

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

at the University of Maine System
September 14, 2009

Board of Trustees Meeting

Present: Lyndel Wishcamper, Chair; James Dowe, Norman Fournier, Tamera Grieshaber, William Johnson, Kevin McCarthy, Barry McCrum, Marjorie Medd, Paul Mitchell, Victoria Murphy, and Charlie O’Leary. **Chancellor:** Richard Pattenau. **Faculty Representatives:** Raymond Albert, Terry Colby, Bert Jacobs, Shallee Page, Robert Rice, and Joanne Williams. **Student Representatives:** Rebecca Dyer, Nathan Grant, Summer Meredith, Cynthia Nesbit, Julie-Ann Scott, Dustin Ward, and Charles Weiss. **University Presidents:** Selma Botman, Richard Cost, Allyson Handley, Cynthia Huggins, Theodora Kalikow. **System Staff:** Tracy Bigney, James Breece, Eduard Dailide, Tracy Elliott, Frank Gerry, Rosa Redonnett, Kelley Wiltbank, and Rebecca Wyke. Press and public.

Absent: Eleanor Baker, Jean Flahive, Krisandra Horn, Susan Gendron, and Wayne Newell.

Trustee Wishcamper, Chair, called the meeting to order and welcomed everyone.

Citizen Comment. Citizen Comment is a time regularly set aside for comments from the public. The following individuals spoke during the citizen comment period:

Jim McClymer
Ron Mosely
Ross Ferrell

Acceptance of Minutes. On a motion by Trustee McCrum, which was seconded by Trustee O’Leary, the minutes from the following meetings were unanimously approved as presented:
July 13, 2009 – Board of Trustees Meeting and Board Committee Meetings
August 24, 2009 – Technology Committee Meeting

Chair’s Agenda and Report.

Resolution Regarding Tax and Spending Referendum (TABOR). Trustee Wishcamper explained the Resolution regarding the Taxpayer Bill of Rights. The Taxpayer Bill of Rights, which is also referred to as “TABOR II” will appear as Question 4 on the State-wide ballot on November 3, 2009. The UMS expresses serious concerns about the negative educational and economic consequences that could well result from passage of Question 4 and it would be harmful to the students, families, businesses, industries, organizations, communities, and individuals who depend on Maine’s public universities for educational and economic programs, services, partnerships and resources. The passage of Question 4 would have far-reaching, negative implications for the University of Maine System’s quality, affordability, and accessibility and those potential consequences would adversely affect Maine’s economy and quality of life.

On a motion by Trustee Johnson, which was seconded by Trustee Murphy, the Board of Trustees approved the following Resolution. Trustee Dowe recused himself from the motion.

Resolution

Whereas, the purpose of the University of Maine System is to promote and provide educational opportunities and economic growth through teaching, research, and public outreach and services, and

Whereas, the University of Maine System is governed by a citizen Board of Trustees which is responsible for ensuring that Maine's public universities provide the programs and services needed to serve the immediate and long-term interests of Maine and its people; and

Whereas, the University of Maine System is funded primarily through student tuition dollars and State appropriations; and

Whereas, numerous recent studies, including those prepared by the Maine Economic Growth Council, the Brookings Institution, and the Maine State Planning Office, have emphasized the essentiality of higher education and research and development to Maine's economic wellbeing; and

Whereas, those reports conclude that increasing Maine's higher educational attainment levels and its strategic investment in research and development will contribute to a stronger, more diverse, and less burdensome tax structure for Maine businesses, families, and individuals; and

Whereas, Maine voters will be asked on November 3, 2009, to approve or reject Question 4, "An Act to Provide Tax Relief", which would "change the existing formulas that limit state and local government spending and require voter approval by referendum for spending over those limits and for increased in state taxes"; and

Whereas, adoption of similar legislation in Colorado produced serious detrimental consequences affecting the ability of public higher education to serve the educational and economic needs of that state; and

Whereas, those some provisions could just as easily delay or preclude elected leaders from investing in economic development initiatives and opportunities that depend on university-based research and expertise; and

Whereas, the statutory provisions of the proposal would create instability and cause uncertainty and delays in the planning and budgeting process, affecting students and all other university constituencies; and

Whereas, the proposed procedural delays and restrictions affecting Maine's elected officials could easily result in tuition increases, loss of academic quality, and deterioration of Maine's educational infrastructure; and

Whereas, the University of Maine System's charter, as approved by the Maine Legislature, requires that the Board, the Chancellor, and other University leaders "visibly advocate [for] higher education as a means to strengthen the economy and communities of the State"; therefore

Be it resolved that we, the Trustees of the University of Maine System, express serious concerns about the negative educational and economic consequences that could well result from passage of Question 4; and

Be it resolved that the Board of Trustees believes that passage of Question 4 would be harmful to the students, families, businesses, industries, organizations, communities, and individuals who depend on Maine's public universities for educational and economic programs, services, partnerships, and resources, and

Be it resolved that the Board of Trustees believes that passage of Question 4 would have far-reaching negative implications for the University of Maine System's quality, affordability, and accessibility; and

Be it resolved that we, the Board of Trustees, believes strongly that those potential consequences would adversely affect Maine's economy and quality of life; and

Be it resolved that the Board of Trustees formally and publicly express its concerns in advance of the November 3, 2009 State-wide referendum.

Chancellor's Report.

Resolution for Dr. Robert Louis Woodbury

Chancellor Pattenaude expressed the sense of loss over the death of Dr. Robert Woodbury, who was a former Chancellor. He was a gifted administrator, a good colleague and mentor and a person of good heart. The following is a resolution in memory of Dr. Woodbury.

Resolution

Whereas, from 1979 until 1986, Dr. Robert Louis Woodbury served with great distinction as the seventh President of the University of Southern Maine, leading that university's development as a prominent and respected educational, cultural, and economic resource for Maine and its people; and

Whereas, in 1986, in recognition of Dr. Woodbury's success as President and his growing national leadership role as a higher education expert, the University of Maine System Board of Trustees selected Dr. Woodbury to serve as System Chancellor; and

Whereas, from 1986 until he stepped down from the post in 1993, Dr. Woodbury led the University of Maine System through some of its most significant accomplishments as well as through some of its most challenging times; and

Whereas, his leadership and performance as Chancellor earned him tremendous respect in Maine and across the country; and

Whereas, he continued to serve Maine and the cause of higher education for another 16 years, including a year as interim University of Maine System Chancellor; and

Whereas, Dr. Woodbury is widely regarded as one of the most influential higher educational figures in Maine history; and

Whereas, the Board of Trustees has learned of Dr. Woodbury's passing on Saturday, September 12, 2009; and

Whereas, Dr. Woodbury's loss is mourned by countless individuals from within and outside of higher education and public policy; therefore

Be it resolved that we, the University of Maine System Board of Trustees, express our deep sadness at the loss of our leader, colleague, and friend; and

Be it resolved that we, the Board of Trustees, convey our most sincere sympathies to the family and friends of Dr. Woodbury at this time of loss; and

Be it resolved that we, the Board of Trustees, dedicate today's meeting to the memory of Dr. Woodbury, a man whose leadership, love of learning, smile, and laughter will remain with us always.

Adopted on this, the 14th day of September, 2009.

On a motion by Trustee McCrum, which was seconded by Trustee Johnson, the Board of Trustees approved the Resolution in memory of Dr. Robert Woodbury.

Chancellor Pattenaude thanked the individuals who spoke during the public comment period. The UMS is currently in a state of transformation, change, and challenge. There are several important tasks that are underway. The UMS is engaged in ongoing negotiations with the collective bargaining teams. The collective bargaining teams have been very understanding during this difficult time and the conversations have been very respectful and cordial. The proposed Plan: The University of Maine System and the Future of Maine Plan was formally submitted to the Board of Trustees at this meeting and the Plan will be in the public comment phase for the next month. The Plan will do two fundamental things. First it closes the financial gap over a four year period and second, it lifts the UMS capacity to serve the people of Maine.

Committee Reports/Action.

Academic and Student Affairs Committee – Trustees Medd and Johnson reported that the Committee received updates on Enrollment and the Recruitment Efforts and discussed the Academic Program Review Summaries.

Finance/Facilities Committee – Trustee Fournier reported that the Committee was provided a financial update and the following items were recommended to the consent agenda for action: the FY2009 Annual Report on Gifts and Fund Raising and Bennett Hall Renovations at UM.

Human Resources and Labor Relations Committee – Trustee O'Leary reported that the Committee recommended the following items to the consent agenda for action: Compensation adjustments, benefit changes and policies for Non-representated Employees for FY10 and FY11; Appointments for Trustee Approval; and Approval of Collective Bargaining Agreements.

Technology Committee – Trustee McCarthy reported the Committee met on August 24 to review the current state of technology within the UMS, its scalability, and the desired future state of that technology with respect to connecting it to the Arena 1 report and whether the UMS had the correct operating model and capability to delivery on the reports in all three Arenas from the New Challenges, New Directions initiative. Arena 1 was validated and unanimously supported by the Chief Information Officers and the Chief Financial Officers. It was clear that the effective implementation of technology for the UMS would be to fully endorse the recommendations of Arena 1 reports and it was also validated that the current proposal for the Advisory Council be supported. The result of the Technology Committee was validation of the reports and recommendation to proceed with the Hybrid Model.

Consent Agenda. On a motion by Trustee Fournier, which was seconded by Trustee Johnson, the following recommendations were unanimously approved by the Board:

Confirm Faculty and Student Representatives to the Board of Trustees. The Board of Trustees approved the appointments of the Faculty and Student Representatives to the Board of Trustees, as presented.

Compensation adjustments, benefit changes, and policies for Non-Represented Employees for FY10 and FY11. The Board of Trustees approved the recommendations of the Chancellor for wage and salary adjustments and changes in benefits and policies for non-represented employees for FY10 and FY11 as presented.

Appointments for Trustee Approval. The Board of Trustees approved the appointments to positions at or above the level of Dean or equivalent or with tenure as recommended by the Chancellor, as follows:

Dahlia Bradshaw Lynn, Interim Dean of Graduate Studies, USM
Linda Silka, Professor of Economics with Tenure, School of Economics, and
Interim Director of the Margaret Chase Smith Policy Center, UM

Approval of Collective Bargaining Agreements. The Board of Trustees authorized the Chancellor to execute the collective bargaining agreements with the Associated C.O.L.T. Staff of the Universities of Maine (MEA/NEA) and the Universities of Maine Professional Staff Association (MEA/NEA), and to execute the Agreement with Teamsters Local Union #340 for the Service and Maintenance unit upon notice that the agreements have been ratified by the unions.

FY09 Annual Report on Gifts and Fundraising. The Board of Trustees accepted with gratitude all gifts, donations and bequests received during the Fiscal Year 2009.

Bennett Hall Renovations – UM. The Board of Trustees approved equipment purchases and renovations to Bennett Hall with a total project cost of \$883,160 for the “Strengthening Biotechnology and Supporting the STEM Education Initiative in Maine” project.

Information Items. The following items were included in the agenda for information only:

Proposed Plan (Draft): The University of Maine System and the Future of Maine
Enrollment Update and Recruitment Efforts
Academic Program Review Summaries
Update on Collective Bargaining
Financial Update
Pension & Endowment Fund Annual Report
Summary of Current Statistics
Agenda Calendar

Date of Next Meeting. The next meeting of the Board of Trustees will be held on November 16, 2009, at the University of Maine System Office in Bangor.

Adjournment.

Ellen Doughty for
J. Kelley Wiltbank, Clerk