

**Testimony House Bill 446 - An act relating to the reconstitution of the  
University of Vermont Board of Trustees**

Good Morning and thank you for this opportunity to testify in strong support of H 446: an act relating to the reconstitution of the University of Vermont Board of Trustees.

My name is Suzy Comerford. I am an Associate Professor of Social Work and am honored to serve as President of United Academics, UVM's faculty Union. I have been a faculty member for the last 25 years and during that time, I have seen presidents, provosts, and trustees come and go. I have also witnessed the vast majority of our faculty invest decades of their careers to educating Vermont's children and future leaders. It is this longevity, this continuous presence, that make faculty and staff the keepers of UVM's organizational memory. It also generates the ability to develop that canary in the coalmine sense – that ability to identify when policies and practices are not working, when the best we are capable of is hindered.

Together, faculty and staff offer a world class educational experience to our students. We also volunteer hundreds of hours in our communities. Many of us share our expertise as school board members, on nonprofit and

corporate boards, and coaching youth sports teams in our communities.

For example, I, myself have served on the board of the Refugee Resettlement program, the Sarah Holbrook Center, and currently the Burlington Police commission and The Governor's advisory Panel for Special Education. There are many among us more involved than I. The heart of our faculty, and its most important characteristics, are our shared commitment to excellence and our commitment to our students, their learning, their wellness, and futures.

Again, thank you for this opportunity to share with you why H.446 is so critical for the people of Vermont and the university.

**Slide 1. The issue is structural, not personal --**

**So, why is it so important for faculty and staff to have voting seats on the Board of Trustees and for faculty to have spent two and a half years working towards it?**

**Our world is changing.**

Higher Education is in a paradigmatic shift. To be deeply thoughtful and nimble amidst these changes we need the expertise, energy, and voices of all stakeholders. That means that the knowledge of faculty and staff, by virtue of their location on the ground, is important to be included. The good people from the administration, the members of the Board of Trustees and our Legislative Trustees do not have that current, on the ground information that faculty and staff possess, nor do many have the historical memory of the institution and its context. On the ground information and historical memory are key elements of the ability to be nimble. Faculty and staff possess those missing pieces. These mechanisms can be employed to avoid reinventing the wheel and thinking through unforeseen consequences. A profound and enduring example is the closure of the campus childcare center. Losing these valuable daycare slots not only impacted our faculty and the recruitment of new faculty, the closure further exacerbated a problem in a region that was and is already experiencing a shortage of childcare. Another example is the handling of Jewish students' experiences of, and long-term complaints to, the university administration, about antisemitism on campus. Had faculty and staff had a seat at the table, our on the ground knowledge, relationships with students, and contextual understanding would likely have resulted in a different

outcome. UVM would not have alienated hundreds of students and their families, nor received the national condemnation, the disdain, and the potential loss of donors we did. Now, even if these are not always decisions that are directly handled by the board, evidence from the American Association of University Professors shows us that when faculty have a voting seat on the board, it enables deeper connections between those faculty and the administration through relationship building. This can be a conduit for improving communication and shared governance.

### **Democracy is a Learned and Practiced Value**

Our push to democratize the Board of Trustees and enhance shared governance by including all stakeholders is not unique. There are a number of institutions across the country who currently have faculty on the Board of Trustees. In fact, **Over 26 percent of public universities in 13 states have faculty representation on their board.** Shared governance guarantees that key stakeholders, those most knowledgeable about the university operations, can help guide it. For personnel issues, boards have specific protocols for executive session to avoid any conflicts of interest. You may wonder why shared governance is so valuable at an

institution of higher education. Faculty and staff are not interested in running the institution or having an outsized presence on the Board of Trustees. We simply wish to contribute to the success of the larger enterprise by having a voting voice on the BOT.

Shared Governance is a vital democratic mechanism. By including the perspectives of all stakeholders, it enhances the vitality and vision of the larger institutional enterprise. Simply put, we are all interconnected and need to be hoeing in the same direction, with the best information possible.

We can't expect our trustees to be a regular listening presence on campus. They are, simply and understandably, not part of the day-to-day campus community and lack the on-the-ground perspective staff and faculty bring. They are removed from the experiences and perspectives of the wide variety of amazing students we serve. Very few of our Trustees have higher education experience. The campus reports come largely from administrators who themselves are removed from the on the ground experience of campus life. The BOT needs the voices of faculty and staff to fill in the gaps and widen the vision. Those same voices need to be at the

table when UVM policies are under discussion and decisions are being made. \

**Now I'd like to discuss some of the reasons you may be concerned.**

I want to assure you that these concerns have been thought through and can be overcome. We have heard that this push for representation on the BOT is personal, that it's really about the current president. This is not the case. It is not a personal issue, **it's a structural issue. A structural barrier exists at the executive level.** On the one side, the Information flow from the ground struggles to make it to the Administrative level. On the other hand, there is precious little opportunity for information to get to the BOT other than from the President. Despite the availability of the public comment period, the UVM's Board meetings have become increasingly inaccessible, and neither the President nor the Trustees respond to faculty, staff, and student messages. The two minutes allotted during the public comment period is wholly insufficient for meaningful conversation, never mind real dialogue. In addition, it is a one-way conversation. The board has a policy of listening, not responding. The lack of information and accountability with our leaders, and the negligible opportunities for public

participation and input, is not acceptable for our Vermont flagship, public higher education institution. Faculty and staff need and deserve an unfettered, voting voice on the BOT to bring these ~~on-the-ground-and-over-time~~ hands-on, time-honed views to the BOT. Democratic institutions are needed now more than ever, particularly those that educate our young people. Current national challenges to democracy place us on a dangerous precipice. Our youth are watching. Let's model inclusive, democratic processes.

**I'd now like to address the notion that the issue is simply  
Communication.**

The BOT can and will benefit from regular communication with and the presence of faculty. This is reality we all agree on. Communication is a problem. All efforts to do this, even in an optimal environment, however, seem to be sporadic, and only at the extensive effort of individual faculty, United Academics, and individual board members. Stakeholders on all sides are chronically busy. During these periods, it is understandable that the needed communication we all agree should happen, simply doesn't occur. The problem is not at the individual level, rather it's a lack of

structural methods to ensure faculty presence and participation. Nevertheless, the problem remains. Currently, that information is sparse and uneven. Campus morale is at its lowest level in memory. This is true of staff, faculty, and students. A critical element of this low morale is the lack of communication, and the current barriers to dialogue with the highest reaches of the institution. We can't rely on individuals to want to make it happen. The problem is structural. The structural fix exists. It is by supporting H.446 to open the BOT to voting members from faculty and staff.

To further complicate the situation, communication is being increasingly hampered due to the excessive use of executive sessions by the BOT. They have been sliding into executive sessions more and more frequently. There have even been times when they have been perilously close to, if not violating, state meeting laws. This is not democratic practice. This goes against the university's ethical code, *Our Common Ground*, and alienates faculty, staff, and students alike. Decisions that impact the entire state and the university community ought to be public and enhanced by the participation of all the stakeholders involved.



**Thank you for your attention and I ask for your vote to move this bill through the process to law. I will now pass my time to Justin Morgan-Parmett to further discuss the reasons to support H.446.**

### **Justin Speech**

Thank you for having me here to speak on this important issue. My name is Justin Morgan-Parmett, and I have a long history with UVM. I was a student here, am a faculty member and the co-director of the Lawrence Debate Union, and now have a child who is finishing up his second year at UVM. I say all this to let you know how much I care about this university and how committed I am to seeing it thrive. And I am just one of the many faculty members with similar stories.

I want to stress something that Suzy has said, which is that this is a structural problem rather than a personal one, and it requires a structural solution. We agree that there are additional measures to improve communication between the administration and BOT, and the faculty. I hope you all know that the faculty is committed to genuine communication. For the past 3 years while trying to pass this bill, we have also engaged in some of these other channels such as inviting administration to meet with us, working with the Faculty Senate to create a flow of information, and having sporadic meetings with the Board Chair and other members of the board of trustees. We have benefited from the few meetings, but they are not a substitute for a structural solution to give faculty perspectives to the board. As the AAUP states, "Too often the president serves as the sole conduit for faculty-board communication. While this practice may be

efficient, it is not always effective in enhancing understanding between governing boards and faculties.”

This is the case at UVM but does not have to be. It is important to note that the organizational bodies at UVM are in strong support of this Bill. The Faculty Senate voted 55-1 in favor of voting faculty representation on the BoT. The Student Government Association (SGA) approved a resolution supporting the Bill. The staff and faculty unions endorse this Bill, and, importantly, the Vermont Senate overwhelmingly passed a version of this bill in the last legislative session after hearings and testimony by a Cornell faculty member who served on their BOT. It is clear that all the stakeholders involved support the bill. It is clear that the faculty are genuinely invested in providing an important perspective key to governing, and it should be clear that this bill deserves the support of this committee and the Vermont House of Representatives.

I would like to move on to discussing the benefits that H.446 will bring to UVM and Vermont.

**SLIDE 3:**

First and foremost this bill will improve communication, trust, and transparency.

UVM's Board of Trustees current organization and operation blocks the flow of critical information on the operation of the institution, from the experienced educators it recruits from all over the globe to the decision-makers whose mandate it is to oversee its operation. If the situation gets too bad, it can be very difficult to reverse course. Our friends in the VSU system are feeling these effects now and have been advocating for faculty and staff representation within leadership for as long as we have been. The point is, a clear solution to this problem keeps coming up.

Now we see this similar trend at UVM and, although we trust UVM is a durable institution, its reputation may not be. H.446 comes in as the solution to this lack of transparency and trust. The faculty as a group are a source of additional insight and experience whose expertise the Board of Trustees is currently deprived of. Best practice in organizations of all sorts is to maximize information flow upward from as many stakeholders as possible. It is within this context that I ask you to democratize UVM's Board and thus allow it to reap the benefits that research shows accrue to organizations that move from low-trust to high-trust environments. We must shift our path now to one of high trust and better decision making.

In fact, this is another key reason for this bill. Improving morale and trust with faculty and staff on campus is critical but that's not all. Evidence shows that the inclusion of faculty on boards allows for their participation, and even for chairing BOT subcommittees. In particular, the student life and academic affairs committees are ones where faculty have proven to provide valuable input in decision making.

Let's take a moment and think about this in relation to UVM. Over the last few years alone, a few recent decisions were made with little to no faculty input. Some of these policies were even reversed shortly after being announced. This causes confusion, instability, distrust, and fear among faculty and staff, and could be avoided if we have a seat at the table.

One key example of a decision that was passed with disregard for faculty input was the academic restructuring plan that was forced through the College of Arts and Sciences. I have colleagues who were a part of the committee to inform the dean. After significant time and effort by faculty, their suggestions were neither followed **nor conveyed** by the dean, thereby muting any faculty voice up the chain to the president, provost or BOT. As a result of these changes, we are now seeing some of our best faculty members fleeing for positions elsewhere, students not being able to get the degrees they wanted when coming here because of programs underfunded, and there simply being not enough space for key majors like Sociology and Political Science. Imagine coming to UVM, engaged and

excited, and finding out that it will not be for two to three years before you can take a class with less than 40 students in a field you are very interested in.

This has hurt the reputation of UVM in significant ways. Faculty and staff see the frustration this causes for students and have input on how to avoid these mistakes. Again, I don't want to be alarmist, but the future of higher education is unclear, and ensuring that UVM's reputation remains as a flagship university of not only Vermont, but New England and the entire US is important.

One last note on decision making is to look at the policies that were announced and then reversed, with the damage still done. One that as a NTT faculty, I am very much aware of, was the recent firing of long serving NTT faculty and cutting back on overall teaching with decreased pay for everyone during Covid. This created significant distrust among faculty, but even worse, they quickly realized they still needed people to teach those classes. One solution was to push the remaining NTT to be overworked with overload courses. In fact, almost every semester in the last 3 years, I have been asked to teach an overload. I almost always say yes because I am committed to the students having the courses they need and I am not alone. This overworks the faculty that are here, further making it harder to provide the best experiences for our students, thus hurting the credibility of the university. Once they tried to hire back the faculty, the best had already taken other offers.

All of this has continued to present itself as a UVM climate that is anxious, tired, and often hopeless. UVM cannot thrive under those conditions and the decision makers have nobody in the room to provide them with this context. It is fair to say that you all now have more information about what is really happening at UVM than some of the board members do.

So, by now, I hope you understand how much we care about UVM, about the future of Vermont through educating our young adults, and you agree with us that the passage of H.446 is a step forward in that direction.

To fix the problems we are facing and the changing dynamics of the university landscape, we need a structural solution. H.446 is such solution that can be passed, backed up by the overwhelming support it has already. Its passage will bring trust and transparency back to UVM, it will lead to better decision making, and will help the board serve its duties to the best of its ability.

I sincerely thank you for your time and look forward to taking any questions you still may have.