Chairs & Associate Deans Leadership Workshop I
Wednesday, August 23, 2023, Innovation E210 (SOE Design Lab)

8:00 AM Continental Breakfast

8:30-8:35 AM Welcome, Introductions, & Announcements
Jane Okech, Vice Provost for Faculty Affairs, [Division of Faculty Affairs](#)

8:35-9:00 AM UVM's AY 23-24 Strategic Goals & Ambition:
The Role of Chairs & Associate Deans in Supporting this Vision
Patricia Prelock, Provost & Senior Vice President, [Office of the Provost](#)

9:00-9:45 AM Division of Faculty Affairs Faculty Professional Development Program Plans for AY23-24
- Comprehensive Faculty Mentoring Program
Jane Okech, Vice Provost for Faculty Affairs, [Division of Faculty Affairs](#)

- Faculty Professional Development
Susanmarie Harrington, Director, [Center for Teaching & Learning](#), & [Writing in the Disciplines (WID](#))

- Faculty LMS Training & Support Opportunities
Wendy Berenback, Associate Director, [Center for Teaching & Learning](#)

- Faculty Engagement in Service Learning
Susan Munkres, Director, [Office of Community Engaged Learning (CELO)](#)

9:45-10:15 AM Tracking Your Metrics with Catamount Data
Larry Granillo, Interim Director, [Office of Institutional Research & Assessment](#)

10:15-10:45 AM Factors to Consider When Planning & Evaluating Sabbatical Proposals & RPT Dossiers
Carolyn Bonifield, Chair, [Faculty Senate Professional Standards Committee](#)
Associate Professor, Grossman School of Business

10:45-11:00 AM Break

11:00-11:45 AM Labor Relations & Human Resources:
The Role of Chairs & Associate Deans as Management/Supervisors:
Effective Approaches to Adhering to the CBA & University Personnel Guidelines
- Lessons Learned & Recommendations
Megan Boucher, Labor & Employee Relations Manager, [Human Resource Services](#)
Peter Blackmer, Associate Chief Human Resources Officer, [Human Resource Services](#)

11:45 AM-12:30 PM Guidelines & Effective Strategies for Supporting Faculty Dealing with Disruptive Students
Trenten Klingerman, Vice President for Legal Affairs and General Counsel, [Office of the General Counsel](#)
Jennifer Papillo, Associate General Counsel, [Office of the General Counsel](#)

12:30-1:00 PM UVM's Conflict of Interest & Privacy Programs
Tessa Lucey, Director of Compliance Services & Chief Privacy Officer, [Office of Compliance & Privacy Services](#)

1:00 PM Adjourn

Announcements

1. **NEW LMS Fully Launched:** Fall 23 Full Launch (Check 8/18 ACADDDC Memo & Wendy Berenback Presentation at 9.30am)

2. **Faculty Professional Development Events:** 2023/2024AY (Calendar sent out in June 2023, Contact Jennifer Diaz @jennifer.diaz@uvm.edu if you didn't receive it)

3. **Schedule of Chair & Associate Dean Workshops:** 2023/2024 AY (Calendar sent out in June 2023, Contact Jennifer Diaz @jennifer.diaz@uvm.edu if you didn't receive it; Teams invitations being sent this week)

4. **NEW: RFAO Software Access Policy Effective 7/1/23** (Check Provost/ETS website); Application form to be use by units for review forthcoming.

5. **Comprehensive Faculty Mentoring Program, 2022/2023AY Pilot Report sent out in June, 2023. Contact** Jennifer Diaz @jennifer.diaz@uvm.edu if you didn't receive it.

UVM Comprehensive Faculty Mentoring Program (CFMP) (Piloted 2022/2023AY)

The UVM CFMP is a collaborative effort between the Office of the Vice Provost for Faculty Affairs, the Office of the Vice President for Research, the Division of Diversity, Equity, and Inclusion and Academic Unit and Academic Units.

The academic units offer personalized mentoring opportunities for faculty members tailored to their unique professional practices and expectations.

The Vice Provost for Faculty Affairs coordinates group mentoring programs available to all faculty, regardless of their academic rank.

UVM CFM Programs

New Faculty Experience Program (6-8)

Mid-Career Faculty Experience Program (3-4)

Demystifying RPT at UVM Series (3-4)

Diversity & Faculty of Color Focused Retention Programs

- NCFDD
- NEHEB-North Star Collective Program
- Henderson-Harris Fellows On-Boarding Plans (CFMP, Units & DEI)

Bi-Annual Programs

- Faculty Mentoring Conference for Mentors & Mentees (Bi-Annually)* (Collaboration with Graduate Dean & OVPR)
- Academic Writing Retreat (Bi-Annually)

Descriptions & Objectives

a. **First-Year Faculty Experience Program**: includes a series of workshops that provides new faculty members with an understanding of their roles and responsibilities, faculty evaluation and elevation processes, and rank progression at UVM. Using an equity-centered model, each session considers the diversity of faculty experiences, the impact on access to timely professional information, and to resources that bridge the gaps of information that can sometimes impede faculty success. The FYFE Program is comprised of 6-8 sessions scheduled over the academic year targeting first-year faculty, Henderson-Harris Fellows, and other post-doctoral fellows.

b. **The Mid-Career Faculty Experience (MCFE)** includes a series of workshops provided to tenured faculty with opportunities for conversations/discussions addressing their needs and experiences beyond tenure. Using an equity-centered model for providing mid-career faculty support, each session considers the diversity of faculty experiences, how to support faculty in sustaining their research and scholarship productivity, continuing their professional development, and rank progression. This Program is comprised of 3-4 sessions scheduled over the academic year..

a. **The Demystifying the RPT Process Program** consists of workshop sessions that use an equity-centered model for providing faculty support. Each session considers the diversity of faculty experiences and offers strategies for preparation for the RPT review process, with a special focus on preparing **Blue and Green Sheets,** including associated documentation. This Program is comprised of 3-4 sessions scheduled during the spring semester.

Evaluations & Request-Spring 2023

Evaluations of all programs: Close to 600 faculty attended the program.

Support Requested:

100% -Helpful to Very helpful range across all demographics of faculty

A 10% felt that 2 hours sessions were too long while 90% felt it was just enough

Low response rate to evaluations sent at the end of the year. This year evaluations will be sent out after every session.

Encourage faculty to attend the programs offered

Do not schedule meetings and other PD events at the same time as much as possible

Do not duplicate efforts instead offer individual support options in your units

Faculty Professional Development

Center for Teaching and Learning

Writing in the Disciplines Program

Our Missions

Center for Teaching & Learning (CTL)

The Center for Teaching and Learning supports faculty, graduate student instructors, and teaching assistants in pursuing impactful teaching by:

- Promoting evidence-based practices in course design, teaching, and use of instructional technology that improves student learning and success.

- Fostering a culture and community of inclusive, engaged, and creative teachers.

- Identifying, advocating for, and evaluating instructional technologies and pedagogical approaches that address key institutional needs.

- Cultivating resources that support faculty in designing, funding, implementing, and disseminating scholarship of teaching and learning.

Our Missions

Writing in the Disciplines (WID)

- The Writing in the Disciplines Program supports instructors who help make writing a significant and meaningful part of each students' experience. WID offers variety, breadth, and depth of programming, some open to all instructors and others tailored to departments, always aiming to reduce barriers to participation. Our programming introduces/reinforces principles about teaching and learning, creates connections among colleagues, connects instructors to resources, explores best practices in nurturing disciplinary writing, supports faculty writing, and addresses campus priorities.

What we offer

- Programming on a range of pedagogical topics—everything from course/ assignment (re)design, inclusive pedagogy, feedback, educational technologies, emerging trends, and more

- Programming in a variety of formats: one-off workshops, cohort groups, book groups, intensive workshops

- Programming for all instructors (inclusive of faculty/staff/post-docs, tenure-track/non-tenure-track, full time/part time)

- CTL programming runs all year round; WID workshops run during the academic year with writing groups running all year

Fall 2023 Offerings

- Brightspace: Essentials, Starting Small, Creating Connections....with more to come on grading and feedback, progress tracking, & personalization

- Other Topics: General ed. writing requirements, helping students transition to college writing; artificial intelligence & ChatGPT; inclusive pedagogy; effective feedback and grading, & syllabi design

- Book group: *Small Teaching*, 2nd edition

- Cohort groups: *Transparency in Teaching and Learning*; Alternative Grading; Scholarship of Teaching & Learning, Faculty Writing Groups (graduate student writing support via the Graduate Writing Center)

Fall 2023 Offerings

- Brightspace: pedagogy and technical know-how
- Book group: James Lang's *Small Teaching*
- Faculty Writing Groups (graduate student writing support via the Graduate Writing Center)

- Catamount Core writing/info lit requirements
- Helping students transition to college writing
- Artificial intelligence & ChatGPT
- Inclusive pedagogy
- Effective feedback and grading
- Groups:
  - *Transparency in Teaching and Learning*
  - Alternative Grading
  - Scholarship of Teaching & Learning

Why come to WID or CTL?

- Learn new techniques, philosophies, approaches
- Support students more effectively
- Weave teaching and other obligations into sustainable personal rhythms
- Make connections across departments
- Build relationships
- Solve problems

How can you help us?

- Encourage people to attend our events!
- Consider us as partners in pedagogical initiatives
- Invite us to conversations about wicked pedagogical issues
- Build relationships between us and your faculty and other instructors

Brightspace Launch!

- Training & Support
  - Now: Start small and learn the basics
  - Over Time: Learn more & expand your use of Brightspace tools
  - Any time: Contact CTL via Email and in-person/Teams consultations

- New Self-service Functions
  - Add teaching assistants
  - Create sandbox spaces
  - Create "non-credit" spaces for co-curricular activity

What's Next?

- Build interest in new & more visible integrations:
  - Ally
  - Gradescope
  - Turnitin
- Research management practices for "Learning Object Repository" (Content Sharing Across Courses)
- Implement grades push back from Brightspace to Banner (Spring 2024)

Goodbye Blackboard

- Last day to access September 8th
- Working with Registrar's Office to support faculty manage students with INC
- Blackboard courses archived (content & student data)
  - Spring 2020 to Summer 2023 will be archived until 2027
  - Access not self-serve (i.e., there is a request process)

Tracking Your Metrics with Catamount Data

Larry Granillo
Interim Director,
Office of Institutional Research & Assessment

The University of Vermont

Agenda

- Introduction

- The basics of Catamount Data

- Catamount Data walk-through

    - Including reports that allow for program-specific questions

Catamount Data

- https://www.uvm.edu/oir/catamount-data

- A suite of interactive dashboards and other reports designed to quickly answer common questions and to empower users to use data like never before

- Topics include: enrollment, admissions, degrees awarded, faculty & staff, university & department planning

Faculty and Staff Information

Catamount Data provides faculty and staff information including data on headcount, base pay, department, occupation and diversity trends.

Completions and Degrees Awarded

Catamount Data also includes information about the number of degrees awarded to students each year including a program-by-program breakdown.

STUDENT ENROLLMENT & SUCCESS

Catamount Data provides student-focused data including student enrollments, completions, and retention/graduation rates.
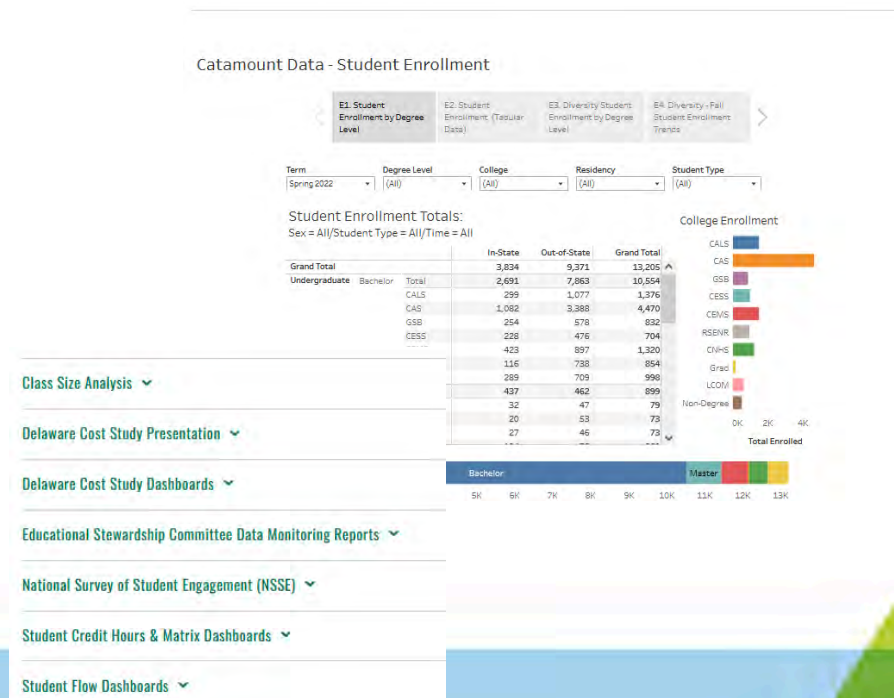
STUDENT ENROLLMENT DASHBOARD
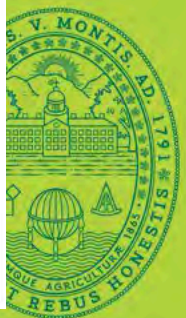
# Navigating Catamount Data

- Yellow and blue boxes at the top will take you to different pages with different content focus

- Gray boxes in the dashboard will take you to different data visualizations

- Some reports are hidden in accordion menus to save space

Different Dashboard Types in Catamount Data

- Three different dashboard types in Catamount Data based on the tool used

- Different strengths and weaknesses

- Can be a jarring or inconsistent experience if unprepared

- Helpful to know what they look like so you can trust it comes from OIRA
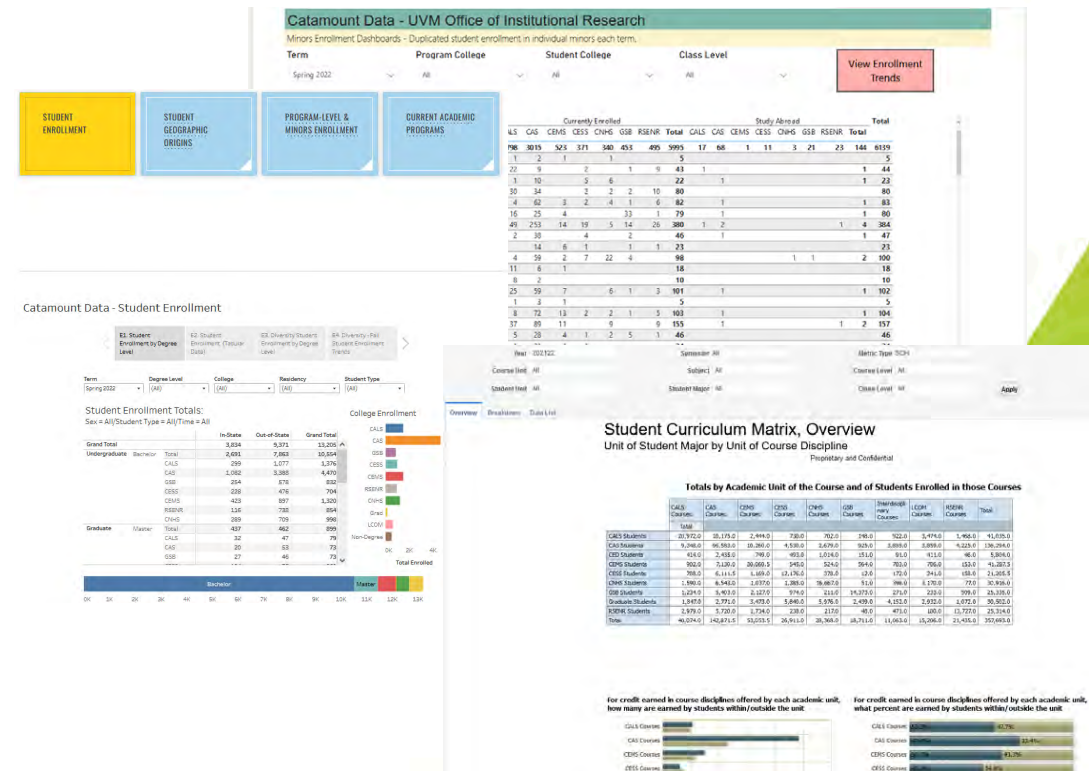
Different Dashboard Types in Catamount Data

Microsoft PowerBI Dashboards

- Most new dashboards are built with this tool; older dashboards may be transitioned over

- Can be used to answer many question types; very flexible in display & visualizations

- Data are stored securely with UVM, so more detailed questions can be asked

- Navigation is not as standardized, due to the different dashboard designs

- Security uses UVM Single Sign-On (SSO)
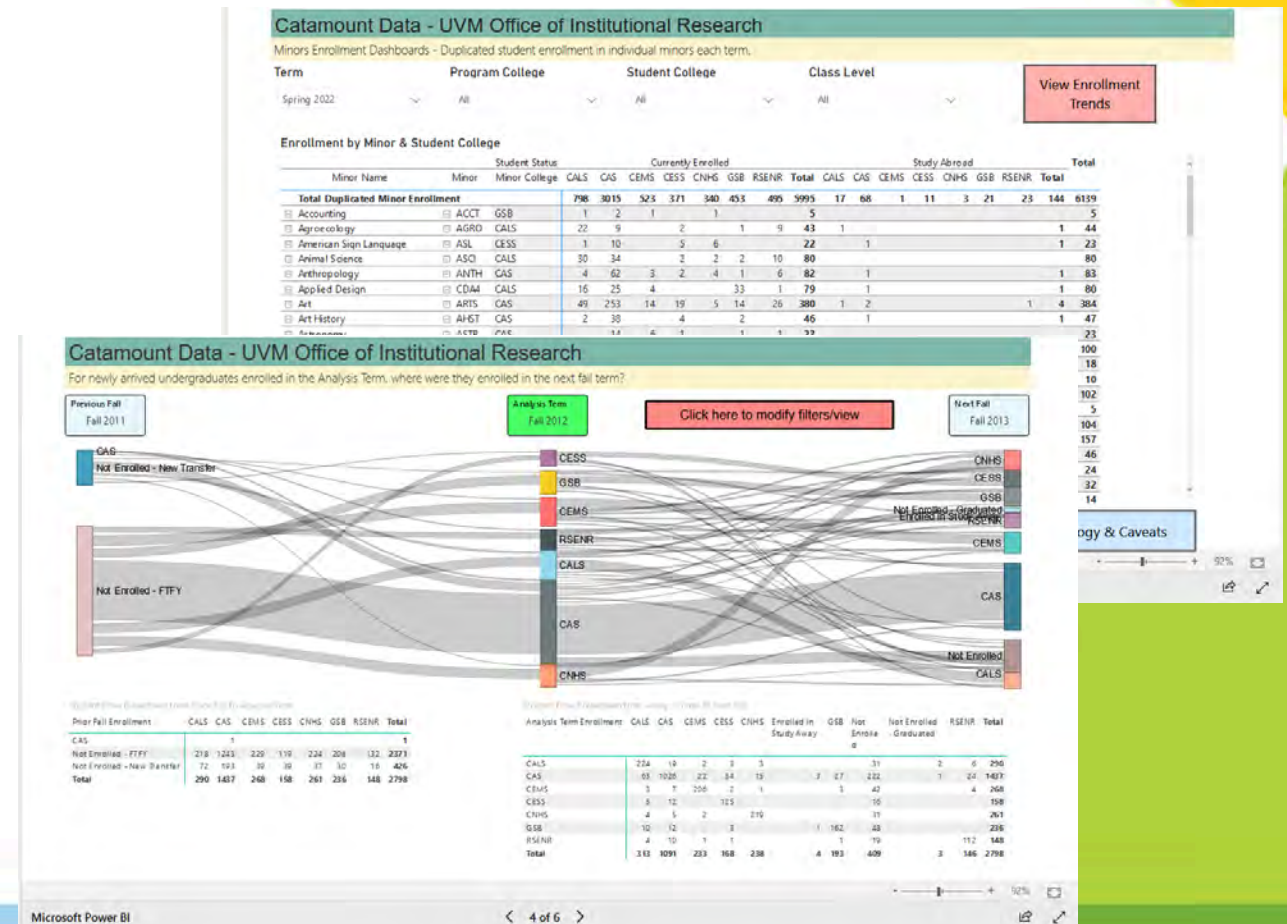
Different Dashboard Types in Catamount Data

Tableau Dashboards

- Open to the public

- Typically answer broad questions that we already report to external agencies

- Data are aggregated to a certain level to avoid releasing any private information

- Navigation is standardized (should be similar on all Tableau dashboards)

- Security (if any) uses UVM Single Sign-On (SSO)

Dashboard example: https://www.uvm.edu/oir/enrollment
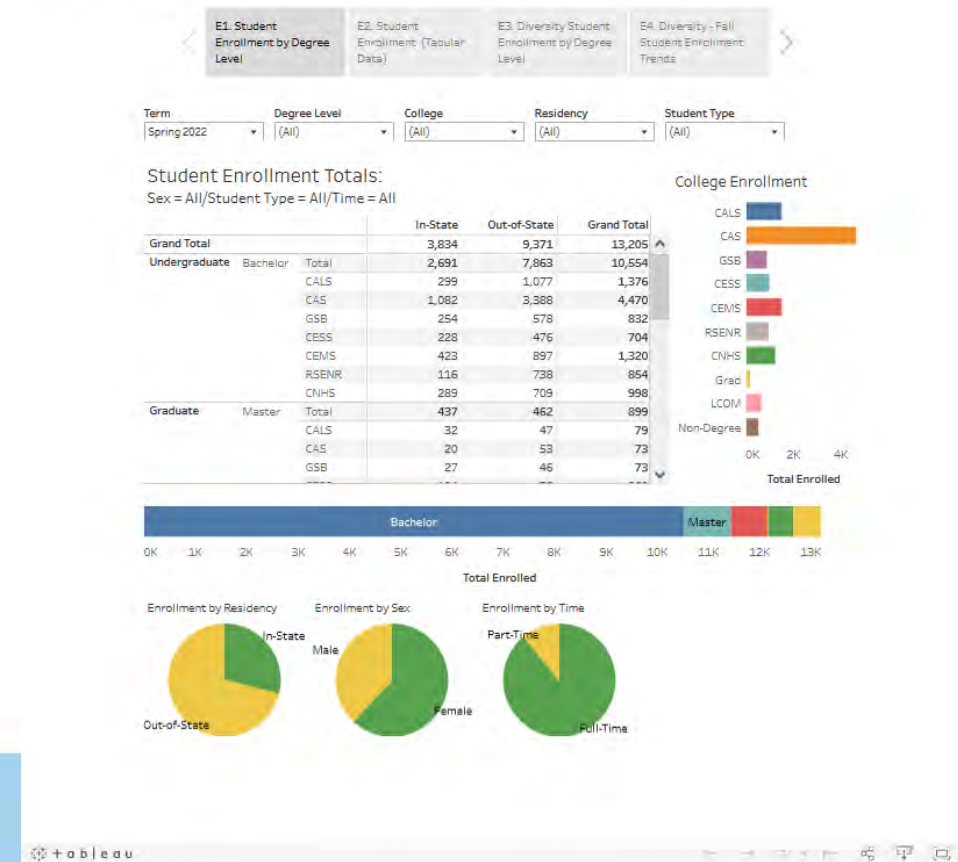
Different Dashboard Types in Catamount Data

Oracle BI Publisher Dashboards

- Older dashboard tool; few new dashboards are built with this tool

- Helps to answer some very deep/detailed question types

- Data are stored securely with UVM, so more detailed questions can be asked

- Navigation is standardized

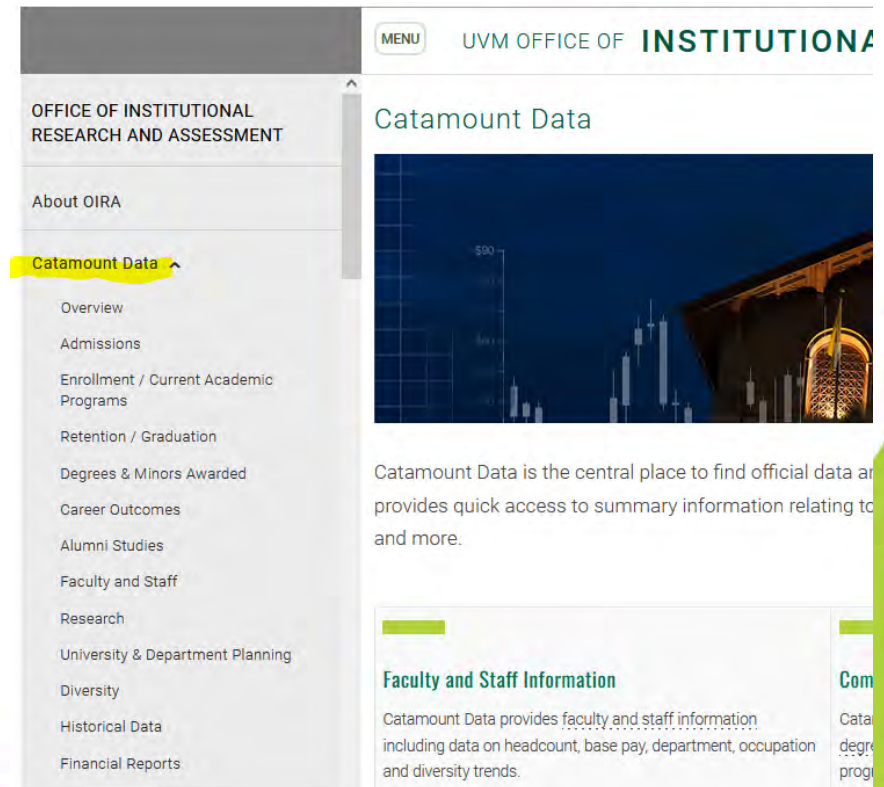- Security uses Oracle interface; netid & password still apply

Dashboard example: http://go.uvm.edu/9705n

Example of Oracle sign-on screen

Dashboard example:
https://go.uvm.edu/zagdy
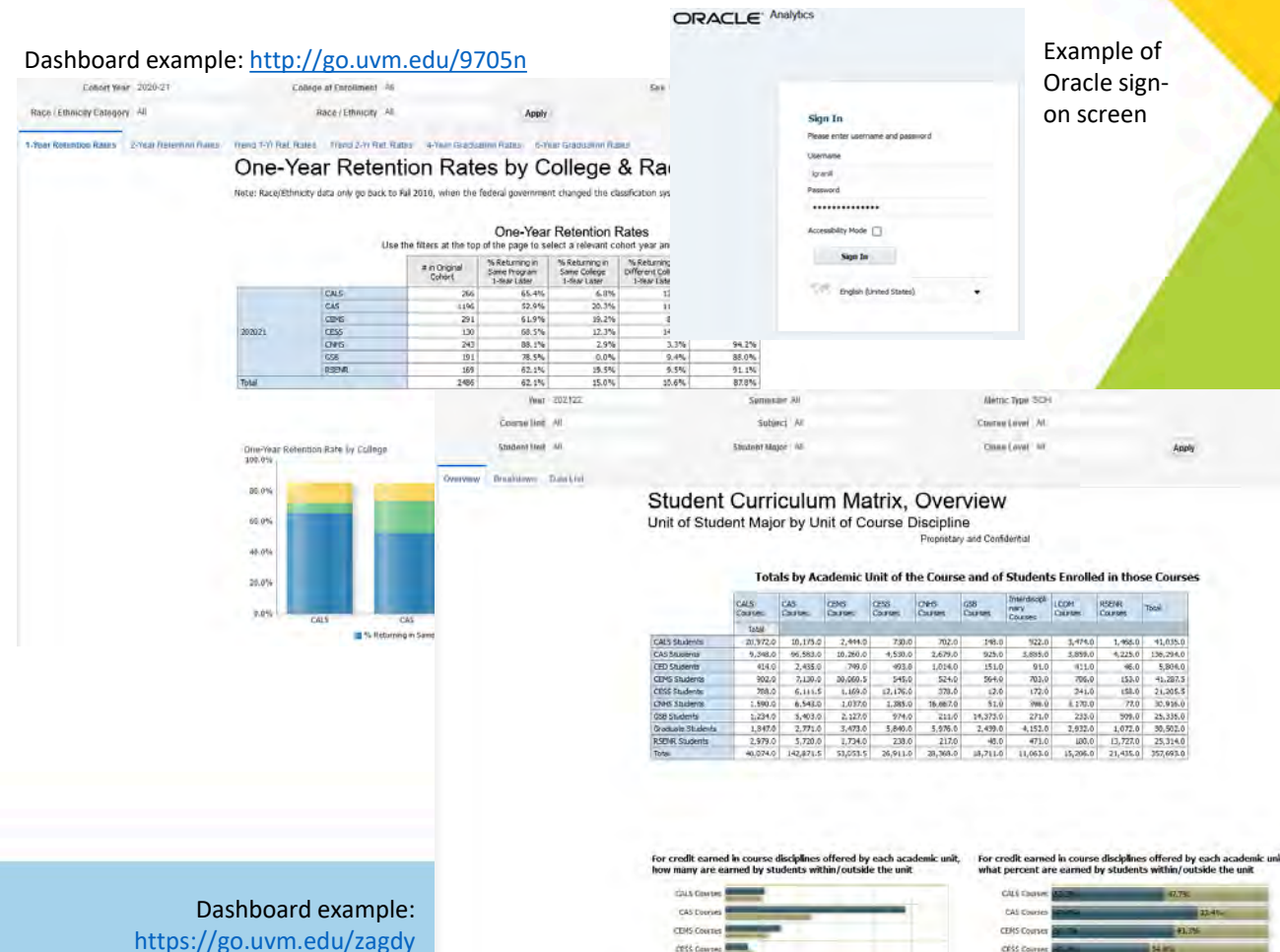
Content Overview

- Catamount Data is broken down into various categories that cover common OIRA requests

- Pages may have dashboards, PDF reports, or other resources

- Pages are ordered by student life cycle before going into other aspects of the university

Program-Specific Reports

Here are some Catamount Data reports/dashboards that may be relevant to chairs & associate deans:

- Undergraduate Admissions Data & Trends https://www.uvm.edu/oir/admissions
  - Admissions data by college and major

- Program-Level Enrollment https://www.uvm.edu/oir/program-level-minors-enrollment
  - Student enrollment that includes second majors, AMP students and even students on study away

- Student Flow Dashboards https://www.uvm.edu/oir/retention/graduation-planning
  - How students move through UVM year-to-year & term-to-term

- Retention & Graduation by Adjusted Cohorts
  https://www.uvm.edu/oir/retention/graduation-planning
  - Student success metrics per college/major centered on third-year students (which accounts for student transiency in first two years)

- Degrees and Minors Awarded https://www.uvm.edu/oir/degrees-minors-awarded
  - Counts of degrees and minors awarded by major/minor

- Faculty & Staff Data https://www.uvm.edu/oir/faculty-and-staff-data
  - Counts of faculty & staff by department, tenure status & more

- Class Size Analysis https://www.uvm.edu/oir/university-department-planning
  - Average class size & counts of courses by course subject, number, General Ed.-type and more

- Student Credit Hours & Matrix Dashboards https://www.uvm.edu/oir/university-department-planning
  - Suite of dashboards looking at SCH at the student, instructor, unit and course levels

Tips & Tricks

- On many dashboards, you can Ctrl+click to make multiple selections

- Visualizations will often act as filters on dashboards. In the Tableau dashboards, for example, these pie charts will filter all other tables/charts to the segment that you choose.

- Dashboards are updated based on OIRA snapshot dates (add/drop for enrollment, post-summer for degrees/graduation, November for faculty/staff)
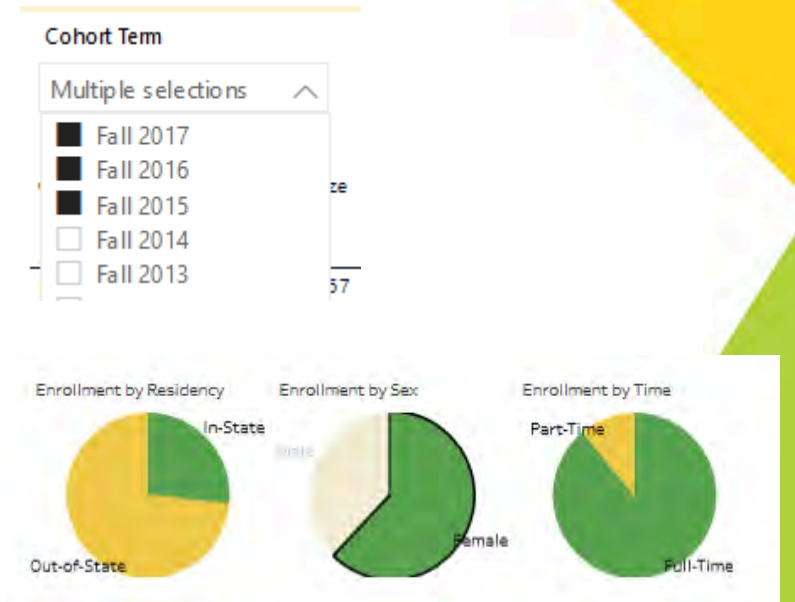
Sabbatical applications and RPT submissions

- 2022-2023 academic term: 58 sabbatical applications and 106 RPT submissions
  - Numbers vary from year-to-year
  - The PSC reviews sabbatical applications during the fall semester
  - The PSC reviews RPT dossiers during the spring semester

Sabbatical Issues

1) Completeness of Submissions
- Double-check applications for completeness and accuracy.
  - Cover page, URL links, missing bookmarks, missing letters, missing votes, missing signatures, word count limits
- FSC and Dean letters – need to include dates
- Letters of invitation
- IRB approval – plan/date for submission
- Limit discipline-specific language and acronyms.

Sabbatical Issues

2) Specificity of Activities Beyond Standard Workload

- Include specific activities with projected timelines.
  - Work completed, proposed activities (e.g., archival research, literature review, data collection, chapter outlines) and the timeline
- State how sabbatical plan extends beyond standard workload.
  - How does the sabbatical provide the opportunity to engage in activities that their workload would not otherwise allow?

Sabbatical Issues

3) Relationship between Funding Cycles and Sabbatical Submissions

- State whether the work is dependent on external funding for sabbatical-related activities (e.g., travel).

- Not unusual for faculty members seeking external funding to not know status of potential funding when completing sabbatical application

- Plan A vs. Plan B

Sabbatical Issues

4) Mentoring

- Guidance and feedback when preparing sabbatical applications are important.

- Issues with sabbatical applications can often be avoided with earlier feedback, such as from the Chair.

- Given the September deadline for sabbatical submissions, sabbatical planning should be underway during the previous spring semester.

Reappointment, Promotion, Tenure (RPT) Issues

1) Overall Organization

- Order of materials, bookmarking of dossiers (e.g., all supporting materials after basic dossier entries; external reviewer CVS positioned after all external letters rather than after each letter; check all links to ensure they work)

- Do not include scanned documents.

- Once assembled, candidate's dossiers should be combined into one pdf with bookmarks, rather than separate pdf files.

- Adhere to word limits – make strongest case in a concise manner

- Limit excessive discipline-specific language and acronyms.

Reappointment, Promotion, Tenure (RPT) Issues

2) Common Definitions

- PSC encourages development of university-wide definitions for recording RPT voting (i.e., Yes, No, Absent, Recuse, Abstain). Common inconsistency with respect to the difference between 'Abstain' and 'Recuse.'

- At all voting levels (i.e., department, FSC, PSC): critical to provide rationale for votes recorded as No, Abstain, or Recuse.

  - Particularly true for 'No' votes

Reappointment, Promotion, Tenure (RPT) Issues

3) Workload Distribution by Chair

- Provide specific workload distribution
- Include information on number of courses taught with the estimates of workload percentages
    - How courses are counted varies (e.g., in some units, 40% of teaching equals five courses, and in others, it equals four courses).

Reappointment, Promotion, Tenure (RPT) Issues

4) External Letters

- Arm's length external letters for tenure and promotion
  - Both faculty members and their Chairs share responsibility.
- Credibility of external letters is enhanced when letters are from reviewers who:
  - are at a university at least comparable to UVM (R1, R2) or other relevant organization
  - have attained the same rank or a higher rank as the promotion being sought
  - have submitted a CV that reflects a substantial body of work that establishes them as an appropriate reviewer
  - have no real or perceived bias related to the applicant

Reappointment, Promotion, Tenure (RPT) Issues

5) Nature of Contributions to Scholarship

- Helpful to know approximate nature and percentage of applicant's contribution to co-authored scholarship

- Colleges/Schools, Departments, and Chairs are encouraged to continue to clarify expectations for scholarship, depending on the percentage of workload allocated to scholarship and the pathway (e.g., the volume and type of acceptable scholarship might differ for a Clinical or Extension faculty member compared to a Research or Tenure track faculty member).

Reappointment, Promotion, Tenure (RPT) Issues

6) Tenure Review for Incoming Administrators with Faculty Appointments

- Expedited review is intended to be conducted pre-hire, when an individual has been identified as a finalist.

    - The review should be completed before a final decision is made to hire an individual – highly ranked candidates should be given advance notice that if they are selected as a finalist, they will need to undergo this process if they are seeking tenure with their appointment.

    - Concurrent tenure (only) review and voting by the proposed home department, corresponding college/school FSC, and the Faculty Senate PSC

    - Process does not follow the full 'green sheets' paperwork – instead, relies on: a) a memo written by the search Chair summarizing eligibility for an expedited review and credentials/qualifications for tenure, b) a candidate's CV, c) evidence of teaching effectiveness, and d) reference letters or Chair summary of information from referees pertaining to suitability for tenured position

Labor Relations and Human Resources: The Role of Chairs and Associate Deans as Management/Supervisors: Effective Approaches to Adhering to the CBAs

Peter Blackmer, Associate Chief HR Officer

Megan Boucher, Labor and Employee Relations Manager

Managers & Supervisors: "Agents of Management"

▶ As an agent of the university, what you do and say reflects the intent of management.

▶ Being a supervisor or manager is dedicated work

  ▶ Assign work to employees – Set priorities, deadlines

  ▶ Evaluate the quality of that work

  ▶ Provide feedback on performance

  ▶ Hold employees accountable

Workload and Responsibilities

- Workload consultations in the spring semester
  - Ultimately, it is the chair's responsibility to schedule and assign work
  - Unless told by June 1 (9 month faculty) or July 1 (12 month faculty), workloads are considered approved by the Dean

Article 16.1 (last paragraph)

"Nothing shall preclude a Department Chair or Dean from modifying the work expectations or schedules as may be necessary prior to or during the academic year or its equivalent provided they first discuss such changes with the faculty member, and provided the changes are not arbitrary or capricious. In addition, the faculty member may request to adjust the workload plan at any time; such requested changes will go into effect provided the Chair and the Dean approve. The faculty member and Dean will receive a copy of the workload plan and any modified workload plan."

Annual Performance Reviews

- Article 14.3:

  - Department Chairpersons shall annually review the performance of faculty members in their departments or units. In schools without Chairs, this review shall be carried out by the Dean or their designee, who will be another administrator holding faculty status. Although the faculty member bears the responsibility of demonstrating their achievement and potential in matters of reappointment, promotion and tenure, Chairs, Deans or Directors have a responsibility to contribute to the professional development of the faculty member by communicating to that person their regular assessment of performance, progress and areas of strength and those in need of improvement.

  - Annual reviews will focus on the performance of the faculty member during the previous two semesters or the previous twelve (12) months, whichever applies to the faculty member's appointment period, but will also take into account the performance of the faculty member during the preceding two (2) years if the faculty member was employed by the University. The Dean will instruct departments and units as to whether performance data on a faculty member should be submitted on a calendar, fiscal or academic year basis.

Annual Performance Reviews

▶ Does your annual performance review process include narrative feedback?

▶ Opportunity to address any behavioral concerns (misconduct)

▶ Highlight in detail any accomplishments

▶ Rationale behind any ratings

▶ Explain any discrepancies in rated assignments

  ▶ e.g. no teaching assigned due to low enrollments and cancelling the course

▶ Document expectations

Crucial Conversations

Should I say something? YES.

As supervisors, it's your job to:

- Address misconduct/behavior that requires correction
- Resolve on-going, evolving employee issues
- Manage performance problems
- Help employees in need of assistance
- Clarify expectations
- Communicate policy, rules, and other requirements

HAVE THE CRUCIAL CONVERSATION

Crucial conversations are the ones that, if missed or avoided, result in a deteriorating situation or the weakening of a working relationship.

Part Time UA Faculty

▶ Majority of the unit are Lecturers

▶ Become represented at the beginning of their second semester or summer of teaching or team teaching a 3 credit hour or more course, provided they have already taught a 3 credit hour course in the Fall or Spring within the past 3 years.

▶ Current CBA was ratified December 7, 2022

Annual Reviews

- All part-time UA faculty require an annual review.

- A meeting is not required, but faculty must be provided with the Chair's written summary.

- Faculty member has 30 days to file a rebuttal.

- Lecturers can request a more formal review.
  - A formal review requires a meeting.
  - Cannot be more often than every 4 years

Promotions

- Clarified that all credits taught in the academic year and winter and summer sessions count toward promotion eligibility.

- A Lecturer I must notify their department chair of their Home Department and the University's Contract Administration **within the first fourteen (14) days of classes of the Fall or Spring semester in which they want to be reviewed for promotion**.

- Any promotion will take effect in the next semester or summer when there is an active assignment. **Promotion award payments will be processed within two (2) payrolls of the effective date of the promotion.**

  - Article 18.5 –One time payment of $2000

Professional Development Funds

▶ The University will establish of fund of $20,000 per fiscal year for professional development of bargaining unit faculty members. This fund will be available only for those unit members who have taught a total of eighteen (18) credits or more at the time they are applying for funds An individual bargaining unit member who meets the criteria will be eligible for up to $1875 in professional development funds in FY23, up to $1925 in FY24, and up to $1975 in FY25, provided the $20,000 limit has not been reached.

Article 19 Professional Development Funds

▶ Within 90 days of ratification of this agreement, the administration will create a standardized form for requests to be used in all units. Units may request additional information at their discretion, providing that expectations are made clear and readily available to part-time faculty members, and no internal information (such as budget chartstrings) is necessary to apply. The department chair and Dean will respond and process these requests in a timely manner: requests must be processed within 21 days of the faculty member submitting the request.

▶ Professional Development Funds Request Form for Part-Time Represented Faculty can be found here: https://www.uvm.edu/provost/forms-and-templates-appointment-and-reappointment

Teaching Excellence Award

- Limited to bargaining unit part-time faculty

- Must have taught 3 credits with the past calendar year and at least 18 credits prior to the award deadline

- Provost office seeks nominations in the Fall semester

- Chairs are eligible to nominate faculty

Resources

- Collective Bargaining Agreements:

  - https://www.uvm.edu/human-resources/handbooks-policies

- Calendar of Key Dates

  - https://www.uvm.edu/sites/default/files/UVM-Faculty-Affairs/Combined_Key_Dates_Calendar_for_Academic_Units_09-16-21.xlsx

  - Filter by activity (e.g. sabbatical), responsible party, or date

- Contact Labor and Employee Relations

  - uvmler@uvm.edu

Managing Classroom Disruption:
Legal & Policy Framework

Chairs and Associate Deans Leadership Workshop
August 23, 2023

Presented By:
Joe Russell, Jennifer Papillo & Trent Klingerman

The University of Vermont

Legal Issues in Classroom Management

- Accommodations
  - Disability
  - Religious

- Due Process

- Free Expression/Academic Freedom

The University of Vermont

Legal Issue – Student Accommodation

- Title III of Americans with Disabilities Act and Sec. 504 of the Rehabilitation Act
  - require universities to make *reasonable accommodations* for a student with a disability who is *otherwise qualified* in order to permit the student *equal access to programs* and services
  - Accommodation cannot
    - pose an undue hardship on the university
    - Pose a threat to the safety of others
  - Need not fundamentally alter academic standards
- First Amendment – Free Exercise of Religion

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Legal Issue – Due Process

Two Essential Requirements:

(1) Notice:
- Of Expected Behaviors or Required Performance
- Of Allegations
- Of Potential Consequences

(2) Opportunity to Be Heard:
- Procedures
- Meaningful Time – generally "pre-deprivation"
- Impartial Decision-Maker

**Adequacy is Most Often Defined By Context & Policy

The University of Vermont

Legal Issue – Due Process

- What Process is Due?
    - In the Classroom, almost none:
        - No constitutional property or liberty right implicated
        - Include important behavioral expectations in syllabus
        - Develop a progression that includes a clear warning

    - University discipline requires more formal procedures
        - Prior to removal, suspension, expulsion, etc., there must be a meaningful opportunity for the student to respond
        - Student Conduct Procedures prescribe the amount of process
        - Few exceptions enable action prior to process (imminent threat of safety)

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Legal Issue – Free Expression

- First Amendment:
  - Congress shall make no law . . . abridging the freedom of speech
- Location Matters (Forum Analysis):
  - Public (Open) Forum
    - public parks, sidewalks areas that are open and available to all for political speech and debate
    - Strongest First Amendment Protection
    - Cannot discriminate based on speaker's viewpoint
    - Can restrict time, place and manner of speech
  - Designated Public Forum
    - Government says that you can speak freely in a particular venue
    - Once open, cannot close the forum to a particular viewpoint

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Legal Issue – Free Expression

- Classroom as Limited Forum
  - Expression is limited by the instructor's directions and learning objectives
  - Instructor has authority to limit irrelevant and unreasonable disruption
    - Focus on impact of expression/behavior
      - Is it severe, pervasive, objectively unreasonable
    - Avoid focusing on content of expression/behavior
      - EXCEPT to focus on germaneness to course learning objective

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Legal Issue – Free Expression

- University Policy
  - uphold and defend the right to free expression, including the freedom to express dissent, within the context of the law and personal responsibility.
  - may not be suppress expression because the ideas put forth are thought by some, or even by most members of the University community to be offensive, repugnant, or hurtful
  - University has authority and obligation to enforce rules that restrict and sanction those who seek to disrupt the expression of others
  - University may respond appropriately to unprotected speech

The University of Vermont

Legal Issue – Free Expression

- Key Takeaways:
  - We are the "State"
  - Exceptions to protected speech are narrow:
    - disruption of academic environment
    - true threats
    - inciting imminent lawless action
    - "fighting words"
    - harassment
    - defamation
    - obscenity
  - We have a duty of "viewpoint neutrality"

The University of Vermont

Legal Issue – Free Expression

- Approach to disruptive expression/behavior
    - Re-direct - "We are well off course for today, let's bring it back to the original question . . ." "We are a little far afield, let's move on to . . ."
    - Reiterate (Warn) – "Ok, Trent, that is enough on that issue for today. You are interrupting in a way that is not acceptable. Please stop or I must ask you to leave for today."
    - Remove – "You are being disruptive. Please leave so we may continue our discussion." (Schedule office hour appointment to discuss re-entry and set clear expectation)
    - Recess – "I have asked you to stop and then to leave. You continue to persist. We will pick it up here next time. Class is dismissed for today." (Schedule office hour appointment to discuss with the student)

The University of Vermont

Legal Issue – Free Expression

- Approach to disruptive expression/behavior (cont.)
  - Document Disruption and Response – Share this in writing with the student (e.g. send follow up email to office meeting).
  - Engage Support – Consult with Student Services and consider:
    - Having the Chair or Associate Dean meet with the student to reinforce expectations;
    - Submitting a CARE Form and requesting intervention assistance;
    - Engaging Academic Dean if other interventions have failed. If appropriate, the Dean can consider an alternative path to course completion where a student's presence in class is no longer tenable. *Please consult with General Counsel's Office.*
  - Refer for Discipline – If conduct has necessitated removal or recess, submit an incident report to the Center for Student Conduct. *Note: Absent a decision to suspend or dismiss a student, CSC cannot remove a student from class.*

Role of the Care Team

Consult	Consult with one another (and campus resources) about appropriate strategies for assisting students of concern and supporting the UVM community.
Plan	Agree upon a plan of action so that various university personnel are taking a consistent approach to assisting a student. **Focus is health and safety of student and community.**
Respond	Identify a "point person(s)" who will coordinate the assistance that a particular student of concern receives.
Communicate	Determine who needs to have information about particular students of concern so that the optimal balance between offering assistance and maintaining privacy of a student is achieved.
Recommend	Make strategic recommendations based on campus-wide and national mental health and behavioral trends and best institutional practices.

The University of Vermont

Care Team Members

- **Vice Provost & Dean of Students Office (VPDOS) -** Joe Russell
- **Care Team Outreach Coordinator -** Lindsay Furlong-O'Hara
- **Care Team Outreach Coordinator -** Erica Victoria
- **Academics -** Sarah Helmer
- **Academics -** Katie Tyler
- **Counseling & Psychiatry Services (CAPS) -** Jennifer Hughes-Phillips
- **Counseling & Psychiatry Services (CAPS) -** Zachary Key
- **Student Accessibility Services -** Sharon Mone
- **Student Health Services (Primary Healthcare) -** Dr. Sharon Glezen
- **Student Health Services (Behavioral Health) -** Jan Shamberger
- **Residential Life -** Payne Hiraldo
- **Police Services -** Jim Phelps
- **Center for Student Conduct (CSC) -** Dr. Kim Martin
- **Office of Equal Opportunity -** Jenny Clayton
- **Graduate College -** Vacant

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The Care Form

Lifecycle of a Care Form

Initial Review – First by Joe (and Erica), Care Team Outreach Coordinators.

Sharing of Information – if warranted reports are shared with appropriate office (e.g. UVM Police, Title IX, SAS, Res Life, Academic Unit, etc)

Response/Intervention – outreach to the student

Review – determine if intervention was effective and if ongoing case management is needed

The University of Vermont

Managing behavioral concerns in the classroom

- **Faculty** response – address behavior in a timely manner. Document appropriately (email follow-up to student, Care Form?). Consult and seek support as needed.

- Escalate issue to **Student Services** staff – reinforce behavioral expectations. Document appropriately. Consult and seek support as needed.

- Escalate issue to **Academic Dean** – reinforce behavioral expectations and consequences if not met. Consider appropriate actions/interventions to support the student's success and the classroom environment.

- Escalate to **VPDOS** – in consultation with all parties involved, coordinate a larger response/intervention plan. Determine if/when CSC should be involved.

The University of Vermont

Myth Busting

- Students can easily be removed from a class when a specific safety concern is not present
- Academic Deans have no authority over what happens in the classroom
- Every mental health concern = safety concern to the community
- Faculty (the person reporting the concern) will get detailed information about any intervention/threat assessment, etc

Division of Safety and Compliance

The Division is charged with providing core public safety functions through:

- Police services
- Emergency management & fire safety
- Environmental health & safety
- Risk management
- Compliance & privacy
- CatCard (electronic security access controls

Key Campus Safety & Security Initiatives

- CATSafe (LiveSafe App)

- Campus Security Cameras

- CatAlert Mass Notification System

- Cat Ecare (Emergency Medical Response Tools)

- Threat Recognition & Assessment Toolkit

  ➢ **uvm.edu/threatrecognition**

- Unified Reporting Portal:

  ➢ **uvm.edu/report**

For full details on all initiatives visit: uvm.edu/dsc/campus-safety-security-initiatives
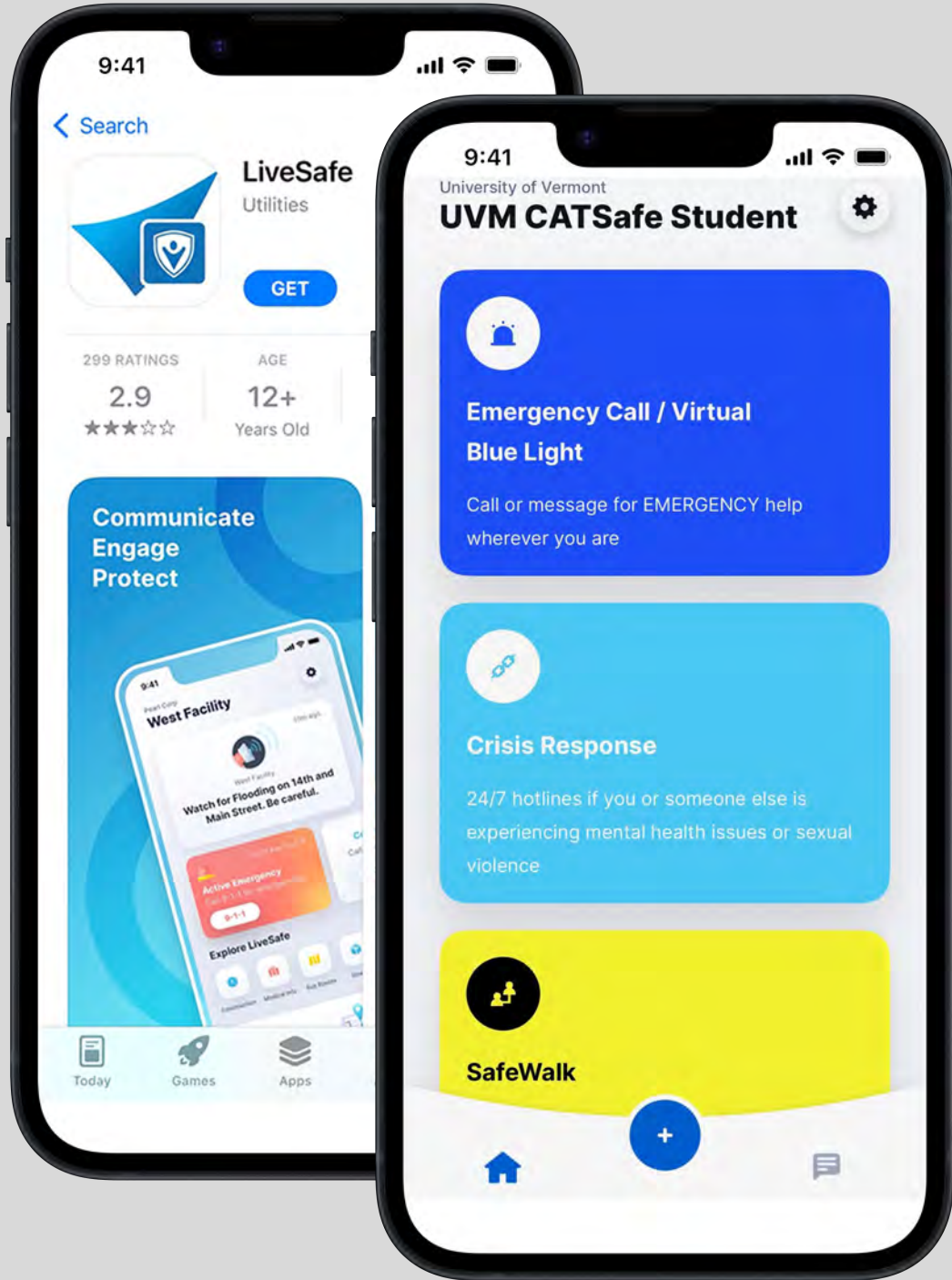
CATSafe (*LiveSafe App*)

UVMs two-way communication platform and safety tool kit (Virtual Blue Light*).

- Anonymously report with pictures/videos

- Emergency messaging and calling

- SafeWalk (peer-to-peer virtual escort)

- Access safety & emergency resources

Blue Lights are old technology replaced by CATSafe. Beginning in the summer of 2023, a cross section of the blue lights will be removed from service each year.

Campus Security Cameras

The University maintains an expanding system of closed-circuit cameras designed to enhance safety and security, provide some deterrence, and enable investigations of incidents that occur.

Cameras are not used for live surveillance unless information exists to believe that an incident or event will occur or there is ongoing criminal conduct (e.g., surveilling the security of the bike storage facility on main campus).

CatAlert

CatAlert is UVM's rapid emergency notification system.

CatAlert's goal is to help keep UVM's community informed and updated during emergency situations by providing timely actionable information through a variety of modes:

- Text message

- Phone Call

- Email

- Digital Displays on Campus

Cat ECare

Cat ECare program consists of lifesaving equipment at **AED** stations distributed around campus.

- **Automated External Defibrillators** (AEDs)

- **Bleeding control kits**

- **Narcan®** (Nasal opioid overdose treatment)

The program includes comprehensive training in CPR/AED use, bleeding control and Narcan.

See CatSafe for a map of **AED** locations.

UVM Rescue is a state licensed Advanced Life Support (ALS) ambulance service staffed 24 hours a day, 365 days a year by UVM students and alumni.

Threat Recognition & Assessment Toolkit

Recognizing warning signs and intervening early when behavior of concern arises is essential to campus safety. Each of us plays a role in that recognition, but none more important that students. To aid in equipping our students, and all affiliates, with the knowledge necessary to recognize and report concerning behavior, threats, or other issues we have created a web-based toolkit available at:

uvm.edu/threatrecognition

Unified Campus Reporting

uvm.edu/report

See something, Say something

Report because you **CARE**

Early identification of concerns enables early intervention to more effectively address issues.

Reporting reduces risks and behaviors that are threatening or significantly disruptive to the learning, living, and working environment.

Office of Compliance & Privacy

The Office is charged with oversight of the following institutional programs:

- Institutional compliance and ethics program
- Institutional policies and procedures
- Conflicts of interest and conflicts of commitment
- Enterprise risk management
- Privacy
- Public records and records retention

Conflicts of Interest, Commitment and Nepotism

- What Disclosers Need to Disclose
- What Reviewers Are Looking For
- What Happens If…

What Disclosers Need To Disclose

THOSE...

- Relationships

- Activities

- Interests

...THAT ARE RELATED TO INSTITUTIONAL RESPONSIBILITIES

What Reviewers Are Looking For

NO responses – nothing.

Looking for "Yes" responses that have a JOB NEXUS.

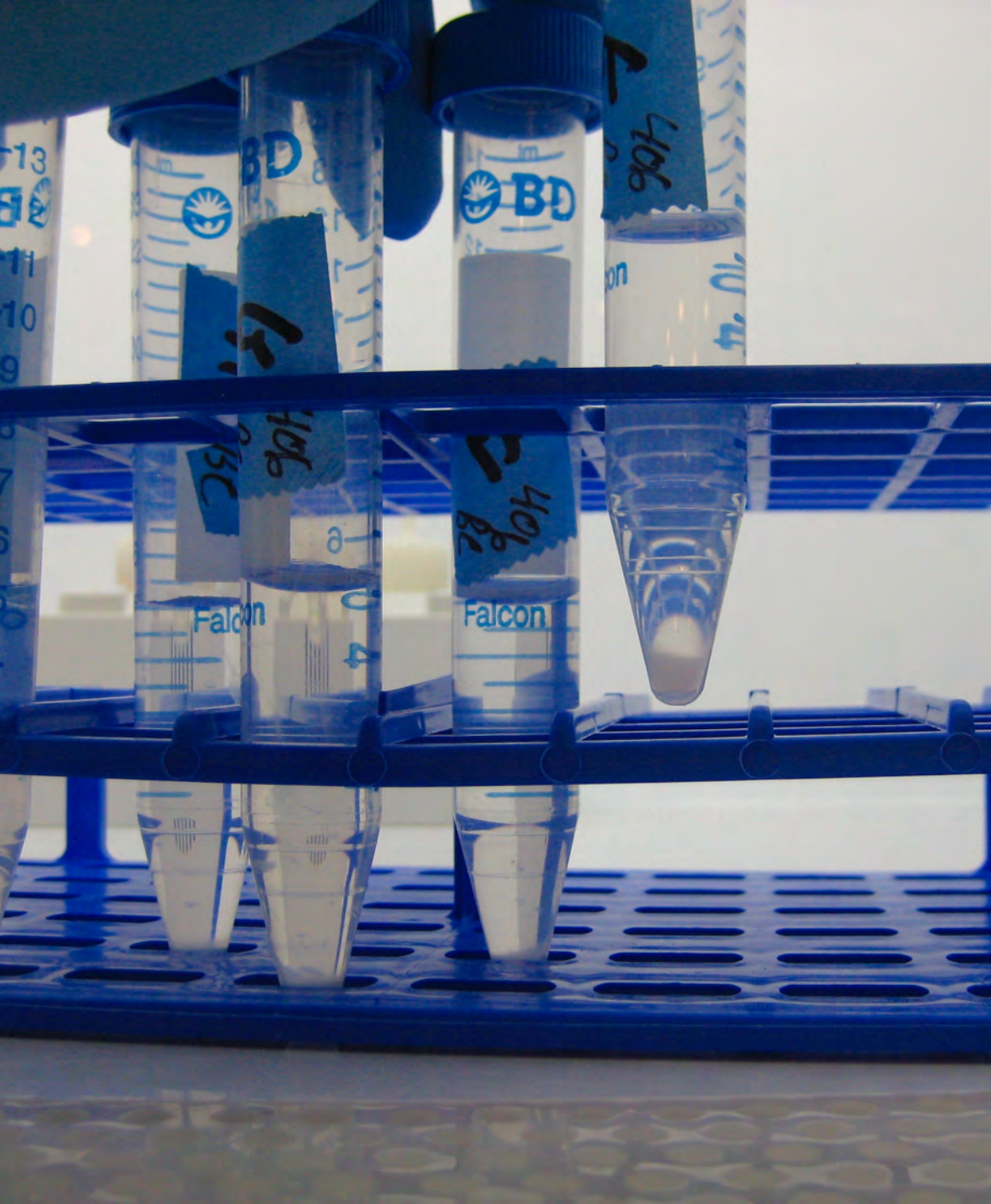Relationships, activities, interests that pose a conflict or could appear to pose a conflict.

Examples

What Reviewers Are Looking For

If it's a conflict or appears to be a conflict, it needs to be managed.

Appearance or low risk?

Template Emails

Examples

What Reviewers Are Looking For

If it's a conflict or appears to be a conflict, it needs to be managed.

Clear conflict or high risk?

Written Management Plan

Examples

What Happens If It Needs To Be Managed?

Management Plan

Email templates provide guidelines.

Management plan provides specific requirements.

Contact coi.coc@uvm.edu or

general.counsel@uvm.edu

GO.UVM.EDU/COI-COC

QUESTIONS + ANSWERS

It's More Than "Just" FERPA

Gram-Leach-Bliley Act (GLBA)

Health Insurance Portability and Accountability Act (HIPAA)

State Privacy Laws

International Privacy Laws

- General Data Protection Regulations (GDPR) – EEA
- Personal Information Protection Law (PIPL) – China
- Personal Information Protection and Electronic Documents Act (PIPEDA) – Canada

If It's Personally Identifiable, Something is Regulating It

Personal Information

FERPA– Student Record Data

HIPAA – Personal Health Information

GLBA – non-public personal information

Vermont – Personal Information

Artificial Intelligence??

Examples

QUESTIONS + ANSWERS