ron Lumbra at yesterday’s Committee of the Whole meeting, the proposed revisions, outlined in attachment 7 of the meeting materials, are intended for clarity and efficacy. He thanked Vice President for Legal Affairs and General Counsel for facilitating the review process, and called attention to the resolution appearing on the consent agenda approving the proposed revisions.

Vermont Agricultural College Board

Chair Kesha Ram reported that the Board had a celebratory meeting recognizing the team effort for achievements made during the legislative session, including the repeal of the 40% rule and the award of $500,000 in state funding for the STEM project. She acknowledged the positive
role the President and thanked him and Director of State and Federal Relations Wendy Koenig for their support.

The Vermont Agricultural College Board elected its officers for one-year terms, as follows: Tristan Toleno, Chair; Anne O’Brien, Vice Chair; and Curt McCormack, Secretary.

Trustee Anne O’Brien added that the Board was updated on efforts to coordinate this year’s Legislative Summit to be held on November 16, 2016. The topic is health care and will address the intersecting policy work of the University and Vermont State Legislature.

University of Vermont Board

The University of Vermont Board re-elected officers as follows: Lisa Ventriss, Chair; Ron Lumbra, Vice Chair; and Richard Gamelli, Secretary. Chair Ventriss reported that the Board conducted its quarterly review of the Wilbur Trust financial report. The remainder of the meeting was held in executive session to discuss the appointment of public officers.

Approval of Consent Agenda

Chair Daigle presented the revised consent agenda noting that the resolution authorizing the execution of series 2016 bond refunding has been added following review and referral by the Budget, Finance & Investment Committee yesterday morning. An opportunity for discussion on any of the action items coming before the Board was offered.

There being no further discussion, the following resolutions were presented for approval:

COMMITTEE OF THE WHOLE

1. Resolution Approving Multipurpose Events Center Work Group Appointments and Charge

RESOLVED, that the Board hereby approves the appointment of Trustee Ed Pagano (leader), David Brandt, Joan Lenes and Lisa Ventriss to the Multipurpose Events Center Work Group and the charge as set forth in Appendix A to this document.

2. Resolution Approving Revisions to the Resolution Regarding Delegation and Retention of Board Authority

WHEREAS, the Board Governance Committee endorsed revisions to the Resolution Regarding Delegation and Retention of Board Authority on March 28, 2016;

BE IT RESOLVED, that the Board of Trustees hereby adopts revisions to its Resolution Regarding Delegation and Retention of Board Authority as set forth in Appendix B to this document.

3. Resolution Regarding Presidential Evaluation and FY 2017 Compensation

WHEREAS, on this date the annual review subcommittee (“the subcommittee”) has reported on the status of its work to this Board;
BE IT RESOLVED, that the Board of Trustees hereby authorizes the Board Chair to finalize the President’s annual performance evaluation and compensation for FY 2017 following such additional consultation with the subcommittee as he deems necessary or desirable; and

BE IT FURTHER RESOLVED, that the Board Chair shall report his final actions to the Board in due course.

EDUCATIONAL POLICY AND INSTITUTIONAL RESOURCES COMMITTEE

4. 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.

5. 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.

6. 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 C.

7. 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.

8. 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.
9. **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.

10. **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.

11. **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.

12. **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.

13. **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 D to this resolution.

**BUDGET, FINANCE AND INVESTMENT COMMITTEE**

14. **Resolution Approving UVM Rescue Facility Project**

WHEREAS, on February 5, 2016 the Educational Policy & Institutional Resources Committee reviewed the strategic and operational need for the UVM Rescue Facility Project and approved the associated program scope for referral to the Budget, Finance & Investment Committee for financial review; and

WHEREAS, the administration today reported on the estimated cost for the completion of the UVM Rescue Facility Project and presented a funding plan;
THEREFORE, BE IT RESOLVED, that the Committee hereby recommends to the Board of Trustees authorization of the Vice President for Finance and Treasurer or his designee to expend $1,625,000 for project costs, to be expended in a manner consistent with the report made on this date; and

BE IT FURTHER RESOLVED, that the $1,625,000 of funds for such expenditures be drawn from the Rescue Funds, President’s Strategic Initiative, and General Funds, and that UVM Rescue repay the funds used from the President’s Strategic Initiatives Fund and the General Fund over a period of 10 years via annual payments of $70,000 per year.

15. Resolution Approving Fiscal Year 2017 Budget Planning Assumptions: General Fund

RESOLVED, that the Board of Trustees hereby approves the budget planning assumptions for Fiscal Year 2017, which lead to a General Fund operating expense budget for the University of $348,516,000, and hereby authorizes the President to proceed with detailed budget preparation in accordance with these assumptions.

16. Resolution Approving Tuition Charges for Fiscal Year 2017

RESOLVED, that the Board of Trustees hereby approves increases in the following tuition rates effective with the 2016-2017 academic year:

- In-state tuition from $14,664 to $15,096 per year, or $629 per credit hour.
- Out-of-state tuition from $37,056 to $38,160 per year, or $1,590 per credit hour.
- Medical student in-state tuition from $33,460 to $34,380 per year.
- Medical student out-of-state tuition from $58,020 to $59,620 per year.

17. Resolution Approving Global Gateway and Pre-Master’s Program International Student Tuition

WHEREAS, the University, after a request-for-proposal process, entered into an agreement with Study Group, an international private-sector provider of education and training for international students, to provide services to UVM in support of the University’s Global Gateway Program; and

WHEREAS, this program will prepare undergraduate international students to matriculate to degree status, persist, and graduate, and to support the University’s larger internationalization efforts; and

WHEREAS, in January 2016, the Board approved amendments to the agreement with Study Group, which included additions to the Study Group Agreement to create a Pre-Masters Global Gateway Program; and

WHEREAS, undergraduate students in the Global Gateway Program are charged on a total cost-of-attendance basis that includes tuition, room and board, and all other fees and costs associated with enrollment at the University in a manner in accordance with the terms and conditions set forth in the agreement between the University of Vermont and Study Group; and
WHEREAS, graduate students in the Global Gateway Program will be charged on a total cost-of-attendance basis that includes tuition and all other fees and costs associated with enrollment at the University in a manner in accordance with the terms and conditions set forth in the agreement between the University of Vermont and Study Group;

THEREFORE, BE IT RESOLVED, that the following rates are established for undergraduate students:

<table>
<thead>
<tr>
<th>For the cohort entering in:</th>
<th>Fall 2016</th>
<th>Spring 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall ‘16 for the 1 semester program</td>
<td>$28,477</td>
<td>N/A</td>
</tr>
<tr>
<td>Fall ‘16 for the 2 semester program</td>
<td>$29,012</td>
<td>$28,483</td>
</tr>
<tr>
<td>Fall ‘16 for the 3 semester program</td>
<td>$16,839</td>
<td>$28,483</td>
</tr>
<tr>
<td>Spring ‘17 for the 1 semester program</td>
<td></td>
<td>$28,814</td>
</tr>
<tr>
<td>Spring ‘17 for the 2 semester program</td>
<td></td>
<td>$28,814</td>
</tr>
<tr>
<td>Spring ‘17 for the 3 semester program</td>
<td></td>
<td>$16,634</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For the cohort that entered (or will enter):</th>
<th>Fall 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring ‘16 for the 3 semester program</td>
<td>$28,477</td>
</tr>
<tr>
<td>Summer ‘16 for the 2 semester program</td>
<td>$28,477</td>
</tr>
</tbody>
</table>

All entering undergraduate students to be assessed an additional $495 acceptance fee their first semester; and

BE IT FURTHER RESOLVED, that the following rates are established for graduate students:

<table>
<thead>
<tr>
<th>For the cohort entering in:</th>
<th>Fall 2016</th>
<th>Spring 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall ‘16 for the 2 semester program</td>
<td>$26,628</td>
<td>$26,528</td>
</tr>
</tbody>
</table>

18. **Resolution Approving Room and Meal Plan Rates, Fiscal Year 2017**

RESOLVED, that the Board of Trustees hereby approves room and meal plan rates for Fiscal Year 2017 as follows:

- Private Single with Bath | $9,538 per year
- Private Double with Bath | $9,316
Suite Single with Shared Bath $9,014
Suite Double with Shared Bath $7,788
Traditional Single $8,798
Traditional Double $7,634
Traditional Triple $6,092
Retail Dining $3,944
Residential Unlimited Access (+100 Points) $3,944
Residential Unlimited Access (+300 Points) $4,408

19. **Resolution Approving Student Fees for Fiscal Year 2017**

RESOLVED, that the Board of Trustees hereby approves increases to student fees from $2,104 to $2,204 effective with the 2016-2017 academic year.

20. **Resolution Approving Graduate Student Senate Fee for Fiscal Year 2017**

RESOLVED, that the Board of Trustees approves a continuation of the Graduate Student Senate fee in the amount of $20 for the academic year.

21. **Resolution Approving Graduate Continuous Registration Fee for Fiscal Year 2017**

RESOLVED, that the Board of Trustees approves a continuation of a varying Graduate Continuous Registration fee, effective with the 2016-2017 academic year, as follows:

- Less than half-time $100 per semester
- Half to full-time $200 per semester
- Full-time $300 per semester

22. **Resolution Authorizing Execution of Series 2016 Refunding Bonds**

GENERAL OBLIGATION BONDS,
SERIES 2016

WHEREAS, a working group of Trustees appointed by the Chair of the Budget, Finance and Investment Committee of the University’s Board of Trustees (the “Bond Work Group”) met on March 23, 2016, and, due to favorable market conditions, recommends to the University’s Board of Trustees (the “Board”) that the University (i) refund all or a portion of the outstanding Series 2005 Bonds (the “Series 2005 Refunded Bonds”), all or a portion of the outstanding Series 2007 Bonds (the “Series 2007 Refunded Bonds”) and all or a portion of the outstanding Series 2009 Bonds (the “Series 2009 Refunded Bonds” and collectively with the Series 2005 Refunded Bonds and the Series 2007 Refunded Bonds, the “Refunded Bonds”); and

WHEREAS, the Board has determined that it is desirable to authorize the Vice President for Finance and Treasurer, or his successor or designee, to proceed toward the refunding of the Refunded Bonds, in consultation with the Bond Work Group, and to execute any and all contracts and documents necessary for the issuance by the University of the Series 2016 Bonds (as defined below); and

WHEREAS, the Board has determined that in order to (i) refund the Refunded Bonds and (ii) pay associated administrative costs, it is necessary and desirable to authorize (i) the issuance by the University of its General Obligation Bonds, Series 2016 in amounts not to exceed $15 million aggregate principal amount allocable to the refunding of the Series 2005 Refunded Bonds, $90 million aggregate principal amount allocable to the refunding of the Series 2007 Refunded Bonds and $80 million aggregate principal amount allocable to the refunding of the Series 2009 Refunded Bonds (collectively, the “Series 2016 Bonds”), in one or more series, at one or more times, with anticipated net present value savings of not less than 3% of the total par amount of the Refunded Bonds and costs of issuance not to exceed 1.25% of the par amount of the Series 2016 Bonds and (ii) the execution of a supplemental indenture between the University and the Trustee, establishing the amount of the Series 2016 Bonds and the details thereof and describing the Refunded Bonds; and

WHEREAS, the Board proposes to issue the Series 2016 Bonds on a parity with the outstanding Series 2005 Bonds, Series 2007 Bonds, Series 2009 Bonds, Series 2010 Bonds, Series 2012A Bonds, Series 2014 Bonds and Series 2015 Bonds (the Series 1990 Bonds, the Series 1998 Bonds and the Series 2002 Bonds being no longer outstanding) pursuant to the terms of the Indenture and one or more Supplemental Indentures thereto relating to the Series 2016 Bonds (collectively, the “Supplemental Indentures”), between the University and the Trustee; and

WHEREAS, the Board desires to authorize the execution and delivery of one or more Bond Purchase Agreements (together, the “Bond Purchase Agreement”) among the University, Merrill Lynch, Pierce, Fenner & Smith Incorporated and Citigroup Global Markets Inc. (the
“Underwriters”), pursuant to which the University will sell the Series 2016 Bonds to the Underwriters in accordance with the terms and conditions set forth therein; and

WHEREAS, the Board desires to authorize the execution and delivery of one or more Escrow Agreements (collectively, the “Escrow Agreements”) between the University and the Trustee, in its capacity as Trustee for each series of the Refunded Bonds, pursuant to which the University will direct the Trustee to purchase state and local government securities and deposit funds necessary to pay the interest on the applicable Refunded Bonds when due and/or the redemption price for the Refunded Bonds on the applicable redemption date; and

WHEREAS, in connection with the issuance and sale of the Series 2016 Bonds, one or more Preliminary Official Statements (collectively, the “Preliminary Official Statement”) and final Official Statements (collectively, the “Official Statements”) will be prepared by the University, which will present information about the University, the terms of the Series 2016 Bonds and the security for the Series 2016 Bonds, among other things; and

WHEREAS, the Board desires to authorize the execution and delivery of one or more Continuing Disclosure Agreement (collectively, the “Continuing Disclosure Agreements”) between the University and the Trustee, pursuant to which the University will be obligated to update certain information in the applicable Official Statement and provide certain other notices to the specified repository in accordance with the terms and conditions set forth therein; and

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the University:

1. the Supplemental Indentures;
2. the Bond Purchase Agreements;
3. the Escrow Agreements;
4. the Preliminary Official Statements (including Appendix A thereto); and
5. the Continuing Disclosure Agreements;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. **Issuance of Series 2016 Bonds.** The Board hereby approves and confirms the issuance by the University of the Series 2016 Bonds, in one or more series, at one or more times, to provide funds to refund all or a portion of the outstanding Refunded Bonds of the University (including the costs of issuance and any other related expenses, including the Underwriters’ discount and their expenses, provided such costs shall not exceed 1.25% of the par amount of the Series 2016 Bonds). The Series 2016 Bonds shall bear a true interest cost not exceeding 5.00% per annum with net present value savings of not less than 3% of the par amount of the Refunded Bonds. The portion of the Series 2016 Bonds allocable to the refunding of the Series 2005 Refunded Bonds shall be in the initial principal amount of not more than $15 million, shall mature not later than the final maturity date of the Series 2005 Refunded Bonds and shall have a weighted average maturity not exceeding the weighted average maturity of the Series 2005 Refunded Bonds by more than two years. The portion of the Series 2016 Bonds allocable to the refunding of the Series 2007 Refunded Bonds shall be in the initial principal amount of not more than $90 million, shall mature not later than the final maturity date of the Series 2007 Refunded Bonds and shall have a weighted average maturity not exceeding the
weighted average maturity of the Series 2007 Refunded Bonds by more than two years. The portion of the Series 2016 Bonds allocable to the refunding of the Series 2009 Refunded Bonds shall be in the initial principal amount of not more than $80 million, shall mature not later than the final maturity date of the Series 2009 Refunded Bonds and shall have a weighted average maturity not exceeding the weighted average maturity of the Series 2009 Refunded Bonds by more than two years. If the Series 2016 Bonds are issued at more than one time, each issuance of the Series 2016 Bonds shall comply with the limitations contained in this Resolution; provided that the aggregate principal amount of Series 2016 Bonds shall not exceed the limitations on principal amount set forth herein. The Board hereby finds and determines that these purposes are necessary and desirable and hereby authorizes the Vice President for Finance and Treasurer, in consultation with the Bond Work Group, to determine (i) whether the Series 2016 Bonds should be issued as two or more sub-series of bonds, issued together or at different times (based on whether the issuance of the Series 2016 Bonds in two or more sub-series, issued together or at different times, will facilitate debt management or marketing of the Series 2016 Bonds or compliance with federal tax law restrictions or is expected to maximize present value savings or otherwise reduce interest rate or other costs) and (ii) the terms of the Series 2016 Bonds and the terms of the sale of the Series 2016 Bonds (including the maturity dates and amounts, the interest rates, the original issue premium or discount, the redemption provisions of the Series 2016 Bonds based on financial or structural benefits to the University and marketing considerations and the underwriters’ compensation) subject to the limitations set forth in this Resolution and the applicable Supplemental Indenture. The form and content of the Series 2016 Bonds as set forth in the applicable Supplemental Indenture are hereby approved and confirmed. The Vice President for Finance and Treasurer, and the Secretary or Assistant Secretary of the Board are authorized and directed to execute and deliver the Series 2016 Bonds for and on behalf of the University, in substantially the form and content set forth in the applicable Supplemental Indenture, but with such changes, additions or deletions as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, additions or deletions.

Section 2. **Authorization to Determine Refunded Bond Redemptions.** The Board hereby authorizes and directs the Vice President for Finance and Treasurer, in consultation with the Bond Work Group, to determine which maturities (or portions of maturities) of the Refunded Bonds shall be refunded with the proceeds of the Series 2016 Bonds and the dates of redemption of such Refunded Bonds; provided that such refunding results in net present value savings of not less than 3% of the par amount of the Refunded Bonds (from each issuance of Series 2016 Bonds if issued at more than one time).

Section 3. **Authorization of Supplemental Indentures.** The Board hereby approves and confirms the form and content of one or more Supplemental Indentures. The Vice President for Finance and Treasurer, and the Secretary or Assistant Secretary of the Board are hereby authorized and directed to execute and deliver one or more Supplemental Indentures for and on behalf of the University, in substantially the form and content made available to the Board, but with such changes, additions or deletions as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, additions or deletions. From and after the execution and delivery of the Supplemental Indentures, the Vice President for Finance and Treasurer, and the Secretary or Assistant Secretary of the Board and all other officers of the Board and the University are hereby authorized, empowered and directed to do all such acts and things and to execute all such
documents as may be necessary to carry out and comply with the provisions of the Supplemental Indentures as executed.

Section 4. **Authorization of Bond Purchase Agreements.** The Series 2016 Bonds shall be awarded and sold to the Underwriters pursuant to the terms of one or more Bond Purchase Agreements at an aggregate underwriters’ discount or fee to be determined by the Vice President for Finance and Treasurer in consultation with the Bond Work Group, of not more than 0.30% ($3.00 per $1,000 bond) plus an additional amount to cover out-of-pocket expenses of the Underwriters. The Series 2016 Bonds shall be authenticated and delivered to or upon the order of the Underwriters upon payment of the purchase price set forth in the Bond Purchase Agreement. The form and content of the Bond Purchase Agreements are hereby approved. The Vice President for Finance and Treasurer is hereby authorized and directed to execute and deliver the Bond Purchase Agreements for and on behalf of the University, in substantially the form and content made available to the University, but with such changes, additions or deletions as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all such changes, additions or deletions therein. From and after the execution and delivery of the Bond Purchase Agreements, the Vice President for Finance and Treasurer and all other officers of the Board and the University are hereby authorized and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Bond Purchase Agreements as executed.

Section 5. **Authorization of Escrow Agreements.** The form and content of one or more Escrow Agreements are hereby approved. The Vice President for Finance and Treasurer is hereby authorized and directed to execute and deliver one or more Escrow Agreements for and on behalf of the University, in substantially the form and content made available to the Board, but with such changes, additions or deletions as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all such changes, modifications, additions or deletions. From and after the execution and delivery of the Escrow Agreements, the Vice President for Finance and Treasurer and all other officers of the Board and the University are hereby authorized and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Escrow Agreements as executed.

Section 6. **Authorization of Continuing Disclosure Agreements.** The form and content of one or more Continuing Disclosure Agreements are hereby approved. The Vice President for Finance and Treasurer is hereby authorized and directed to execute and deliver one or more Continuing Disclosure Agreements for and on behalf of the University, in substantially the form and content made available to the Board, but with such changes, additions or deletions as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all such changes, modifications, additions or deletions. From and after the execution and delivery of the Continuing Disclosure Agreements, the Vice President for Finance and Treasurer and all other officers of the Board and the University are hereby authorized and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Agreements as executed.
Section 7. Approval of Preliminary Official Statements and Official Statements. The form, terms and content of the Preliminary Official Statements and the Official Statements in substantially the form of the Preliminary Official Statements (but including the terms of the Series 2016 Bonds) are authorized, approved and confirmed, with such changes, additions or deletions therein as shall seem necessary, desirable or appropriate to the Vice President for Finance and Treasurer. The use of the Preliminary Official Statements and of the Official Statements by the Underwriters in connection with the sale of the Series 2016 Bonds is hereby authorized, approved and confirmed. The Vice President for Finance and Treasurer is authorized to execute the Official Statements on behalf of the University.

Section 8. Tax Certificates. The Vice President for Finance and Administration, and Treasurer of the University is hereby authorized to execute certificates in order to evidence the University’s compliance with the Internal Revenue Code of 1986 and the applicable Income Tax Regulations thereunder.

Section 9. No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Series 2016 Bonds, the Indenture, the Supplemental Indentures, the Bond Purchase Agreements, the Escrow Agreements, the Continuing Disclosure Agreements or any other instrument related to the issuance of the Series 2016 Bonds shall be deemed a stipulation, obligation or agreement of any officer, agent or employee of the University in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the Series 2016 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 10. Actions of Officers. The officers of the Board and of the University are hereby authorized and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (i) this Resolution, (ii) the Indenture and the Supplemental Indentures and (iii) the documents presented to this meeting or made available for review: except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way of (a) the specific provisions of this Resolution, (b) the specific provisions of the Indenture or the Supplemental Indentures, (c) any agreement to which the University is bound, (d) any rule or regulation of the University or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of Vermont.

Section 11. Severability of Invalid Provisions. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Series 2016 Bonds authorized hereunder.

Section 12. Conflicting Provisions. All prior resolutions or parts thereof of the University in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 13. Effective Date. This Resolution shall take effect upon its adoption.

President Sullivan introduced Trustees to Jeff Shulman, a member of the UVM athletic department for more than two decades and a former Catamount student-athlete who was recently appointed as the next Director of Athletics. Mr. Shulman will succeed Dr. Robert Corran on July 1, 2016.

At 9:40 a.m., the Chair called for a brief break.

**Executive Session**

At 9:50 a.m., Chair Daigle entertained a motion to enter into executive session to consider contracts, premature general public knowledge of which would clearly place the University at substantial disadvantage. He noted that no action was anticipated following the session, which was expected to last approximately 40 minutes. The motion was made, seconded and approved.

Vice Presidents Rosowsky, Cate, Gustafson, Derr, Bazluke and Heading-Grant; Vice Provost Annie Stevens; Chief of Staff and Senior Counsel to the President Sharon Reich Paulsen, Jon Porter and Harold Pierce were invited to remain.

After the first item, Annie Stevens and Jon Porter were excused and Ginnie Gude was invited to join.

Following the second item, Ms. Gude, Mr. Pierce and Wanda Heading-Grant were excused. Director of Athletics Jeff Schulman was invited to join for the next topic then excused.

At 11:00 a.m., the meeting was re-opened to the public.

**Adjournment**

There being no further business, the meeting was adjourned.

Respectfully submitted,

David A. Daigle, Chair
Multipurpose Events Center Work Group Charge

The Multipurpose Event Center Trustee Work Group will be informed about, and have opportunities to discuss, options, terms and conditions related to emerging scenarios for a Multipurpose Events Center, as proposed by the cities of Burlington and/or South Burlington. Work Group members will be asked to share with the full Board pertinent issues, such as financing, facility scope and design, location, economic impact, advantages and disadvantages of the proposal(s), and projected timetables, in preparation for consideration of, and action on, the proposals.

Vice President for University Relations and Administration Thomas Gustafson will serve as Liaison to the Work Group and assist Work Group leader Ed Pagano is convening appropriate meetings.
UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE

BOARD OF TRUSTEES

Resolution Regarding Delegation and Retention of Board Authority

WHEREAS, this Board has, in its Bylaws and through such policies and resolutions as it may issue from time to time, delegated to the President and other officers of the University certain authority and responsibility for the management of the University and its programs, activities and operations; and

WHEREAS, this Board recognizes the need for prompt and timely management decisions made by qualified University personnel, and thus, through such delegations, authorizes officers of the University to negotiate and enter into contracts and other arrangements to facilitate the objectives of University programs and activities and to conduct related operations; and

WHEREAS, in making such delegation, the Board also assigns to such officer’s responsibility to make informed and prudent decisions in the best interests of the University and to maintain accountability to the Board through prompt and accurate reports on University programs, activities and operations, including their financial status and impact;

NOW, THEREFORE, BE IT RESOLVED that, subject to its retained authority and responsibility for the general oversight of the University, and reserving to itself the power to act on its own initiative as necessary to the fulfillment of its own fiduciary and legal duties, the Board hereby delegates to the President and the officers of the University authority and responsibility to negotiate and enter into contracts and other arrangements to facilitate the objectives of University programs and activities and to conduct related operations, and hereby also recognizes the authority the Board delegates to the Faculty Senate as expressed in the Faculty Senate Constitution and Bylaws, except for the following, which shall require Board approval:

1. Statements of institutional mission, principles and values;
2. The institutional strategic plan and associated goals, and related strategic financial plans and goals, and all material revisions thereto;
3.* The establishment and dissolution of University-affiliated corporations and foundations, and *material revisions to those affiliation agreements;*

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1. For the purpose of Board review and approval housekeeping edits have been eliminated and notes added that refer back to the original resolution. A copy of the original resolution tracking all changes made will be retained for record keeping purposes.
NOTE: #4 previously part of #3

(3)(4) University membership in other corporate entities (but not institutional memberships in professional associations);

(4)(5) The appointment of University Trustees to the boards of other corporate entities or public bodies in their capacity as University Trustees;

(5)(6) The appointment and employment of the President, election of the other officers of the Board and the University in accordance with the University Bylaws;

NOTE: #7 previously part of #6

(6)(7) and authorization of Employment severance payments in excess of the standard amount University policy specifies for officials who report to the President;

(7)(8) The creation, or elimination or substantial revisions of an academic unit, curriculum, research or service endeavor, as defined in Faculty Senate protocols

NOTE: #9 previously part of #8

(8)(9) and approval of establishment of faculty medical or other clinical practice plans;

(9)(10) Matters the Faculty Senate may appeal to the Board under the Senate Constitution and Bylaws;

(10)(11) The naming of, and name removal from, of academic units, buildings and academic programs;

(12) Through its Investment Subcommittee of the Budget, Finance and Investment Committee (“Investment Subcommittee”), the selection, retention and termination of investment advisors and managers for the Long-Term Investment Pool; provided that: the Board must itself approve policies for the Long-Term Investment Pool and the Limited Term Asset Pool;?

NOTE: #13 & 14 previously part of #12

(13) The endowment spending rate, and the endowment management fee;

(14) Declaration of financial exigency, and the dissolution, merger or the sale or pledge or transfer of all or substantially all of the University’s assets;

(15) The General Fund budget; institutional annual budget and
NOTE: #16 previously part of #15
(16) Acceptance of the annual audited financial statements;

(13)(17) Tuition, room and board rates, student fees, and in-state status regulations for purposes of determining tuition;

(18) The purchase, sale, exchange, or transfer (“transfer”) of complete or partial UVM interests in real property, regardless of location, at a valued greater than that equals or exceeds $1,000,000 500,000 provided that the administration shall report at least once annually on transfer of such interests at a value greater than $500,000 and less than or equal to $1,000,000;

NOTE: #19-22 previously part of #18
(14)(19) Authorization of University acceptance of compensation in eminent domain proceedings;

(15)(20) The lease or sublease of property with annual or aggregate rental value that equals or exceeds $500,000, and renewals thereof;

(21) The pursuit or acceptance of historic preservation designation for University property;

(16)(22) and adoption of, and material revisions to, a The Campus Master Plan, and material revisions thereto;

(17)(23) Payments in lieu of taxes to a government entity or payment of fees for municipal services rendered by or through a government entity and, in either instance, voluntarily;

(24) Issuance of bonds;

NOTE: #25 previously part of #24
(18)(25) and approval of the Institutional debt policy;

(19)(26) The procurement of loans, lines or credit, or other financing, and performance as surety, in amounts or at a value that equals or exceeds greater than $1,000,000 or entry into any financial derivative contract with a notional value greater than $1,000,000;

(20)(27) contracts for facilities construction or renovation and the purchase or sale of goods, equipment or services The program design of a capital project and authorization to proceed with a capital project at an aggregate cost of ≥ greater than $12,000,000, at a specified not-to-exceed cost including increases in project costs for previously approved projects whose value in aggregate equals or exceeds $1,000,000; provided that (and subject to the
provisions of (18) below), the Board administration shall report on capital projects with an aggregate cost of greater than $1,000,000 and less than or equal to $2,000,000 as plans are developed and before the projects are initiated; the Board shall approve all contracts for consulting services whose aggregate value equals or exceeds $250,000, and the Board shall also authorize, through its Investment Subcommittee, the selection and retention of all investment advisors regardless of contract cost;

NOTE: #28-29 previously part of #27

(21)(28) ____ approve all A contract with a vendor for purchase of goods or equipment or the procurement of services, at an aggregate cost of greater than $1,000,000, when such costs were not authorized previously through the customary capital projects approval process;

(22)(29) ____ A contract with a vendor for professional services at an aggregate cost of greater than $250,000 when such costs were not authorized previously through the customary capital projects approval process, and if the type of contact is not otherwise addressed in this resolution;

NOTE: 30 is a NEW reserved right

(23)(30) ____ Revenue-generating contracts for services provided, or goods or equipment generated, by a unit or program of the University at a cost to the contractee of more than $1,000,000 over the term of contract;

(31) The selection and retention of independent audit firm to conduct the annual audit of financial statements and/or compliance audits, regardless of contract cost;

NOTE: #32 previously part of #31

(24)(32) ____ Contracts at an aggregate cost of $10,000 or more for non-audit consulting services with the audit firm that is conducting the annual audit of financial statements at an aggregate cost greater than $10,000;

(25)(33) ____ The material terms of collective bargaining agreements and, within the context of approval of the annual budget preparation and approval, the annual salary pool for non-union-represented employees;

(34) ____ The settlement of legal claims and/or lawsuits at a cost that equals or exceeds greater than $250,000, regardless of insurance coverage;
NOTE: #35 previously part of #34
(26)(35) Authorization to file and/or settle lawsuits in which the Board, or a Trustee or an Officer of the University or an Officer of the University is a named party (and, in the latter two instances, ex officio), or a Board-approved policy is in dispute;

(36) A contract or lease whose aggregate term, including potential or proposed renewals, does or may exceed five (5) years, regardless of contract value or amount, but provided that Board approval is not required for extensions of existing contracts or leases for up to one year if the contract or lease term would not have otherwise required Board approval, licenses and option agreements, confidentiality agreements, materials transfer agreements, or other similar agreements that are developed arrangements administered by the University’s Office of Technology Commercialization program and that typically run for the life of the intellectual property value (usually the term of the patent).

NOTE: #37 was reordered (former #20)
(27)(37) All self-governance matters reserved to the Board in the University Bylaws, including without limitation the election of Board officers, approval of Board Committee appointments, or as otherwise required or permitted by law;

NOTE: #38-39 are reordered (former #21) and separated out
(38) Material revisions to the University Manual or to the College of Medicine Faculty Handbook; revisions to University Bylaws; matters required by law, Bylaws, and/or contract; revisions to the University Manual and institutional policies and such other authority as the Board is required to exercise without delegation as a matter of law, or that, in the future and prospectively, it wishes to retain or retrieve in the exercise of its fiduciary duties and sole discretion; and

(28)(39) Institutional policies, including material revisions thereto, and such other authority as the Board is required to exercise without delegation as a matter of law or that, in the future and prospectively, authority that is wishes to retain or resume in the exercise of its fiduciary duties and its sole discretion;

NOTE: #40 was re-ordered and is now #36
(29)(40) Contracts or leases whose aggregate term does or may exceed five years, regardless of contract value or amount; but Board approval is not required for extensions of existing contracts or leases for up to one year if the contract or lease term would not have otherwise required Board approval, licenses and option agreements, confidentiality agreements, materials transfer agreements, or other similar agreement that are developed by the University’s Office of Technology Commercialization program
and that typically run for the life of the intellectual property value (usually the term of the patent).

AND BE IT FURTHER RESOLVED, that notwithstanding such delegations, through the President or his designees the administration shall report periodically on matters of institutional management and operations as the Board may direct and/or as may be appropriate and desirable, including without limitation periodic reporting on gifts and grants; and

BE IT FINALLY RESOLVED, that this resolution shall supersede all preexisting resolutions regarding delegation and retention of Board authority, delegations prospectively.

Adopted by the Board of Trustees: September 11, 2004
Approved as revised by the Executive Committee: March 14, 2005
Approved as revised by the Board of Trustees: May 19, 2007
Approved as revised by the Board of Trustees: May 17, 2008
Approved as revised by the Board of Trustees: September 5, 2008
Approved as revised by the Board of Trustees: February 7, 2009
Approved as revised by the Board of Trustees: February 6, 2010
Approved as revised by the Board of Trustees: March 8, 2010
Approved as revised by the Board of Trustees: February 5, 2011
Approved as revised by the Board of Trustees: March 14, 2011
Approved as revised by the Board of Trustees: May 19, 2012
Approved as revised by the Board of Trustees: November 8, 2012
Approved as revised by the Board of Trustees: March 11, 2013
Approved as revised by the Board of Trustees: September 15, 2014
Approved as revised by the Board of Trustees: March 16, 2015
Approved as revised by the Board of Trustees:
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 initiation, 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.

The Dean will be considered for re-appointment annually 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 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, 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 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's appointment section 301.5.5. 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 chairperson, 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 offered 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 investigatory 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, with a statement of non-reappointment is given, there are six (6) months or more remaining in the appointment year in progress, the Officer will receive reasons. 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 remainder of 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 Officers of Administration who have served for less 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 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 following termination of the Officer’s administrative appointment ends. The election must be made in writing to the Office of the Provost, with a copy to the Dean and academic department Chair where 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 their 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, the Officer will be compensated at the salary and benefits level applicable to the Officer appointment through the period in which severance payment is to be paid, if any, in accordance with Section 404.2.1. The balance of the administrative leave period will be compensated at the salary and benefits level applicable to the upcoming active 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 also will 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:
Residency

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 institution the 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, 2016
July 9, 2015