

**THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE
BOARD OF TRUSTEES**

FULL BOARD MEETING

Chair Ron Lumbra, Vice Chair Cynthia Barnhart, Secretary Catherine Toll, Otto Berkes, Susan Brengle, Robert Brennan, Katelynn Briere, Kevin Christie, Frank Cioffi, John Dineen, Carolyn Dwyer, President Suresh Garimella, Jodi Goldstein, Stephanie Jerome, Kenny Nguyen, Donald McCree, Carol Ode, Ed Pagano, Kristina Pisanelli, Monique Priestley, Lucy Rogers, Governor Phil Scott, Shap Smith, Tristan Toleno, and Samuel Young

Saturday, May 20, 2023

9:30 a.m. – 11:00 a.m.

Livak Ballroom (417-419) Dudley H. Davis Center

AGENDA

	Item	Enclosure/ Exemption	Discussion Leader	Time
	Reconvene			*9:30 a.m.
1.	Approval of March 1, 2023 minutes	Attachment 1	Ron Lumbra	9:30-9:35
2.	Public comment		Ron Lumbra	9:35-9:50
3.	Committee reports			9:50-10:15
	Audit		Shap Smith	
	Educational Policy & Institutional Resources		Cynthia Barnhart	
	Budget, Finance & Investment		Don McCree	
	VT Agricultural College Board		Shap Smith	
	UVM Board		Otto Berkes	
4.	Approval of consent agenda	Attachment 2	Ron Lumbra	10:15-10:20
	Motion to enter executive session**			
5.	Collective bargaining update	Labor relations agreements	Trent Klingerman Richard Cate	10:20-10:30
6.	Legal issues updates	Advice of counsel	Trent Klingerman	10:30-10:50
	Motion to go out of executive session			
7.	Other business		Ron Lumbra	10:50-11:00
	Motion to adjourn			11:00 a.m.

*Times are approximate.

**The Chair will entertain a motion to enter into executive session to discuss labor relations agreements and to receive advice of counsel. No action is anticipated following.

**BOARD OF TRUSTEES
UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE**

A special meeting of the Board of Trustees of the University of Vermont and State Agricultural College was held on Wednesday, March 1, 2023, at 1:00 p.m. in Memorial Lounge, 338 Waterman Building via remote conferencing.

MEMBERS PRESENT: Chair Ron Lumbra, Vice Chair Cynthia Barnhart, Secretary Catherine “Kitty” Toll, Katelynn Briere, Susan Brengle, Kevin “Coach” Christie, Frank Cioffi, Carolyn Dwyer, President Suresh Garimella, Jodi Goldstein, Stephanie Jerome, Don McCree, Ed Pagano, Monique Priestly, Lucy Rogers, Shap Smith, Tristan Toleno, and Samuel Young

MEMBERS ABSENT: Otto Berkes, Robert Brennan, John Dineen, Carol Ode, Kenny Nguyen, Kristina Pisanelli, and Governor Phil Scott

ALSO PARTICIPATING: Provost and Senior Vice President Patricia Prelock, Vice President for Finance & Administration Richard Cate, Vice President for Legal Affairs & General Counsel Trent Klingerman, and Special Assistant to the President Jonathan D’Amore¹

¹ Departed the meeting at 1:14 p.m.

Chair Ron Lumbra called the meeting to order at 1:02 p.m. and welcomed new trustees Katelynn Briere and Monique Priestley to their first official meeting, welcomed Tristan Toleno back to the Board, and congratulated Frank Cioffi and Shap Smith on their reappointment to the Board.

Approval of previous minutes

A motion was made, seconded and it was voted to approve the minutes from the February 11, 2023 meeting as presented.

Election of board chair

Board Governance Committee Chair Frank Cioffi reminded trustees that the board elected university and board officers other than the chair at the February 11, 2023 meeting, and that, in accordance with the University Charter, the chair election is held in March once new trustees begin their terms.

The following resolution was presented for approval:

Resolution approving appointment of board chair

BE IT RESOLVED, that the Board of Trustees hereby accepts the recommendation of the Nominating Committee and approves the re-appointment of Ron E. Lumbra as chair, effective immediately.

A motion was made, seconded, and the resolution was unanimously approved as presented.

Chair’s remarks (appended on page 6)

President's remarks

President Suresh Garimella extended his gratitude to Chair Lumbra for his leadership and partnership and welcomed new and returning trustees. He offered congratulations to student athletes who continue to excel and noted that the women's hockey team will host the semifinals of the Hockey East tournament and men's and women's basketball teams will host America East quarterfinals this week. Next week, the men's hockey team begins their bid for a Hockey East championship. President Garimella shared that campus visits for admitted students will commence this Friday and are scheduled through the middle of next month. He concluded his remarks by sharing Senator Patrick Leahy's appointment as a President's Distinguished Fellow. Senator Leahy will join the campus community this semester and contribute to UVM's mission by participating in the launch of research, academic and engagement projects initiated through his efforts while in Congress.

Action items

Chair Lumbra introduced a resolution to approve committee and chair appointments as appended and noted that assignments will take effect once approved.

Resolution approving committee and chair appointments

BE IT RESOLVED, that the Board of Trustees approves the committee and chair appointments for 2023 as presented today and appearing as appendices A and B to this document.

An opportunity for discussion was offered. A motion was made, seconded, and the resolution was unanimously approved as presented.

Approval of 2024 board and retreat dates

Chair Lumbra presented the following 2024 board meeting and retreat dates for approval:

Winter Meeting: *Friday-Saturday, 2/9-10*
Special Meeting: *Friday, 3/1*
Spring Meeting: *Friday-Saturday, 5/17-18*
Fall Board Retreat: *Friday-Saturday, 9/6-7*
Fall Meeting: *Friday-Saturday, 10/25-26*

A motion was made, seconded, and voted to approve the 2024 meeting and retreat dates as presented.

Chair Lumbra next introduced the following resolution to disband the Presidential Housing Work Group.

Resolution disbanding the Presidential Housing Work Group

WHEREAS, in February 2015, the Board of Trustees established the Presidential Housing Work Group to conduct periodic review of the suitability of the President's Official

Residence (“Englesby House”) and to review special capital projects and make recommendations to the Board; and

WHEREAS, the Presidential Housing Work Group was further charged with monitoring compliance with the President’s Official Residence University Operating Procedures; and

WHEREAS, the Work Group has not had occasion to meet since June 2019 and the Chief Internal Auditor annually provides a report to the Audit Committee of the Board of Trustees addressing all expenses incurred by the University related to general maintenance and operations of Englesby House;

THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby disbands the Presidential Housing Work Group, with thanks to its current and former members for their service, including: Work Group leaders Ron Lumbra, Debbie McAneny and David Daigle and members Briar Alpert, Frank Cioffi, Johannah Donovan, Joan Lenes, Tristan Toleno, and Sam Young.

He reminded trustees that the Work Group was established in February 2015 to conduct periodic review of the suitability of the President’s Official Residence (“Englesby House”); to review special capital projects and make recommendations to the Board; and to monitor compliance with the President’s Official Residence University Operating Procedures.

Because the Work Group has not had occasion to meet since June 2019, and the Chief Internal Auditor provides a report to the Audit Committee annually addressing all expenses incurred by the University related to general maintenance and operations of Englesby House, he is seeking approval to disband the Work Group.

An opportunity for discussion and comments was offered. There being none, a motion was made, seconded, and the resolution was unanimously approved.

Chair Lumbra then introduced the following resolution to disband the UVM and UVM Medical Center Joint Strategic Planning Group.

Resolution disbanding the UVM and University of Vermont Medical Center Joint Strategic Planning Group

WHEREAS, in January 2015, as part of an Affiliation Agreement between the University of Vermont (UVM), the University of Vermont Medical Center, the UVM Medical Group, and the UVM Health Network, the Board of Trustees established a UVM and University of Vermont Medical Center Joint Strategic Planning Group to maximize the effectiveness of communications between the entities on strategic matters of interest; and

WHEREAS, the current Affiliation Agreement executed in September 2022 amended the membership to include the UVM President, the UVM Provost, the Deans of the Larner College of Medicine and the College of Nursing and Health Sciences, the UVM Medical Center President and Chief Operating Officer, the UVM Health Network Chief Executive Officer, and the UVM Health Network Medical Group Chief Executive Officer, and no longer requires appointments from this Board.

THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby disbands the UVM and University of Vermont Joint Strategic Planning Group with thanks to its current and

former members for their service, including: Shap Smith, Richard Gamelli, Lisa Ventriss, and Briar Alpert.

He reminded trustees that the Joint Planning Group was established in January 2015, as part of an Affiliation Agreement between UVM and the University of Vermont Medical Center, the UVM Medical Group, and the UVM Health Network, to maximize the effectiveness of communications between the entities on strategic matters of interest.

Because the current Affiliation Agreement, executed in September 2022, amended the membership to include the UVM President, the UVM Provost, the Deans of the Larner College of Medicine and the College of Nursing and Health Sciences, the UVM Medical Center President and Chief Operating Officer, the UVM Health Network Chief Executive Officer, and the UVM Health Network Medical Group Chief Executive Officer, and no longer requires appointments from this Board, he is seeking approval to disband the Joint Planning Group.

An opportunity for discussion and comments was offered. There being none, a motion was made, seconded, and the resolution was unanimously approved.

Chair Lumbra invited Vice President for Finance & Administration Richard Cate to introduce the remaining resolutions.

Vice President Cate introduced a contract renewal with The Yuba Group, LLC for debt advisory consulting services. He reported a RFP was released in December 2017 for a financial advisory consulting firm to assist with capital planning, debt management and strategy, including risk assessment and credit implication and objective analysis and advice to higher education institutions. The Yuba Group, LLC was the selected vendor to perform this consulting work. The contract term began March 1, 2018 through February 28, 2023.

The administration is requesting approval for a one-year renewal in the amount of \$57,750 through February 28, 2024, for a total amount not to exceed \$450,000 in aggregate.

The renewal term of this contract will exceed five-years which requires board approval.

Resolution approving contract renewal with The Yuba Group, LLC

BE IT RESOLVED, that the Vice President for Finance and Administration, or his successor or designee, is hereby authorized to enter into a contract renewal with The Yuba Group, LLC for debt advisory consulting services beginning March 1, 2018 through February 28, 2024, for an amount not to exceed \$450,000 in aggregate.

Vice President Cate next reported The Larner College of Medicine is requesting to enter into a contract with Advarra, Incorporated for their software license named OnCore. OnCore is an enterprise clinical trial management system which holds research participant data to interface with Huron Click software as well as EPIC at The University of Vermont Medical Center. The data collected will be owned by the Office of Clinical Trials Research and Vermont Cancer Center.

OnCore Subscription costs will include license, maintenance, support, up to 750 active protocols, for Modules selected, interface bundles, eRegulatory Management System, Electronic Data Capture, professional services, and implementation costs.

This contract was originally brought before the Executive Committee on December 12, 2022 and the administration is seeking to extend the contract end date by three months and term renewals from three one-year renewals to five one-year renewal options for an amount not to exceed \$8,500,000 in aggregate.

Resolution approving contract with Advarra, Incorporated

BE IT RESOLVED, that the Vice President for Finance and Administration, or his successor or designee, is hereby authorized to execute a contract with Advarra, Incorporated, for a clinical trial management software license, maintenance, and support fees beginning April 1, 2023, through March 31, 2028, with five one-year renewal options for an amount not to exceed \$8,500,000.

This resolution replaces and supersedes the resolution approved by the Executive Committee on December 12, 2022.

Chair Lumbra offered an opportunity for discussion and comments. There being none, a motion was made, seconded and both resolutions were unanimously approved as presented.

Other Business

Trustee Kevin “Coach” Christie added that the UVM track and field teams participated in the America East Indoor Championships last month and offered his congratulations to all UVM athletes.

Adjournment

There being no further business, the meeting adjourned at 1:22 p.m.

Respectfully submitted,

Ron Lumbra, Chair

Ron E. Lumbra
UVM Board of Trustees Chair's Report
March 1, 2023

Thank you all for your support and trust. It is an honor and privilege to be able to chair the UVM Board of Trustees. Together we have managed through so many challenges over the past few years. I look forward to emphasizing our responsibility to protect the future of this great institution. We have much before us to consider including helping to address the housing challenges in Burlington and Chittenden County that directly impacts our students, faculty, and staff and our ability to attract and retain top talent to the university. We will focus on helping to pursue creative solutions to complete the Multipurpose Center project and continue our journey to achieve R1 recognition as one of the top research institutions in academia. All while we strive to strike the right balance between affordability, quality, and academic excellence – a balance that is critical to achieve in this increasingly competitive environment in higher education, particularly in the northeast. All of these things collectively will help build on our positive momentum as we become an increasingly national and global university. I look forward to working closely with each of you on this journey together.

In addition to our responsibility of approving contracts, today we will approve committee assignments and I will seek approval to sunset two inactive work groups. Thanks to all of you who have agreed to serve on our various standing committees and working groups that are critical to the board's ability to do its work and maintain momentum between board meetings.

That concludes my remarks.

DRAFT
CONSENT AGENDA

May 20, 2023

COMMITTEE OF THE WHOLE

1. **Resolution appointing appointments to the University of Vermont Investment Management Company (“UVIMCO”)**

WHEREAS, on February 11, 2023 the Board of Trustees authorized the creation of an investment subsidiary company, the University of Vermont Investment Management Company (“UVIMCO”) to oversee and manage the combined endowment assets of the University and the University of Vermont Foundation; and

WHEREAS, on April 17, 2023, the University of Vermont and State Agricultural College Foundation, Inc. authorized the creation of UVIMCO and approved the appointments of Robert Brennan, Robert Cioffi, Meg Guzewicz, and H. Whitney Wagner as members of the Board of Managers; and

WHEREAS, the Operating Agreement for UVIMCO requires a nine-member Board of Managers, four classified members who shall be appointed by the Foundation’s Board of Directors, three classified members who shall be appointed by the University of Vermont Board of Trustees, and the University’s President and the Foundation’s President and CEO as *ex officio* members;

THEREFORE, BE IT RESOLVED, that the Board of Trustees appoints the following individuals to the UVIMCO Board of Managers:

- _____ , with an initial term expiring on June 30, 2026¹
- _____ , with an initial term expiring on June 30, 2027
- _____ , with an initial term expiring on June 30, 2028

EDUCATIONAL POLICY AND INSTITUTIONAL RESOURCES COMMITTEE

2. **Resolution approving the creation of the undergraduate Certificate in Semiconductor Engineering and Physics in the College of Engineering and Mathematical Sciences**

BE IT RESOLVED, that the Board of Trustees approves the creation of the undergraduate Certificate in Semiconductor Engineering in the College of Engineering and Mathematical Sciences, as approved and advanced by the Provost on March 28, 2023 and President on March 30, 2023.

¹ Appointments and terms will be identified at the meeting.

3. **Resolution approving the termination of the minor in Special Education with Endorsement in the College of Education and Social Services**

BE IT RESOLVED, that the Board of Trustees approves the termination of the minor in Special Education with Endorsement in the College of Education and Social Services, as approved and advanced by the Provost on April 25, 2023 and President on April 26, 2023.

4. **Resolution approving the creation of a minor in Global Public Health in the College of Nursing and Health Sciences**

BE IT RESOLVED, that the Board of Trustees approves the creation of a minor in Global Public Health in the College of Nursing and Health Sciences, as approved and advanced by the Provost on April 25, 2023 and President on April 26, 2023.

5. **Resolution approving the creation of a minor in Public Health, Equity and Advocacy in the College of Nursing and Health Sciences**

BE IT RESOLVED, that the Board of Trustees approves the creation of a minor in Public Health, Equity and Advocacy in the College of Nursing and Health Sciences, as approved and advanced by the Provost on April 25, 2023 and President on April 26, 2023.

6. **Resolution approving the creation of the undergraduate certificate in Gerontology in the College of Education and Social Services**

BE IT RESOLVED, that the Board of Trustees approves the creation of the undergraduate certificate in Gerontology in the College of Education and Social Services, as approved and advanced by the Provost on April 25, 2023 and President on April 26, 2023.

Pending Faculty Senate approval on May 18:

7. **Resolution approving the creation of a minor in Equine Studies in the College of Agriculture and Life Sciences**

BE IT RESOLVED, that the Board of Trustees approves the creation of a minor in Equine Studies in the College of Agriculture and Life Sciences, as approved and advanced by the Provost and President on May 18, 2023.

Pending Faculty Senate approval on May 18:

8. **Resolution approving revisions to the Academic Freedom policy**

WHEREAS, the Faculty Senate adopted the Statement on Academic Freedom on September 23, 1954, and the Board of Trustees approved the statement on October 16, 1954; and

WHEREAS, the Faculty Senate revised and adopted the Statement on Academic Freedom on November 20, 2008 and the Board of Trustees adopted those revisions on February 7, 2009;

WHEREAS, the Faculty Senate reviewed and revised the Statement on Academic Freedom on May 18, 2023;

THEREFORE, BE IT RESOLVED, that the Board of Trustees approves and adopts revisions to the Academic Freedom Statement appearing as appendix A to this document.

9. Resolution approving revisions to Equal Opportunity Policy Statements

BE IT RESOLVED, that the Board of Trustees approves revisions to the Equal Employment Opportunity/Affirmative Action Policy Statement, appearing as Appendix B to this document, and

BE IT FURTHER RESOLVED, that the Board of Trustees approves revisions to the Equal Opportunity in Educational Programs and Activities and Non-Harassment Policy Statement, appearing as Appendix C to this document, and reaffirms both policies as revised.

10. Resolution approving Torrey Hall renovation project

WHEREAS, the administration today reported on the strategic and operational need for the Torrey Hall renovation project and the associated program scope;

THEREFORE, BE IT RESOLVED, that the Educational Policy & Institutional Resources Committee hereby approves the project scope that the administration presented on this date and refers the project to the Budget, Finance & Investment Committee for financial review and approval at a future meeting.

BUDGET, FINANCE & INVESTMENT COMMITTEE

11. Resolution approving fiscal year 2024 budget planning assumptions: general fund

BE IT RESOLVED, that the Board of Trustees hereby approves the budget planning assumptions for fiscal year 2024, which lead to a general fund operating expense budget for the University of \$417,971,669 and hereby authorizes the President to proceed with detailed budget preparation in accordance with these assumptions.

12. Resolution to reaffirm the Investment of Endowment Cash Policy

WHEREAS, on May 18, 2019, the Board of Trustees adopted the *Investment of Endowment Cash Policy* as follows:

BE IT RESOLVED, that the Vice President for Finance and Treasurer be authorized to invest and withdraw Endowment cash in a money market or a short-term bond fund to maximize investment return and meet Endowment needs; and

WHEREAS, since its creation, the Investment Subcommittee has been charged with review of the policy, which it most recently reaffirmed on February 13, 2023;

BE IT RESOLVED, that the Budget, Finance & Investment Committee hereby recommends that the Board of Trustees reaffirms the Investment of Endowment Cash Policy.

Adopted by: Board of Trustees – May 18, 2019
Reaffirmed by: Board of Trustees – May 15, 2020
Reaffirmed by: Board of Trustees – June 4, 2021
Reaffirmed by: Board of Trustees – May 21, 2022
Reaffirmed by: Board of Trustees -

13. Resolution approving appointment of Investment Subcommittee advisor

BE IT RESOLVED, that the Board of Trustees approves the reappointment of Steven Grossman as advisor to the Investment Subcommittee, for a one-year period commencing June 1, 2023, subject to the terms and conditions reported on this date.

Statement on Academic Freedom

The Faculty Senate adopted the following statement on academic freedom on September 23, 1954 and was approved by the Board of Trustees on October 16, 1954 and revised and adopted by the Faculty Senate on November 20, 2008 and approved by the Board of Trustees on February 7, 2009:

Academic Freedom and Responsibility

We, the faculty of The University of Vermont and State Agricultural College, in the spirit and tradition of free universities throughout the world, are agreed upon the following statement of principles on academic freedom and responsibility. We believe that incorporation of these principles into the organization of The University of Vermont and State Agricultural College will re-emphasize the importance of academic freedom to the basic health of the University, and also serve as a statement of policy on the rights and responsibilities of faculty members at this institution. It has been our intent to state these principles in terms broad enough so that they may be valid not only in these critical times when academic freedom and personal liberty are in jeopardy both at home and abroad, but also in the future insofar as the future can be foreseen.

The Necessity of Academic Freedom in Higher Education

The main purpose of a university has always been, must always be, to stimulate the thinking and the creative powers of its students and its faculty. As an institution it deals in ideas, not only old and accepted ones but new ones that may be full of explosive power. If they are explosive, they are bound to be disconcerting, even painful, to some on the campus and to many beyond its borders.

Inevitably they will be called dangerous by the timid and short-sighted, but to those who really believe in the fruitfulness of human thought, the real danger would appear only if the flow of such ideas should cease. For then indeed sterility would have taken over our campus. Our faculty would no longer deserve the name of intellectuals and our students, regardless of degrees attained, could no longer claim to be educated. They would leave our campus accustomed only to the commonplace, satisfied with the mediocre, ignorant or afraid of ideas which catch fire.

Academic freedom is therefore not solely a right or privilege of the faculty but is the fulfillment of the obligation on the part of the university to provide an atmosphere in which intellectual growth may take place.

Academic Freedom and Special Responsibilities of Faculty Members

We subscribe to the 1940 Statement of Principles on Academic Freedom [and the 1970 Interpretive Comments](#) of the American Association of University Professors which provides:

- a. Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the university.
- b. Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. [The intent of this statement is not to discourage what is “controversial.” Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. Instruction may occur in an atmosphere of controversy so long as what is taught is placed in an appropriate context, is germane to the subject of the class, as determined by the faculty member and consistent with disciplinary standards, and assists students in mastering or appreciating the significance of the subject.](#)
- c. Faculty are citizens, members of a learned profession, and officers of the university. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the university.

[We also subscribe to the 2014 report of the American Association of University Professors on Academic Freedom and Electronic Communication which provides:](#)

- a. [Academic freedom, free inquiry, and freedom of expression within the academic community may be limited to no greater extent in electronic format than they are in print, save for the most unusual situation where the very nature of the medium itself might warrant unusual restrictions.](#)

In addition, there are recognized qualifications which must be attained and maintained before the privilege of being a member of the academic profession can be considered a permanent one: satisfactory performance as a teacher, scholarship, and high moral standards.

Responsibility of the Institution to the Faculty

The University must defend tenaciously the right of its members to think and express their thoughts freely and to make those choices within the law guaranteed to every citizen. This includes the right of dissent since any democratic institution ceases to merit the name democratic when this fundamental right is denied. Never is this duty more imperative than in those ~~unhappy~~ times when the public opinion of the community would restrain or curtail the free play of ideas. The universities, whose roots extend back into the centuries, have a tradition and duty to maintain an independence of judgment in the face of public opinion.

Academic Freedom and Tenure

Tenure is an indispensable pre-condition for academic freedom. It is, in fact, a guarantee that the institution subscribes to the principle of academic freedom, and that its members may not be dismissed without adequate cause. Termination of tenure should occur only in cases of *bona fide* financial exigency in the University or when it has been demonstrated that the teacher lacks professional or moral fitness or competence as a teacher.

In the interpretation and the application of these principles we shall expect the University authorities to be quick to protect its heritage of academic freedom, in doubtful cases remembering that an excess of freedom is always less dangerous than an excess of constraint.”



The University of Vermont

OFFICE OF COMPLIANCE SERVICES
UVM.EDU/POLICIES

POLICY

Title: Equal Employment Opportunity/Affirmative Action Policy Statement

Policy Statement

The University of Vermont and State Agricultural College is committed to a policy of equal employment opportunity and to a program of affirmative action in order to fulfill that policy. The President of the University fully supports the University's equal employment opportunity policy and the University's affirmative action program.

The University will accordingly recruit, hire, train, and promote persons in all positions and ensure that all other personnel actions are administered without regard to unlawful criteria including race, color, religion, [shared ancestry \(including antisemitic conduct\), ethnicity,](#) national origin, [including shared ancestry or ethnic characteristics](#)¹, place of birth, sex, sexual orientation, disability, age, positive HIV-related blood test results, genetic information, gender identity or expression, or status as a disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, or Armed Forces service medal veteran (collectively "protected veterans"), or crime victim status, as these terms are defined under applicable law, or any other factor or characteristic protected by law, and ensure that all employment decisions are based only on valid job requirements.

In addition, the University of Vermont recognizes that discriminatory harassment and sexual harassment are forms of unlawful discrimination, and it is, therefore, the policy of the University that discriminatory harassment and sexual harassment will not be tolerated. The University also prohibits unlawful harassment on the basis of other characteristics protected by law. [The University will reasonably, timely, and effectively respond to all reports of discrimination and discriminatory harassment of which the University has notice, based on the protected categories referenced herein.](#)

Further, employees and applicants will not be subjected to harassment, intimidation, threats, coercion, or retaliation because they have engaged in or may engage in the following: filing a complaint or assisting or participating in an investigation regarding alleged discrimination or harassment as prohibited in the policy statement above; filing a complaint or assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 ("VEVRAA"), Section 503 of the Rehabilitation Act of 1973 ("Rehabilitation Act"), or the Affirmative Action provisions of any other federal, state or local law; opposing any act or practice made unlawful by VEVRAA or any other federal, state, or local law requiring equal employment opportunities for individuals with disabilities or protected veterans; or exercising any other rights protected by VEVRAA or the

¹ The University recognizes that discrimination based on shared ancestry or ethnic characteristics can include antisemitic discrimination, anti-Arab discrimination, anti-Asian discrimination, or similar forms of discriminatory conduct. Please refer to the [Affirmative Action and Equal Opportunity Case Handling Protocol](#) for more information and examples of prohibited discriminatory conduct.

Rehabilitation Act. Additionally, the University will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.

The University of Vermont maintains an audit and reporting system that: measures the effectiveness of the University's affirmative action program; indicates any need for remedial action; determines the degree to which the University's objectives have been attained; measures the University's compliance with its affirmative action obligations; and determines whether individuals with disabilities and veterans have had the opportunity to participate in all University sponsored educational, training, recreational and social activities.

Sources: Titles VI and VII of the Civil Rights Act of 1964; the Immigration Reform and Control Act of 1986; Title IX of the Education Amendments of 1972; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; Section 402 of the Vietnam-Era Veterans Readjustment Assistance Act of 1974; Executive Order 11246; the Genetic Information Nondiscrimination Act of 2008; and the Vermont Fair Employment Practices Act, all as amended; and such other federal, state and local non-discrimination laws as may apply.

Note: This Statement of Policy is the official University of Vermont Equal Educational Opportunity Policy Statement and supersedes all prior policy statements regarding its subject matter. It may be modified only by written statement issued by the President as Chief Executive Officer of the University or by formal action by the University of Vermont and State Agricultural College Board of Trustees. This Policy Statement is designed to express the University's intent and commitment to comply with the requirements of federal, state, and local non-discrimination laws. It shall be applied co extensively with those non-discrimination laws and shall not be interpreted as creating any rights, contractual or otherwise, that are greater than exist under those laws.

Contacts

Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):	
Title(s)/Department(s):	Contact Information:
Director, Office of Affirmative Action and Equal Opportunity	Nick Stanton 428 Waterman Building (802) 656-3368
Questions about policies related to Title IX, including sex discrimination, sexual harassment, and all forms of sexual violence	
Title IX Coordinator Office of Affirmative Action and Equal Opportunity	Emily McCarthy 428 Waterman Building (802) 656-3368
Questions about disability related issues	
ADA/Section 504 Coordinator Office of Affirmative Action and Equal Opportunity	Amber Fulcher 428 Waterman Building (802) 656-0945
Questions may also be directed to government agencies having oversight and enforcement authority with respect to the referenced laws. A complete listing of such agencies may be obtained from the Office of Affirmative Action and Equal Employment Opportunity.	
The University has developed an Affirmative Action Plan. The portions of the plan required for disclosure are available for inspection during normal business hours; contact the University's Public Records Officer at (802) 656-8937.	

Related Documents/Policies

- [Accessibility Policy](#)
- [Discrimination, Harassment, and Sexual Misconduct Policy](#)
- [Equal Opportunity in Educational Programs and Activities and Non-Harassment](#)
- [Handling and Resolving Discrimination, Harassment, and Sexual Misconduct Complaints](#)

Regulatory References/Citations

- Titles VI and VII of the Civil Rights Act of 1964
- Immigration Reform and Control Act of 1986
- Title IX of the Education Amendments of 1972
- Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967
- Age Discrimination Act of 1975
- Sections 503 and 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Section 402 of the Vietnam-Era Veterans Readjustment Assistance Act of 1974
- Executive Order 11246
- Genetic Information Nondiscrimination Act of 2008
- Vermont Fair Employment Practices Act

About This Policy

Responsible Official:	Chief Human Resource Officer	Approval Authority:	President and the Chair of the Board of Trustees
Policy Number:	V. 7.3.11	Effective Date:	February 4, 2017
Revision History:	<ul style="list-style-type: none"> • V. 7.0.1.1 effective April 7, 2006 • V. 7.0.1.2 effective September 5, 2008 • V. 7.0.1.3 effective April 13, 2009 • V. 7.0.1.4 effective March 8, 2010 • V. 7.0.1.5 effective May 22, 2011 • V. 7.0.1.6 effective May 19, 2012 • V. 7.3.7/V. 7.0.1.7 effective February 9, 2013 • V. 7.3.8 effective February 8, 2014 • V. 7.3.9 effective February 7, 2015 • V. 7.3.10 effective February 6, 2016 • V. 7.3.11/V. 4.23.11 Reaffirmed as revised by the President and the Chair of the Board of Trustees: February 3, 2018, March 6, 2019, February 27, 2023 • Reaffirmed by the President February 3, 2020, February 9, 2021, March 7, 2022 and the Chair of the Board of Trustees January 30, 2020, February 8, 2021, March 10, 2022 • Responsible official officially changed from the Vice President for Human Resources, Diversity and Multicultural Affairs and Vice President for Finance and Administration on May 1, 2020 • Responsible official officially changed from the Vice President for Finance and Administration to the Chief Human Resource Officer October 3, 2022 		

University of Vermont Policies and Operating Procedures are subject to amendment. For the official, approved, and most recent version, please visit UVM's [Institutional Policies Website](#).



OFFICE OF COMPLIANCE SERVICES
UVM.EDU/POLICIES

POLICY

Title: Equal Opportunity in Educational Programs and Activities and Non-Harassment

Policy Statement

The University of Vermont and State Agricultural College is committed to a policy of equal educational opportunity. The University therefore prohibits discrimination on the basis of unlawful criteria such as race, color, religion, national ~~or ethnic origin, origin, including shared ancestry or ethnic characteristics¹ e-conduct~~, age, sex, sexual orientation, marital status, disability, or gender identity or expression, as those terms are defined under applicable law, in admitting students to its programs and facilities and in administering its admissions policies, educational policies, scholarship and loan programs, athletic programs, and other institutionally administered programs or activities made available to students at the University. The University also prohibits harassment, as defined in the Vermont Statutes at Title 16, section 11(a)(26). Unlawful harassment is a form of discrimination and is therefore prohibited. Sources: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Vermont Public Accommodations Act; and such other federal, state, and local non-discrimination laws as may apply. [The University will reasonably, timely, and effectively respond to all reports of discrimination and discriminatory harassment of which the University has notice, based on the protected categories referenced herein.](#)

Note: This Statement of Policy is the official University of Vermont Equal Educational Opportunity Policy Statement and supersedes all prior statements regarding its subject matter. It may be modified only by written statement issued by the President as Chief Executive Officer of the University or by formal action by the University of Vermont and State Agricultural College Board of Trustees. This Policy Statement is designed to express the University's intent and commitment to comply with the requirements of federal, state, and local non-discrimination laws. It shall be applied co-extensively with those non-discrimination laws and shall not be interpreted as creating any rights, contractual or otherwise, that are greater than exist under those laws.

Contacts

Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):	
Title(s)/Department(s):	Contact Information:
Questions regarding this policy statement or compliance with its provisions may be directed to:	
Dean of Students	41-43 South Prospect Street

¹ The University recognizes that discrimination based on shared ancestry or ethnic characteristics can include antisemitic discrimination, anti-Arab discrimination, anti-Asian discrimination, or similar forms of discriminatory conduct. Please refer to the [Affirmative Action and Equal Opportunity Case Handling Protocol](#) for more information and examples of prohibited discriminatory conduct.

	Burlington, VT 05405 (802) 656-3380
Or	
Director, Office of Affirmative Action and Equal Opportunity	Nick Stanton 428 Waterman Building Burlington VT, 05405 (802) 656-3368
Questions may also be directed to government agencies having oversight and enforcement authority with respect to the referenced laws. A complete listing of those agencies may be obtained from the Office of Affirmative Action and Equal Opportunity.	
Questions about policies related to Title IX, including sex discrimination, sexual harassment, and all forms of sexual violence	
Title IX Coordinator Office of Affirmative Action and Equal Opportunity	Emily McCarthy 428 Waterman Building Burlington VT, 05405 (802) 656-3368
Questions about disability related issues	
Student Accessibility Services	Sharon Mone A-170, Living/Learning Center 633 Main Street Burlington VT, 05405 (802) 656-4075
ADA/Section 504 Coordinator Office of Affirmative Action and Equal Opportunity	Amber Fulcher 428 Waterman Building Burlington VT, 05405 (802) 656-0945

Related Documents/Policies

- [Discrimination, Harassment, and Sexual Misconduct Policy](#)
- [Equal Employment Opportunity/Affirmative Action Policy Statement](#)
- [Handling and Resolving Discrimination, Harassment, and Sexual Misconduct Complaints Procedure](#)

Regulatory References/Citations

- Age Discrimination Act of 1975
- Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Vermont Public Accommodations Act
- Vermont Statutes at Title 16, section 11(a)(26)

About This Policy

Responsible Official:	Chief Human Resource Officer	Approval Authority:	President and the Chair of the Board of Trustees
Policy Number:	V. 7.4.11	Effective Date:	February 4, 2017

Revision History:	<ul style="list-style-type: none"> • V. 7.0.5.1 effective April 7, 2006 • V. 7.0.5.2 effective September 5, 2008 • V. 7.0.5.3 effective April 13, 2009 • V. 7.0.5.4 effective March 8, 2010 • V. 7.0.5.5 effective May 22, 2011 • V. 7.0.5.6 effective May 19, 2012 • V. 7.4.7/V. 7.0.5.7 effective February 9, 2013 • V. 7.4.8 effective February 8, 2014 • V. 7.4.9 effective February 7, 2015 • V. 7.4.10 effective February 6, 2016 • V. 7.4.11 Reaffirmed as revised by the President and the Chair of the Board of Trustees: February 3, 2018 and March 6, 2019 • V. 7.4.11/V. 4.24.11 Reaffirmed by the President February 3, 2020, February 9, 2021, April 4, 2022 and the Chair of the Board of Trustees January 30, 202, February 8, 2021, April 5, 2022 • Responsible official officially changed from the Vice President for Human Resources, Diversity and Multicultural Affairs to the Vice President for Finance and Administration on May 1, 2020 • Responsible official officially changed from the Vice President for Finance and Administration to the Chief Human Resource Officer October 3, 2022
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