

SIDE LETTER OF AGREEMENT

Between

THE VERMONT STATE COLLEGES AND THE  
VERMONT STATE COLLEGES FACULTY FEDERATION

UP/AFT VERMONT Local 3180, AFL-CIO

August 16, 2016

The Vermont State Colleges and the Vermont State Colleges Faculty Federation (collectively “the parties”) hereby agree to the following side letter of agreement regarding terminology in Article 24.D of the Agreement between the parties dated September 1, 2014 – August 31, 2018.

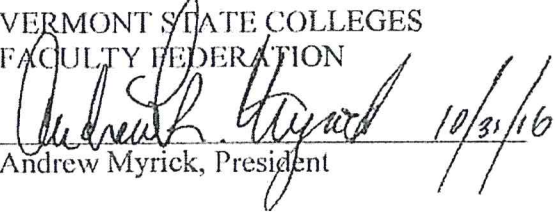
Article 24.D of the aforementioned Agreement twice refers to “handicapped” students in relation to reasonable accommodations to which the students may be entitled and assistance for faculty members in providing educational services to qualified students. The term “handicapped” is outdated and disfavored, and the current preferred usage is “students with disabilities.” The parties desire to change the outdated and disfavored terminology. However, it should be noted that Section 504 of the Rehabilitation Act of 1973 *as amended* and its implementing regulations continue to use the term “handicapped” to modify qualified students.

Therefore, the parties agree to revise Article 24.D of the Agreement to read:

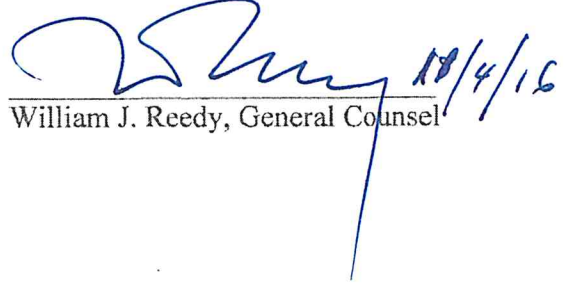
Recognizing that the law requires each college to provide reasonable accommodation to qualified handicapped students with disabilities, faculty members who must provide special educational assistance to such students in their courses shall receive reasonable technical or personnel assistance as necessary to provide adequate instruction to such students. A faculty member who is informed by the college that he or she has a qualified handicapped student with disabilities in his or her courses is responsible for initiating a request for assistance in educating that student.

The parties further agree that the intention behind this change is in no way to limit the scope of Article 24.D. Rather, the intention is to refer to circumstances involving students with disabilities, however and wherever defined in law, where accommodations are legally required and therefore assistance may be requested by a faculty member.

VERMONT STATE COLLEGES  
FACULTY FEDERATION

  
Andrew Myrick, President

VERMONT STATE COLLEGES

  
William J. Reedy, General Counsel