

BOARD OF TRUSTEES
UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE

A meeting of the Board of Trustees of the University of Vermont and State Agricultural College was held on Friday, September 25, 2020, at 11:35 a.m. The meeting was held via remote conferencing due to the COVID-19 pandemic.

MEMBERS PRESENT: Chair Ron Lumbra, Vice Chair Cynthia Barnhart, Briar Alpert, David Aronoff, John Bartholomew, Otto Berkes, Robert Brennan, Kevin “Coach” Christie, Frank Cioffi, John Dineen, Johannah Donovan, Carolyn Dwyer, President Suresh Garimella, Jodi Goldstein, David Gringeri, Don McCree, Carol Ode, Ed Pagano, Shap Smith, Berke Tinaz, Tristan Toleno, and Samuel Young

MEMBERS ABSENT: Governor Phil Scott and Secretary Curt McCormack

ALSO PARTICIPATING: None

Chair Ron Lumbra called the meeting to order at 11:36 a.m.

Public comment

Chair Lumbra opened the public comment period by reviewing the process. He then invited the following persons to address the board:

Julie Roberts, President of United Academics and Professor of Linguistics, expressed concern about faculty inclusion in pandemic planning and requested that the administration do more to include faculty and staff in a leadership alliance.

Justin Morgan Parmett, United Academics State and Higher Education Committee Chair and Lecturer in the Theatre and Dance Department, expressed his view of the importance of faculty inclusion and the need for more collaboration.

Susan Comerford, Associate Professor of Social Work, shared concerns regarding the removal of the Black Lives Matter flag from the Davis Center flagpole, the closure of the UVM Children’s Center, and the United Academics bargaining impasse.

Helen Parmett, Associate Professor of Theatre & Dance and Director of Speech and Debate and the Lawrence Debate Union, expressed concern regarding the University’s ability to attract and retain faculty of color and suggested putting more resources into the existing entities on campus that do anti-racism work, such as the identity centers.

Patrick Brown, Chair of United Academics Civil Rights Committee and Lecturer in the Department of Community Development & Applied Economics, shared thoughts regarding the relocation of the Black Lives Matter Flag from the Davis Center to the University’s Mosaic Center and asked that the flag fly at the Davis Center.

Approval of previous meeting minutes

A motion was made, seconded and it was voted to approve the minutes from the July 14, 2020 meeting as presented.

Committee reports*Audit Committee*

Chair Shap Smith reported that the committee met on July 13 and September 14, 2020. At both meetings the committee received status updates on the FY 2020 Financial Statement and Uniform Guidance audits. There are no issues to report at this time. At the September meeting computer controls assessment were reviewed with external auditors reporting no issues with the design of the controls over the PeopleSoft and Maximus systems.

At the July meeting, external auditor KPMG discussed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and the allocation that the University received through the Higher Education Emergency Relief Fund. Chief Internal Auditor William Harrison provided a summary of internal audit activity as well as the status of the internal audit work plan as of May 31, 2020 and audit recommendations. Chief Risk & Public Safety Officer Al Turgeon offered an overview of the biennial risk assessment process and discussed a number of changes under consideration. Any recommended changes will be presented to the Audit committee. Lastly, the committee was introduced to the LiveSafe app that will provide a mobile communications platform and risk mitigation tool for students, employees, and visitors. The LiveSafe app went live in August 2020.

At the September meeting, the committee received annual reports on FY 2020 presidential housing expenditures as required by the President's Official Residence University Operating Procedure and presidential travel expenses in accordance with the committee's charter. The committee also received an update on information and cyber security (enterprise risk management risk #12). Chief Information Officer Simeon Ananou explained how the protection of UVM systems and data continue to be a top priority and how resources are being realigned for the greatest impact. Lastly, as previewed at the Committee of the Whole meeting, the committee conducted its annual review of its charge and charter and is referring revisions to the charter for board approval.

Educational Policy and Institutional Resources Committee (EPIR)

Chair Carolyn Dwyer reported that Provost Prelock reported on enrollment, recruitment and retention activities, providing highlights of data not available to include at the time her written report was submitted. She also offered updates on virtual orientation sessions and mental health support for students. The committee received reports on: faculty development and the four teaching modalities and use of instructional technology; efforts to advance the research enterprise; and highlights of the summer and fall equity and inclusion activities. Chair Dwyer encouraged all trustees to read the reports included in the meeting materials. Lastly, the committee endorsed the creation of a Micro-Certificate of Graduate Studies in the Graduate College for board approval.

Budget, Finance and Investment Committee (BFI)

Chair McCree reported that the University has been operating on an interim budget, previously approved by the board through September 30, 2020, due to uncertainty regarding undergraduate and graduate enrollment due to the COVID-19 pandemic. The committee reviewed the FY 2021 operating budget of \$741 million, thirty percent of which are restricted funds (\$225.4 million), which includes \$33.4 million of state and federal COVID funding. He noted funds received directly from the state must be used for COVID-related purchases by the end of the calendar year and that there will continue to be pandemic-related costs that currently are not covered yet.

The committee reviewed the proposed general fund budget of \$370.3 million built on projected fall and spring enrollment numbers that reflects 455 fewer students than last year. This presents a \$21.4 million shortfall, of which all but \$9.5 million has been covered through salary reductions, support center budget reductions and other means. The remaining \$9.5 million will come from academic units. Chair McCree stressed the need to develop budgets that do not rely on the use of one-time reserves.

The committee unanimously endorsed a resolution approving Fiscal Year 2021 budget planning assumptions for the general fund, and summer session rates for Fiscal Year 2021 that will remain the same as last year's.

Chair McCree reported that the value of the University's endowment as of July 31, 2020 was \$557 million. As recommended by the Investment Subcommittee, the committee reaffirmed the Endowment Budget policy with no changes, and approved a revision to the Endowment Management Fee policy to include the fiscal year end date for which the administrative management fee shall be applied to the University endowment.

The final action item endorsed by the committee was a resolution authorizing the administration to enter into a lease amendment with Lake Champlain Community Sailing Center to allow extension of the current agreement for leased space for up to three additional three-year terms. This extension puts the aggregate time over five years, which requires board approval.

The committee received an update on the external audit. It was noted that KPMG is completing its fieldwork regarding the FY 2020 financial statement audit. To date, there are no material weaknesses or significant deficiencies.

The committee received an annual update on the dual enrollment voucher program. As of September 25, 2020, 424 students took classes at UVM through the program in FY 2020 and another 100 high school students took classes at UVM outside of the program.

Lastly, the committee met in executive session to receive an update on the On-Campus Multipurpose Center project.

Vermont Agricultural College Board

Chair Tristan Toleno reported that there will be a new legislative session starting in January for the public trustees who are currently serving in the legislature. The board discussed the importance of strong funding for the University, even in the face of revenue challenges the state may face. Support from the state should include not only an ongoing commitment to the

University's traditional funding, but also to COVID relief and other programs that are strategically important.

The board also discussed the legislative summit and reimagined how it might occur in the COVID-19 context. They will consider offering the summit virtually early in the legislative session rather than what they have traditionally done in November.

University of Vermont Board

Chair David Aronoff reported that the University of Vermont Board reviewed a summary of the Wilbur Trust Fund financial report from July 1, 2019 through July 31, 2020, which has a value of \$21,808,767. The remainder of the meeting was in executive session to discuss trustee recruitment and succession planning for future board members.

Approval of consent agenda

Chair Lumbra introduced the consent agenda and offered an opportunity for discussion.

COMMITTEE OF THE WHOLE

1. Resolution authorizing agreement with the City of Burlington to provide COVID educational circuits

BE IT RESOLVED, that the Vice President for Finance and Administration, or his successor or designee, is hereby authorized to negotiate and execute a one-year agreement with the City of Burlington to provide COVID education to UVM students living in certain Burlington neighborhoods during the fall 2020 and spring 2021 semesters, for an amount not to exceed \$100,000.

2. Resolution approving Audit Committee Charter revisions

WHEREAS, the Audit Committee annually reviews its Charter and Guidelines and recommends to the Board of Trustees revisions thereto in view of evolving accounting standards, legal developments and experience gained;

BE IT RESOLVED, that the Board of Trustees hereby approves the revisions to the Audit Committee Charter and Audit Committee Guidelines, as included in Appendix A to this document.

3. Resolution authorizing new residency policy for medical school students

BE IT RESOLVED, that Board of Trustees hereby approves the new residency policy for medical school students recommended by the President, the Provost, and the Dean of the Larner College of Medicine, as included in Appendix B to this document.

EDUCATIONAL POLICY AND INSTITUTIONAL RESOURCES COMMITTEE

4. Resolution approving the creation of a Micro-Certificate of Graduate Study in the Graduate College

BE IT RESOLVED, that the Board of Trustees approves the creation of a Micro-Certificate of Graduate Study in the Graduate College as approved and advanced by the Provost and President on September 21, 2020.

BUDGET, FINANCE & INVESTMENT COMMITTEE

5. Resolution approving Fiscal Year 2021 budget planning assumptions: general fund

RESOLVED, that the Board of Trustees hereby approves the budget planning assumptions for Fiscal Year 2021, which lead to a General Fund operating expense budget for the University of \$370,334,000, and hereby authorizes the President to proceed with detailed budget preparation in accordance with these assumptions.

6. Resolution approving summer session tuition

BE IT RESOLVED, that the Board of Trustees hereby approves the tuition rate for summer session 2021 of \$478 per credit hour for in-state students and \$1,204 per credit hour for out-of-state students except that, with prior approval from the Provost, graduate programs may maintain summer tuition rates for 2021 in-state and out-of-state students equal to the prior fall and spring tuition rates for their program.

(As recommended by the Investment Subcommittee on August 12, 2020)

7. Resolution reaffirming the Endowment Budget Policy

RESOLVED, that the *Endowment Budget Policy* is reaffirmed as reads below:

BE IT RESOLVED, that the annual budget for spending from Endowment be set at 4.5 percent of the average market value for the previous thirteen quarters ending December 31 of the prior calendar year; and

BE IT FINALLY RESOLVED, that the Investment Subcommittee will review and make recommendation to the Budget, Finance and Investment Committee regarding the reaffirmation or revision of the *Endowment Budget Policy* each year no later than December 31.

Adopted by: Board of Trustees - May 13, 1995

Reaffirmed: Board of Trustees - September 8, 2007

Board of Trustees - September 5, 2008

Board of Trustees - October 24, 2009

Board of Trustees - October 30, 2010

Board of Trustees - October 22, 2011

Board of Trustees - November 8, 2012
Board of Trustees - October 26, 2013
Board of Trustees - October 18, 2014
Board of Trustees - October 3, 2015
Board of Trustees - October 22, 2016
Board of Trustees - October 20, 2017
Board of Trustees - October 27, 2018
Board of Trustees - January 31, 2020
Board of Trustees –

8. Resolution approving revisions to the Endowment Administration Fee policy

RESOLVED, that the *Endowment Administration Fee* policy is reaffirmed as reads below:

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves an endowment management fee equal to 25 basis points to be applied to the University endowment from July 1, 2020 through December 31, 2020, and which shall flow to the University; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves that an endowment management fee equal to 100 basis points, 80 of which shall flow to the University of Vermont Foundation and 20 of which shall flow to the University, shall be applied to the University endowment beginning as of January 1, 2021 and continuing through June 30, 2022; and

BE IT FURTHER RESOLVED, that calculation of the endowment management fee will be based on the average market value of the University endowment for the previous thirteen quarters ending December 31 of the prior calendar year; and

BE IT FINALLY RESOLVED, that the Investment Subcommittee will review and make a recommendation to the Budget, Finance and Investment Committee regarding the reaffirmation or revision of the *Endowment Administration Fee* policy each year no later than December 31.

Adopted by: Board of Trustees - September 13, 2003

Reaffirmed: Board of Trustees - September 8, 2007

Board of Trustees - September 5, 2008

Amended: Board of Trustees - October 24, 2009

Reaffirmed: Board of Trustees - October 30, 2010

Board of Trustees - October 22, 2011

Board of Trustees - November 8, 2012

Board of Trustees - October 26, 2013

Board of Trustees - October 18, 2014

Board of Trustees - October 3, 2015

Board of Trustees - October 22, 2016

Board of Trustees - October 21, 2017

Board of Trustees - January 31, 2020

Amended: Board of Trustees - May 15, 2020

Board of Trustees –

9. Resolution authorizing lease agreement extension with Champlain Community Sailing Center

BE IT RESOLVED, that the Vice President for Finance and Administration, or his successor or designee, is hereby authorized to negotiate and execute three optional three-year extension terms of the existing lease with Lake Champlain Community Sailing Center for storage space at 505 Lake Street, Burlington, Vermont, for use by the UVM Sailing Club, subject to material terms and conditions reported on this date. The lease extension will begin November 1, 2020, and end October 31, 2029, if all renewal terms are exercised.

There being no discussion, a motion was made, seconded and the consent agenda was unanimously approved as presented.

Executive Session

At 12:11 p.m. Chair Lumbra entertained a motion to enter into executive session for the purpose of discussing the evaluation of a public officer. He noted that no action is anticipated following and that the session is anticipated to last approximately 20 minutes.

All in attendance were excused from the meeting with the exception of trustees. President Garimella was excused from the beginning of the session and invited to join at 12:50 p.m.

The meeting was re-opened to the public at 1:16 p.m.

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted,

Ron Lumbra, Chair

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

AUDIT COMMITTEE

Charter

This Charter sets forth the responsibilities of the University Board of Trustees Audit Committee.

I. Principal Responsibilities

The principal responsibilities of the Committee shall include:

- a. promoting the development and monitoring the effectiveness of an institutional system of risk assessment and internal controls. At least annually, reviewing with management the University's processes for identifying, prioritizing, mitigating, and reporting institutional risks;
- b. reviewing and, as appropriate, making recommendations to the Board, regarding institutional policies relevant to the scope of Committee responsibilities, including conflict of interest, ethical and fraudulent conduct, whistleblower protection, and document retention;
- c. ensuring that audit plans encompass significant and material aspects of University operations;
- d. full authority and oversight of the internal audit function including appointment decisions, performance evaluations, and employment termination of the chief internal auditor;
- e. implementing a selection process to retain the independent auditor and making a recommendation to the Board of Trustees for approval. Recommending such additional audits as the Committee and/or the Board must approve under the Board's reserved authority;
- f. maintaining direct and effective communication with independent auditors on behalf of the Board;
- g. reviewing the results of internal and external audits (including the annually audited financial statements), and assessing the quality and timeliness of management's response and corrective actions;
- h. reviewing the effectiveness of the University's practices related to monitoring its compliance with laws and regulations;
- i. reviewing the results of management's investigation and resolution of any reported, or otherwise discovered, significant instances of noncompliance;
- j. evaluating the scope and quality of internal and independent audit services, and the degree of coordination and appropriate degree of independence between them;
- k. reporting regularly and promptly to the Board regarding matters within the scope of the Committee charge; and,
- l. periodically reviewing expense reimbursements, or summaries thereof that have been submitted by the President and reviewed and certified by the Vice President for Finance and Treasurer.

II. Membership

The University of Vermont Board of Trustees shall annually appoint at least 5 of its members to the Committee. Its members shall be independent of management and the University including its component units and affiliated organizations. For the purposes of this charter, “independence” is defined as rendering a Trustee ineligible for Committee service if he or she (1) is employed by the University; (2) is a partner or employee of a firm retained to conduct an audit of the University; (3) held such University employment or audit engagement at any time during the previous three years; or (4) is receiving consulting, advisory, or other compensatory fees for services provided to the University. Members of the Investment Subcommittee are eligible for appointment to the Audit Committee, but no such member may serve as its Chair or Vice Chair. The University President is ineligible for service as a member, ex officio or otherwise, of the Audit Committee, as a University official and employee.

Committee members shall otherwise be subject to the Conflicts of Interest Policy in the conduct of their work.

Members of the Committee shall receive orientation appropriate to their Committee membership. All members should have a general understanding of general accounting, business and finance principles, including the ability to read and understand institutional financial statements, whether gained preceding service on this Board of Trustees or during Committee orientation. At least one member of the Committee should possess accounting or financial expertise.

III. Authority

The Committee is authorized to investigate any matter within the scope of its Charter, with full and direct access to all pertinent University records, personnel, independent auditors and consultants.

IV. Adoption of Charter

This Charter shall be effective as of the date of its approval by the Board. The Committee will annually review the Charter and recommend to the Board revisions thereto, in view of evolving accounting standards, legal developments and experience gained.

Audit Committee Guidelines

These Guidelines serve as an operational supplement to the Audit Committee Charter. They are intended to reflect generally accepted accounting industry standards and practices applicable to non-profit corporations and higher education institutions.

The Guidelines shall be reviewed annually by management, and management shall report annually to the Committee regarding the status of the Guidelines. The Committee shall make revisions to the Guidelines as necessary or appropriate in view of evolving accounting standards and practices, legal developments and experience gained.

I. Retention of the Independent Audit Firm

a. The Committee shall annually authorize and direct the Committee Chair to retain the independent audit firm to conduct the mandatory annual audit of the financial statements and/or compliance audits. In conjunction with such retention, the Committee will assess the independence and objectivity of the firm by obtaining statements from the firm on relationships between the firm and the University. The Committee will review and assess any relationships disclosed that may impact auditor objectivity and independence.

b. The Committee shall solicit requests for proposals relative to the mandatory annual audit of the financial statements and/or compliance audits from qualified independent audit firms no less than once every five years.

c. The Committee shall ensure the proper rotation of the lead audit partner, in accordance with standards of the profession. ~~In the event that an independent audit firm is retained to conduct the mandatory annual audit of the financial statements and/or compliance audit for seven or more consecutive years, the Committee shall, as a condition of retention of the firm, require rotation of the lead audit partner on the University engagement.~~

II. Retention of Other Audit Services

a. The independent audit firm retained to conduct the mandatory annual audit of the financial statements and/or compliance audits generally shall not be eligible for University engagements to perform non-audit services that would violate the U.S. Government Accountability Office Independence Standard. If, due to extenuating circumstances, and in the exercise of its reasonable discretion, management deems it to be in the best interests of the University to retain the independent audit firm for non-audit services, the proposed retention is subject to review and action by the Committee where the retention will result in fees of \$25,000 or more.

b. Contracts for non-audit services with independent audit firms not already retained by the University to conduct the mandatory annual audit of the financial statements and/or compliance audits are subject to review and recommendation by the Committee and subsequent Board consideration and action when such retentions will result in fees of \$ 250,000 or more.

III. Oversight of Audits

The Committee will, no less than once annually, and otherwise periodically as necessary or desirable:

a. review annual audit plans developed by the Office of Audit Services, and receive regular progress reports relative to such plans;

b. review audit plans developed in consultation with independent audit firms, including (i) the critical accounting policies and practices to be used; (ii) all alternative treatments of financial information discussed with management, ramifications of alternative treatment and the treatment preferred by the firm; (iii) other material communications between the firm and management; and (iv) required communications from the firm under ~~Statement of~~ Auditing Standards AU-C Section 250 No. 114, as amended;

c. subject to subsequent Board consideration and action, review and accept the mandatory annual audit of the financial statements. Review the Uniform Guidance audit, and the financial agreed upon procedures report of institutional National Collegiate Athletic Association programs;

d. resolve disagreements between management and the independent audit firm regarding financial reporting;

e. review the independent audit firm management letter comments regarding institutional financial and information technology and security internal controls, accounting policies and procedures, and management's response to those comments;

f. review with management and the independent audit firm their respective judgments about the quality of University accounting principles; the consistency, and the degree of aggressiveness or conservatism, in the application of accounting principles; the reasonableness of significant accounting judgments; and the clarity and completeness of the financial statements and related disclosures;

g. confirm with management ~~and the independent audit firm respectively~~ that the annual financial statements disclose all material off-balance sheet transactions, arrangements, obligations, and other relationships of the University with unconsolidated entities or other persons that may have a material current or future effect on institutional financial condition, and the results of operations, liquidity, capital expenditures, capital resources, or significant components of revenues or expenses;

h. receive reports from management, the Office of Audit Services and the independent audit firm, regarding new and significant accounting standards to understand their impact on institutional financial statements;

i. receive reports from the Office of Audit Services regarding any findings of financial fraud which, in single incident or aggregate, results in an institutional uninsured or insured loss in excess of \$10,000, or potentially significant reputational damage to the university;

j. review the organizational structure, qualifications, independence, scope of services inclusive of office charter, and adequacy of resources of the University's Office of Audit Services;

k. annually review the appointment, evaluate the performance and set the salary of the chief internal auditor;

l. identify and document specific administrative responsibilities relevant to the routine operations of the office of chief internal auditor that are assigned to the President;

m. ensure that regular quality assessment reviews of the internal audit operations are performed in accordance with Institute of Internal Auditors standards; and,

n. meet separately with both the internal and external auditors without management representatives present subject to the requirement of the Vermont open meeting laws.

IV. Internal Controls

The University's executive management and the Board of Trustees Audit Committee have adopted the Committee of Sponsoring Organizations (COSO) Internal Control – Integrated Framework to help assess and enhance its internal control systems.

a. Certifications

i. The Committee will receive periodic reports from management on representations it is rendering in conjunction with mandatory annual audit of the financial statements and/or compliance audits as well as significant and material debt financing, such as issuance of bonds.

ii. Without limitation on IV.a(i), the Committee will receive from the Chief Financial Officer (CFO) a record of certification along with the annual financial statement report that:

a. The CFO has approved the financial statements,

b. Based on the CFO's knowledge, the report does not contain any material errors or omissions,

c. Based on the CFO's knowledge, the financial statements materially present the financial condition and result of operations,

d. The CFO is responsible for establishing and maintaining a system of internal controls over financial reporting, and that,

e. The CFO has disclosed to the auditors and the Audit Committee all significant internal control deficiencies and changes that could materially affect financial data.

b. Policy Review.

The Committee will receive for its review and comment and, if necessary, its recommendation to the Board, institutional policies relevant to its scope of work, including conflict of interest, ethical and fraudulent conduct, whistleblower protection, and documents retention.

c. Required Disclosures and Compliance Monitoring.

The Committee shall oversee compliance with the Board Reserved Rights and Delegated Authority resolution. Violations of the Board Reserved Rights and Delegated Authority resolution identified by management or the internal audit office shall be reported to the Committee.

d. Confidential Reporting.

The committee will ensure that the University has a mechanism that permits confidential communications from employees and others regarding potential financial or accounting improprieties or nonfeasance.

V. Enterprise Risk Management

a. Oversee management's enterprise risk management process on behalf of the Board.

b. Receive periodic updates on management's process to identify, prioritize, mitigate, and report institutional risks including the process to map risks to relevant Board Committees.

VI. Compliance and Privacy

- a. Review with the Office of Compliance and Privacy Services, and management the effectiveness of the University's practices related to monitoring compliance with laws and regulations;
- b. Review with the Office of Compliance and Privacy Services and management, findings of internal compliance auditing and monitoring activities;
- c. Review with the Office of Compliance and Privacy Services and management, findings of government agency audits, investigations, reviews and monitoring activities that the Director considers significant, that are initiated by a government agency as a result of a whistleblower report, or on a for-cause basis, or that result in a fine, penalty, refund, disallowance or questioned cost in excess of \$10,000;
- d. Review with the Office of Compliance and Privacy Services and management, the process for communicating the Code of Conduct and Ethical Standards to University personnel and for monitoring compliance therewith;
- e. Receive periodically, but not less than annually, reports from the Office of Compliance and Privacy Services on its activities;
- f. Receive updates from the Office of Compliance and Privacy Services, and management on new and emerging compliance issues, including their impact to the University.; and,
- g. Receive as needed, through the Audit Committee Chair, compliance matters communicated directly by the Chief Internal Auditor or Director of Compliance Services and Chief Privacy Officer.

As approved by the Board of Trustee: November 13, 2004

Approved as amended by the Board of Trustees: September 8, 2007

Revised by the Audit Committee: November 12, 2007

Approved as amended by the Board of Trustees: December 1, 2007

Revised by the Audit Committee: April 28, 2009

Approved by the Board of Trustees: May 16, 2009

Revised by the Audit Committee: October 11, 2010

Approved by the Board of Trustees: October 30, 2010

Revised by the Audit Committee: November 14, 2011

Approved by the Board of Trustees: February 4, 2012

Revised by the Audit Committee: September 15, 2014

Approved by the Board of Trustees: October 18, 2014

Revised by the Audit Committee: September 12, 2016

Approved by the Board of Trustees: October 22, 2016

Revised by the Audit Committee: July 10, 2017

Approved by the Board of Trustees: October 21, 2017

Approved by the Board of Trustees: September 25, 2020



OFFICE OF AUDIT AND COMPLIANCE SERVICES
UVM.EDU/POLICIES



POLICY

Title: Residency - Larner College of Medicine

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 within the Larner College of Medicine. All students enrolled at the Larner College of Medicine 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 medical students in accordance with Vermont Statute (Title 16, Chapter 75, section 2282).

Applicability of the Policy

This policy applies to all Larner College of Medicine students.

Definitions

In-state status: eligible for Vermont resident tuition rate.

Medical Experience: paid or volunteer work in a hospital, clinic, hospice, or other health care setting that is appropriate work experience to benefit a medical school application, including working as an emergency medical technician (EMT), medical scribe, or certified nursing assistant (CNA); volunteering at a hospice or indigent care clinic; volunteering on a medical mission trip; shadowing a physician via a preceptorship; or conducting academic laboratory research.

Procedures

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 unless the applicant's absence is

temporary and for the express purpose of gaining Medical Experience, as defined herein, to support their application to the Larner College of Medicine, provided that:

- a. their absence from Vermont for the purpose of gaining Medical Experience does not exceed four academic semesters, excluding the summer term, prior to matriculation;
 - b. the applicant did not take steps to establish domicile in another state, other than legally required to effectuate the Medical Experience (e.g. filing of state taxes at the resident rate); and
 - c. the applicant was eligible for in-state status under UVM's [Residency Policy](#) for a minimum of one full year (12 months) immediately prior to leaving Vermont to gain Medical Experience.
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 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. 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.
 7. 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.
 8. The burden of proof as to eligibility for in-state status rests with the student. Eligibility must be established by clear and convincing evidence.

Irrespective of a student's in-state status as defined in this Policy, upon submission of appropriate documentation, UVM will charge members of the armed forces, veterans, and qualifying family members thereof, the in-state tuition rate in accordance with federal law (e.g. the Higher Education Opportunity Act and 38 U.S.C. 3679(c)) and further detailed in the University's [Tuition Billing for Members of the Armed Forces, Veterans, and their Families](#) Operating Procedure.

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.

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:
Residency Officer	Registrar@uvm.edu (802) 656-8515
Residency Appellate Officer	Residency.Appeals@uvm.edu (802) 656-2045

Forms/Flowcharts/Diagrams

- [Application for In-State Status](#)

Related Documents/Policies

- [Residency Policy](#) - Undergraduate and Graduate Studies
- [Tuition Billing for Members of the Armed Forces, Veterans and their Families](#)

Regulatory References/Citations

- Higher Education Opportunity Act and 38 U.S.C. 3679(c)
- Vermont Statute (Title 16, Chapter 75, section 2282)

Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

About This Policy

Responsible Official:	Vice Provost for Enrollment Management	Approval Authority:	President and the Chair of the Board of Trustees
Policy Number:		Effective Date:	
Revision History:			