



Board of Trustees
15 Estabrooke Drive
Orono, ME 04469

Tel: 207-581-5840
Fax: 207-581-9212
www.maine.edu

September 6, 2019

TO: Members of the Board of Trustees
Faculty and Student Representatives

FR: Ellen N. Doughty, Clerk of the Board

RE: **September Board Meeting**

The University of Maine

University of Maine
at Augusta

University of Maine
at Farmington

University of Maine
at Fort Kent

University of Maine
at Machias

University of Maine
at Presque Isle

University of
Southern Maine

Enclosed are the materials for the **Board of Trustees Meeting on Sunday and Monday, September 15-16, 2019**, hosted by the University of Maine Fort Kent. Directions are included in the Board meeting materials. Parking is available in the Nadeau Hall parking lot.

The Board Meeting materials are available on the Diligent portal, for those who have access, and in PDF format on the Board of Trustees website at: www.maine.edu/UMStrusteesmeetings

Live audio streaming will be available for the Board meeting on Sunday and Monday. The links to the live streaming and the captioning are on the Board of Trustees website at: www.maine.edu/board.

All Meeting Times Can Be Found on the Agenda of the Board Meeting Materials

On **Sunday, September 15th**, the Board meeting will be called to order in Cyr Hall, Room 205. The Board will go directly into an Executive Session. Directly following the Executive Session, the Board meeting will reconvene in the Nadeau Conference Room with a meeting with the UMFK Board of Visitors. Following the Public meeting there will be a reception in the Nowland Hall, followed by dinner.

On **Monday, September 16th**, the Board meeting will begin with an opportunity for continental breakfast and networking, followed directly by the Public meeting. The Board meeting on Monday will be in the Nadeau Conference Room.

Meeting rooms have been reserved for the Faculty & Student Representatives if they would like to meet in their respective groups. The Faculty Representatives can meet in Alumni Conference Room, Nadeau Hall and the Student Representatives can meet in Grindle Conference Room, Cyr Hall.

Overnight accommodations for those that have requested, have been made and a separate email will be distributed with your lodging information.

Incoming messages can be left with the UMFK President's Office at 834-7504 or with Heather Massey at 991-4724 or Ellen Doughty at 949-4905.

In the event of a postponement, cancellation, or changes in the Board of Trustees meeting, a message will be recorded on the Board Office telephone (581-5844). In addition, every effort will be made to personally contact the Board of Trustees, the Presidents, and the Faculty and Student Representatives.

cc: Chancellor Dannel P. Malloy
University Presidents
System Staff

Directions to the University of Maine at Fort Kent

23 University Drive
Fort Kent, ME 04743

From the University of Maine at Presque Isle take U.S. Route 1 to Caribou. In Caribou, take Route 161 north to Fort Kent. In Fort Kent at the end of Route 161, take a left onto U.S. Route 1. From Route 1, take a left onto Route 11. The campus is on Route 11.

For the return trip, take Route 11 to I 95 South at Sherman Mills.



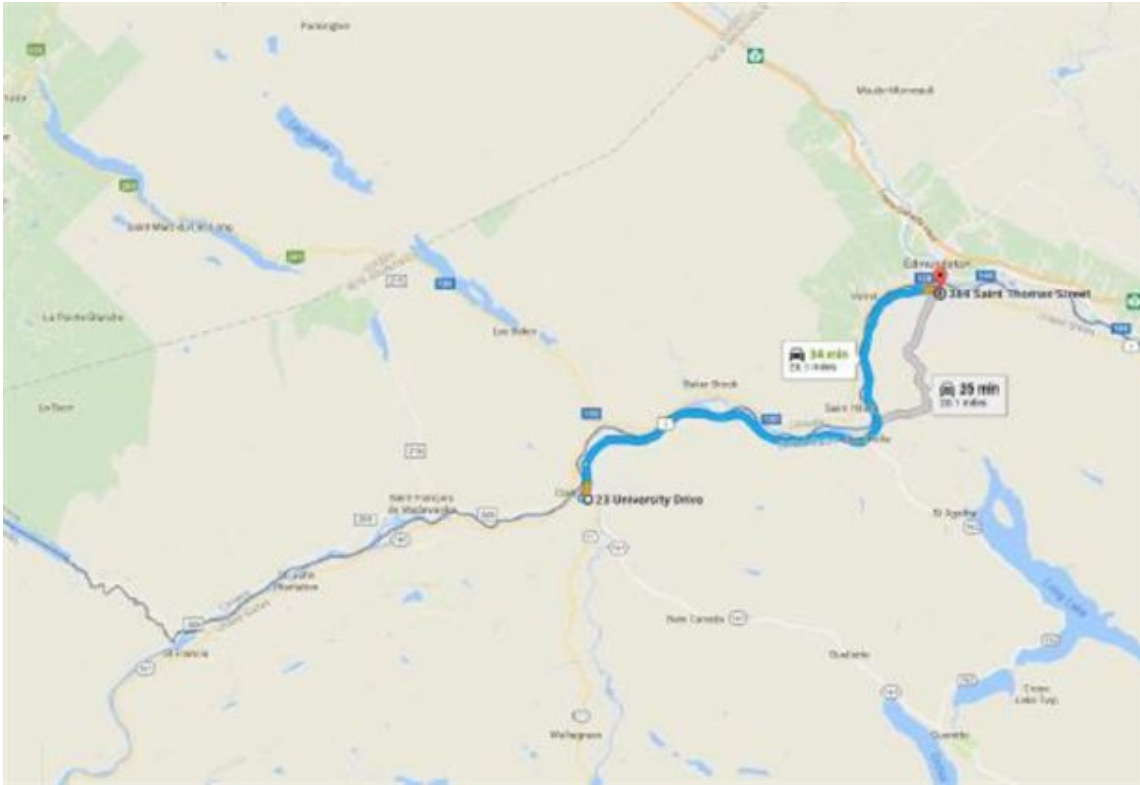
Campus Map

Map Legend

- 1 Nadeau Hall
- 2 Fox Auditorium
- 3 Cyr Hall
- 4 Armory Building
- 5 Crocker Hall
- 6 Physical Plant
- 7 Nowland Hall
- 8 Powell Hall
- 9 Acadian Archives
- 10 Blake Library
- 11 Old Model School
- 12 Madawaska House
- 13 Haenssler Honors Ctr.
- 14 Acadia House
- 15 St. David House
- 16 The Lodge
- 17 Sports Center
- 18 Alumni Memorial Field



Scan this code for directions
to our campus



FROM - UMFK (23 University Dr. Fort Kent, ME 04743)
TO - INN OF ACADIA (384 St. Thomas St., Madawaska, ME 04756)

Distance 20.1 miles
Approximate Time: 34 minutes

Head southwest on University Dr. towards Aroostook Rd/Pleasant St.
Turn Right onto Aroostook Rd/Pleasant St (0.2mi)
Turn Right onto W. Main St. (1.3mi)
Continue onto US-1 S/Frenchville Rd (18.3mi)
Turn Right onto 10th Ave (449ft)
Turn Left onto St. Thomas Street – Destination will be on the left

The Northern Door Inn

356 W Main St Fort Kent, ME 04743

Toll-free 1-866-834-3133

Phone 207-834-3133

Map and Directions

US RTE 1 North

Take Interstate 95 North, keep going... and going and going. Get off at exit 302 in Houlton, ME, almost to the end of 95. Turn left onto US1. Keep going... and going and going. When you see a sign that says Key West 2390 miles the other way, right by the bridge to Canada look to your left, you are there. **Note:** You can shorten your trip by taking 161 North out of Caribou to Fort Kent.



ROUTE 11

Route 11 North. Again take I 95 north, this time get off at exit 286 in Smyrna Mills, Turn left on Oakfield Rd, and look for Route #212. About 10.1 miles West you will find Rt.11. Stay on Rt 11 north for about 79 miles until you get to Fort Kent. Turn left on Rt #1. About .6 miles, right across from the International Bridge to Canada is the Northern Door Inn. **Note:** You can shorten your trip by getting off at exit 264 at Sherman and getting onto Rt 11 there. Stay on Rt 11 North all the way into Fort Kent.



Fort Kent

It's really hard to get lost in Fort Kent but here's the map just in case. Just look for the bridge over the St John River to Canada and directly across the street is the prettiest little Inn in the state of Maine, that's us.

University of Maine System – Board of Trustees Meeting
September 15 & 16, 2019

at the University of Maine at Fort Kent
Nadeau Hall Conference Room

Revised - 9/9/19

AGENDA

Meeting Room for Faculty Representatives – Alumni Conference Room, Nadeau Hall
Meeting Room for Student Representatives – Grindle Conference Room, Cyr Hall

(These rooms will be available starting at 12:00 pm on 9/15/19)

Sunday, September 15, 2019

Call to Order @ 1:30 pm – Room 205, Cyr Hall
The Board of Trustees will go directly into Executive Session

Executive Session from 1:30 pm to 4:45 pm

Call to Order/Reconvene Public Meeting @ 5:00 pm – Nadeau Hall Conference Room

BOT/BOV Meeting @ 5:05 pm – Nadeau Hall Conference Room
Tab 1 - [Meeting with UMFK BOV](#)

Reception @ 6:00 pm – Nowland Hall (**Cash Bar**)
(By Invitation Only)

Dinner @ 7:00 pm – Nowland Hall
(By Invitation Only)

Monday, September 16, 2019 – Nadeau Hall Conference Room

Coffee & Networking @ 8:00 am
Call to Order/Reconvene @ 8:30 am

Citizen Comment

The Board of Trustees provides time for citizen comment prior to the business agenda at each meeting. The Chair of the Board will establish time limits (usually three minutes per person) and determine any questions of appropriateness and relevancy. Personnel decisions, collective bargaining issues, grievances, litigation and other areas excludable from public discussion under the Maine Freedom of Access Law shall not constitute appropriate matters for such input. A person who wishes to speak during the citizen comment period should arrive prior to the meeting start time and sign up on a sheet provided, indicating name and topic of remarks.

Chair's Report (15 minutes)
Tab 2 - [Board of Trustees 2019 Self-Assessment](#)

Chancellor's Report (10 minutes)

Vice Chancellor for Finance and Administration & Treasurer's Report (10 minutes)
Tab 3 - [Financial Update](#)

Vice Chancellor for Academic Affairs' Report (15 minutes)

Tab 4 - Academic Affairs Update

Strategic Priorities Discussion Items

Tab 5 - Program Implementation Mechanism to Foster Rapid, Responsive Program Development, Deployment & Evaluation (Goal 3, Action 1) (10 minutes)

Action Items

Tab 6 - Acceptance of Minutes (5 minutes)

Tab 7 - Confirmation of Student Representative to the Board of Trustees (5 minutes)

Tab 8 - Tenure at Time of Hire, Professor of Mechanical Engineering, UM (5 minutes)

Tab 9 - FY2020 Proposed Operating Budget Revision (5 minutes)

Tab 10 - Unified Accreditation Recommendation (90 minutes)

Tab 11 - UMFK Presidential Search Criteria and Preferred Characteristics (15 minutes)

Tab 12 - Initial Actions – University of Maine School of Law (20 minutes)

Tab 13 - USM Name Change (15 minutes)

Consent Agenda (5 minutes)

8/26/19 ASA Committee Meeting

Tab 14 - Approval of Academic Program Proposal: BS in Data Science at UMA

8/28/19 FFT Committee Meeting

Tab 15 - Darling Marine Center Waterfront Infrastructure Improvement, UM

Date of the Next Meeting: November 17 & 18, 2019 at the University of Maine at Farmington

Lunch Break (20 minutes) (Timing of the lunch break will be at the discretion of the Chair)

Executive Session (following the public meeting, if needed)

Attachments

UMFK BOV Membership List (*Confidential*)

Board Self-Assessment

Financial Update – Flash Reports

- Managed Investment Pool
- Pension Fund
- Operating Fund

Tenure at Time of Hire, UM - Background Materials (*Confidential*)

UMS Unified Accreditation Recommendation

UMS Guiding Principles for Unified Accreditation

The Report of the Committee to Advise on the Future Direction of the Law School (July 2019)

University of Maine System Memorandum Regarding Law School Transition

BS in Data Science, UMA - Background Materials

Darling Marine Center Waterfront Infrastructure Improvements, UM - Background Materials

Agenda Calendar

Reports

UMS Interactive Dashboard

Annual Report on Real Estate and Lease Activity

Capital Project Status Report

- Executive Summary
- Capital Project Status Report

- Capital Project Status Report – Bond Report
- Engineering & Design Center Milestone Report

FY2020 Committee Work Plans

- Academic & Student Affairs Committee
- Audit Committee
- Finance, Facilities, Technology Committee
- Human Resources & Labor Relations Committee
- Investment Committee

Presentations

USM Name Change Presentation

Academic Affairs Presentation

Unified Accreditation Presentation



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Meeting with UMFK Board of Visitors
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
102 Charter, Section 4B.5
5. **BACKGROUND:**

The Board of Trustees (BOT) and the Boards of Visitors (BOV) for the universities are collaborating to increase engagement. The BOT/BOV partnership increases advocacy and adds value for UMS, our students and the State.

One aspect of this engagement is a regularly scheduled meeting of the BOT with the local BOV when the BOT meets on a campus. Members of the UMFK BOV will meet with the BOT for a discussion of campus BOV strategic goals and concerns.

Attachment:

[UMFK BOV Membership List for 2019-2020 \(*Confidential*\)](#)

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Board of Trustees 2019 Self-Assessment
2. **INITIATED BY:** James R. Erwin, Chair
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
Section 103 Bylaws
5. **BACKGROUND:**

As reflected in Article II, Section 2 of the Board of Trustees' Bylaws, Board policy provides that the Board should annually assess its work, in order to improve its performance. In the spring of 2019 the Board performed a self-assessment. Highlights from the self-assessment are included, and an opportunity for public discussion by the Board will be provided

Attachment:

[2019 Board Self-Assessment Highlights](#)

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Financial Update
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
Enhance fiscal positioning
5. **BACKGROUND:**

Vice Chancellor for Finance and Administration and Treasurer Ryan Low will provide a brief financial update at the September 15-16, 2019 Board of Trustees meeting.

Attachments:

[Managed Investment Pool](#)

[Pension Fund](#)

[Operating Fund](#)

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Academic Initiatives Update
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** **BOARD POLICY:**
All primary and secondary outcomes
5. **BACKGROUND:**

Associate Vice Chancellor Robert Placido will present information on System-level Institutional Research and Key Performance Indicators (KPI). The UMS is beginning a new, more advanced phase of data systems and KPI, with improvements coming from all departments. The IT team will begin to bring our new Business Intelligence system on line. The Finance team will initiate a new formal KPI review process. The System IR team has established a solid foundation of data readiness, and they will now begin improving insight and interpretability of our data with visualization layers. A brief example of visualization will be given.

Presentation:
Academic Affairs Presentation

Revised - 9/9/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Program Implementation Mechanism to Foster Rapid, Responsive Program Development, Deployment & Evaluation (Goal 3, Action 1)
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** X **BOARD ACTION:**
4. **OUTCOME:** Relevant Academic Programing
Workforce Development
Enrollment **BOARD POLICY:** 305, 305.1
5. **BACKGROUND:**

The Board's Declaration of Strategic Priorities to Address Critical State Needs mandated the following under Goal 3:

Aligning Academic Programs and Innovation to Drive Student Success and Employer Responsiveness – Each degree awarded by the UMS Board of Trustees certifies that the graduate has mastered a rigorous course of study that prepares the recipient for engaged citizenship and meaningful participation in Maine's economy. UMS must ensure that all its programs and credentials equip students with the best chance to be successful in both arenas. To accomplish these outcomes, UMS will ensure its courses and programs provide innovative market-relevant content and instruction that is aligned with the changing market for higher education.

Action 1: UMS will develop innovative and highly collaborative academic programming models, pedagogical strategies, faculty development initiatives, and pilot projects to transform its academic programming to become and remain competitive with the changing post-secondary education market and achieve student success outcomes that meet critical State needs. This transformation will require bold steps that include a comprehensive and integrative process of System-wide program assessment, planning, prioritization, integration with workforce and attainment goals, and resource allocation, as well as all necessary changes to program approval procedures and associated administrative processes to ensure rapid, flexible and responsive program consideration and deployment.

In addressing the above, the VCAA's office, as approved by the Board, has made significant changes to program approval processes and academic program substance.

1. Board Policy 305 Program Inventory has been changed to include the full scope of programs of study: An academic program of study is defined as a prescribed course of study (i.e., course or other academic requirements) that a student must complete within a specific subject matter area. This definition includes academic programs of study identified by a specific degree title, documented on a transcript, diploma, and/or described

in an undergraduate or graduate catalog. Thus, all undergraduate majors, graduate degree programs, post-master's advanced certificates of study, concentrations, minors, associate degrees, and credit-bearing certificates meeting one of these criteria are considered programs of study.

2. Board Policy 305.1 Academic Program Approval has been changed to streamline the process and enhance the relevance of academic program proposals by: eliminating the intent to plan process; requiring market research to make programs more responsive to state needs and pursue relevant workforce development opportunities; eliminating mandatory outside evaluation and making that optional for selected programs; establishing a timeline of 6 months between the initial program request approval and program proposal submission.

Additionally the VCAA's office will be more directive in its academic program development efforts:

1. The VCAA has requested a campus-level review of the local program approval processes so that they can be revised to occur within a 120-day timeframe by the end of the 2019-2020 AY.
2. Beginning this fall, the Program Innovation Fund will be more strategically deployed toward planning grants for programs identified by the System as having particular relevance for the state based in part upon Burning Glass analyses.



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Acceptance of Minutes
2. **INITIATED BY:** James R. Erwin, Chair
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:**
5. **BACKGROUND:**

The following minutes will be presented to the Board of Trustees for approval at the September 15-16, 2019 Board meeting:

July 15, 2019 – Board of Trustees Meeting
August 26, 2019 – Academic & Student Affairs Committee Meeting
August 26, 2019 – Human Resources & Labor Relations Committee Meeting
August 28, 2019 – Finance, Facilities, Technology Committee Meeting
August 29, 2019 – Investment Committee Meeting
August 30, 2019 – Executive Committee Meeting

The Board of Trustees website link to the minutes is: <http://www.maine.edu/about-the-system/board-of-trustees/meeting-minutes/>

6. **TEXT OF PROPOSED RESOLUTION:**

That the Board of Trustees approves the minutes as presented.

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Confirmation of Student Representative to the Board of Trustees
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:**
Policy 205 - Faculty & Student
Representatives to the Board of Trustees
5. **BACKGROUND:**

To create the environment for interaction among and between Faculty and Student Representatives, the Trustees and System administration, the Trustees have provided opportunities for participation in the meetings of the committees of the Board.

One faculty member and one undergraduate student from each of the seven universities and one graduate student from the University of Southern Maine and one graduate student from the University of Maine will be appointed by the Board as non-voting representatives to the Board of Trustees and invited to participate as non-voting members on the standing committees.

Normally, the representative is expected to complete a two year term; therefore, it is an expectation that the minimum term of service by Faculty and Student Representatives to the Board be two years. The nominations will be forwarded through the Presidents to the Chancellor for submission to the Board for Trustee approval.

The following nominations is being recommended by the President:

Student Representatives:

Abigail Despres, UM – appointed for a two year term – September 2019 to September 2021

6. **TEXT OF PROPOSED RESOLUTION:**

That the Board of Trustees approves the appointment of the Student Representative to the Board of Trustees as presented.

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** UM Tenure at Time of Hire Request, Professor, Mechanical Engineering
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** Relevant Academic Programming **BOARD POLICY:** 310
5. **BACKGROUND:**

The University of Maine (UMaine) has requested immediate tenure at the rank of Professor in support of the hiring of Dr. Sharmila Mukhopadhyay as the Director of the Frontier Institute for Research in Sensor Technologies at UMaine. Dr. Mukhopadhyay also receives appointment as a tenured professor in the Department of Mechanical Engineering.

Dr. Mukhopadhyay currently holds tenure in the Department of Mechanical and Materials Science at Wright State University. She brings to UMaine 28 years of academic experience, including recognition as a Jefferson Science Fellow by the National Academies and U.S. Department of State and as a Fellow in the American Ceramic Society, during which time she has received more than \$4 million in extramural research support and authored 96 journal and conference papers.

This request is in accordance with Board of Trustee Policy and the UMS Administrative Procedures Manual for Section 310.

The Academic and Student Affairs Committee forwarded this item to the September 15-16, 2019 Board of Trustees meeting for approval of the following resolution

6. **TEXT OF PROPOSED RESOLUTION:**

That the Board of Trustees accepts the recommendation of the Academic and Student Affairs Committee and approves tenure at the rank of Professor of Mechanical Engineering at the University of Maine to Dr. Sharmila Mukhopadhyay, effective January 1, 2020, in accordance with Board Policy 310.

Attachment:

[Tenure at Time of Hire, UM - Background Materials \(*Confidential*\)](#)

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AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** FY2020 Proposed Operating Budget Revision
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION: X**
4. **OUTCOME:** **BOARD POLICY:**
Enhance fiscal positioning
5. **BACKGROUND:**

Based on current enrollment projections, each university was given the opportunity to review their FY2020 budget (approved by the Board of Trustees in May 2019) and submit a revised budget for approval, if warranted.

The University of Maine is requesting that their FY2020 budget be amended as follows:

A reduction of 6,523 budgeted credit hours. (90% out-of-state; 10% in-state). This change equates to 0.1% growth over FY19 actual credit hours and basically flat when compared to FY19 budgeted credit hours. This reduction in UMaine's budgeted credit hours will change the budgeted UMS Enrollment increase from 1.7% to 0.7% when compared to the FY19 budget and from 3.6% to 2.6% when compared to FY19 actual enrollments.

	Credit Hours	Increase Compared to FY19 Budget	Actuals
UMAINE			
Original	290,377	2.3%	2.4%
Revised	283,854	-----%	0.1%
SYSTEM			
Original	687,204	1.7%	3.6%
Revised	680,681	0.7%	2.6%

As a result of reduced credit hours, UMaine is reducing their E&G revenue budget by \$4.2 million and their Auxiliary revenue budget by \$0.8 million for a total of \$5 million. Reductions in expense budgets such as compensation and supplies will offset the projected reduction in budgeted revenue. UMaine will continue to have a balanced

budget.

6. TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees accepts the recommendations of the Finance, Facilities and Technology Committee and approves the revised FY2020 Operating Budget for UMaine and the System.



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Unified Accreditation Recommendation
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:** 308
 Increase Enrollment
 Improve Student Success and Completion
 Relevant Academic Programming
 Enhance Fiscal Positioning
 Support Maine through Research and Economic Development
5. **BACKGROUND:**

At its July 2019 meeting, University of Maine System Board Chair James Erwin stated that it was the Board's sense that, in order for UMS to move forward with and attain the strategic goals established in the December 2018 *Declaration of Strategic Priorities to Address Critical State Needs*, UMS needs to be able to deliver significantly more collaborative, market-relevant cross-campus programming. In recent years, however, there have been significant challenges to developing, delivering, and managing such programs at the scope, scale, and pace the Board determines to be necessary to meet Maine's higher education attainment needs, some of which stem from the fact that each UMS university is accredited separately from its sister campuses in the System.

Recognizing these challenges, Chair Erwin asked UMS Chancellor Dannel Malloy to review UMS's accreditation status and provide recommendations for what accreditation structure is most likely to permit UMS to achieve its strategic goals and best serve the higher education needs of its students and the State of Maine.

Chancellor Malloy has prepared a comprehensive report that reviews relevant UMS history and accreditation generally as well as within UMS. Based on this history, the Board's strategic priorities and interest in increasing collaborative cross-campus programs, the imperative to improve the UMS higher educational experience overall, and the State's interest in preserving all UMS universities where they currently exist, it is the Chancellor's recommendation that UMS universities begin a process to unify their accreditations to a statewide accreditation within the University of Maine System. The Chancellor further recommends that the process be undertaken based on the Guiding Principles included in the report, which were developed by the Chancellor, the UMS Presidents, and Senior System Staff.

The Board is asked to take the actions set forth in the text of the Resolution below.

9/6/19

6. RESOLUTION:

That the University of Maine System Board of Trustees:

1. Accepts the Chancellor's Unified Accreditation Report and Recommendation.
2. Authorizes and directs the Chancellor, with input from System Presidents and campuses as necessary, to develop a process and plan to seek unified accreditation from NECHE and successfully transition to a statewide accreditation model, and to present such plan to the Board of Trustees at its November 2019 meeting, including proposing a timeline for doing so and any necessary additional Board actions.
3. Authorizes and directs the Chancellor to visit and engage with all UMS campuses to obtain appropriate input from all UMS stakeholders in developing the implementation plan called for by this Resolution.
4. Accepts and ratifies all UMS communications with NECHE and the U.S. Department of Education to date regarding the consideration of unified accreditation, and authorizes and directs the Chancellor to continue such communications as necessary so that the implementation plan called for by this Resolution takes full account of the perspectives and requirements of those organizations.

Attachments:

[UMS Unified Accreditation Recommendation](#)

[UMS Guiding Principles for Unified Accreditation](#)



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** University of Maine at Fort Kent Presidential Search Criteria
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOMES:** **BOARD POLICY:**
 Increase Enrollment 204 – Presidents – Appointments & Responsibilities
 Improve Student Success & Completion 404.4 – Chancellor & Presidents Benefit Package
5. **BACKGROUND:**

The search committee for the UMFK President is currently being formed with constituent groups just completing the identification of representative committee members. Trustees serving on the committee are Trustee Kelly Martin, serving as search chair; Trustee Jim Donnelly, and Trustee Mike Michaud.

Important first steps of the search are for the Board to develop the description of the position and related criteria for selecting the President and to formally charge the committee.

UMS Administrative Procedures for the Recruitment and Selection of Presidents state:

The chancellor on behalf of the Board of Trustees must formally charge each search committee with the responsibility for conducting the search for a president. The charge shall include preferred characteristics to be used as guidelines throughout the search articulated and/or approved by the chancellor and Board of Trustees based on an assessment of the needs of the university and University System. Close collaboration of the chancellor, Board and committee in defining the preferred characteristics will enhance the quality of information to candidates and increase the likelihood of a successful search outcome.

In addition to the criteria identified by the Board of Trustees, the search consultant will conduct interviews of constituent groups and will provide the resulting themes to the search committee for use in their work.

Search Chair Trustee Kelly Martin will provide a summary of pre-search activities already underway and lead a brief discussion with the Board of preferred characteristics of candidates for the University of Maine at Fort Kent President. Trustee Martin will then request authorization for charging of the committee.

6. **TEXT OF PROPOSED RESOLUTION:**
 That the Board of Trustees approves the preferred characteristics and priorities for the University of Maine at Fort Kent Presidential search as discussed. When charging the committee, Chancellor Malloy will transmit the Board of Trustee's preferred characteristics and priorities to the search committee and search consultant for use in describing the position and guiding the work of selecting the President.

9/6/19



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Initial Actions – University of Maine School of Law
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:** 309
 Increase Enrollment
 Relevant Academic Programming
 Enhance Fiscal Positioning

5. **BACKGROUND:**

On February 15, 2019, UMS Board Chair Jim Erwin and then-Chancellor James Page chartered an ad hoc Committee to Advise on the Future Direction of the Law School. The Committee, co-chaired by two graduates of Maine Law (Deirdre Smith, a Professor of Law at the University of Maine School of Law and Director of the Cumberland Legal Aid Clinic, and Kurt Adams, President and CEO of Summit Utilities and a former UMS Trustee), met numerous times in public and executive session between late February and June. Its charge was to consider how an innovative and properly resourced School of Law can be best positioned within the System's One University framework, including specifically the University of Maine Graduate and Professional Center, to play a lead role in how legal education serves students and State of Maine stakeholders.

Chief of Staff and General Counsel Thelen, who provided UMS staff support to the Committee, and Committee Co-Chair Professor Smith presented an oral summary of the Committee's recommendations at the July 15, 2019 Board of Trustees meeting. Its written report, included here for background, was released publicly later in the week following the Board meeting.

At the July 15, 2019 meeting, UMS Board Chair James Erwin asked Trustee Eames, Chancellor Malloy, and Vice Chancellor for Finance and Administration Low to review the Committee's report to determine which of its recommendations merited action. With COS and General Counsel Thelen, Trustees Erwin and Eames, Chancellor Malloy, and Vice Chancellor Low convened a weekly conference call meeting to discuss initial actions, including those requiring Board approval.

The following actions, to be managed within the FY2020 budget, have already been authorized without the need for Board approval or otherwise acted upon as noted:

- On August 30, 2019, the Board's Executive Committee approved a 3% pay increase retroactive to July 1, 2019 for Law School faculty and staff, the same as other Management Group and Non-Represented Faculty and Staff increases approved that day.
- Chancellor Malloy authorized Interim Law Dean Dmitry Bam to take necessary actions to search for and fill a Director of Academic Success position and two faculty positions (Civil Procedure/Remedies/Conflicts of Law and Business/Transactional), and the Law School will plan to replace retiring Professor Lois Lupica for a new faculty position in Privacy/Cybersecurity.
- Vice Chancellor Low will work with Interim Law Dean Bam to move forward on recommendations with minor fiscal impact that may be able to be covered in the Law School's FY2020 budget (e.g., rural semester in practice, expanded 3+3 arrangements, recruitment data, and additional course offerings).

Law School Advisory Committee recommendations impacting or proposed to be funded in FY2021 and FY2022 will be considered as part of the normal budget development process for those fiscal years. Chancellor Malloy, Trustees Erwin and Eames, Vice Chancellor Low, and COS and General Counsel Thelen will continue to review other recommendations on marketing, data consultants, and tuition discounting over the next month, with further recommendations for Board action to follow as deemed necessary.

Additionally, the Chancellor will initiate actions to search for a Law School Dean based upon the governance actions proposed below, if such actions are approved by the Board.

The following additional actions are therefore proposed for Board approval:

Pursuant to University of Maine System Board of Trustees Policy 309:

[T]he System ... [may] ... conduct a significant university reorganization in order to continue effectively and efficiently to meet its mission ... Since reorganization ... of operating units will have implications for the mission and budget of the institution, these actions require prior Board approval.

Chancellor review and Board approval is required for all of the following when there are budget or mission implications for the individual university or System:

All university reorganizations involving major university units such as ... schools ... [and] [r]eorganization ... of ... schools ...

To better position the Law School as an asset to the entire System and align professional degree pathways from all System universities, as well as to decouple the Law School's budget and appropriation from a single System university, University of Southern Maine President Glenn Cummings and UMS Chancellor Malloy propose the following be approved by the UMS Board, subject to accreditation acquiescence from the American Bar Association's Section of Legal Education and Admission to the Bar:

1. The UMS Vice Chancellor for Finance and Administration and USM Chief Business Officer will develop a transition for the Law School's budget and

appropriation to be removed from USM financial administration and administered thereafter as a business unit within the University of Maine System by FY2022. The total

REVISED - 9/9/19

appropriation and USM budget allocation to the Law School for FY2020 will remain as budgeted ($\$856,808/\$425,000=\$1,281,808$) and for FY2021 as planned ($\$856,808/\$425,000=\$1,281,808$), except that in FY2021 USM will provide \$212,000 of the \$425,000, with UMS covering the remaining portion.

2. The Law School Dean will report to the UMS Chancellor, who has discretion to invite the Dean's participation in the UMS Presidents Council.
3. The Law School Chief Business Officer will interact and network with System CBOs in coordination with the UMS Vice Chancellor for Finance and Administration.
4. The Chancellor and System Staff and Law School Dean will determine and take appropriate steps to obtain acquiescence in these actions from the ABA Section of Legal Education and Admission to the Bar, and, together with University of Southern Maine staff, will determine an appropriate NECHE accreditation transition as well to ensure all Law School students remain eligible to participate in Title IV federal financial aid programs.
5. Given its physical location in Portland on the USM campus, UMS and USM will coordinate the continued sharing of appropriate services and facilities between UMS and the Law School.
6. Recognizing the Law School's ongoing strategic importance and role in the University of Maine Graduate and Professional Center, as well as the existing academic leadership structure for the graduate programs that make up the Center, the Chancellor, who has already convened regular discussions with the Center programs' Deans and Presidents, will review and propose to the Board for approval an appropriate academic leadership and oversight structure for the Center.

6. **RESOLUTION:**

That the University of Maine System Board of Trustees, acting pursuant to UMS Board Policy 309, approves the University of Maine School of Law's reorganization to become a stand-alone unit of UMS, with budget independence from USM by FY2022, the Law School Dean reporting to the UMS Chancellor, and other terms as specified here, all effective immediately but subject to acquiescence from the ABA's Section of Legal Education and Admission to the Bar and development of an institutional accreditation transition with NECHE.

Attachments:

[The Report of the Committee to Advise on the Future Direction of the Law School \(July 2019\)](#)
[University of Maine System Memorandum Regarding Law School Transition](#)



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** USM Name Change
2. **INITIATED BY:** James R. Erwin, Chair
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:**
5. **BACKGROUND:**

USM President Glenn Cummings will present the findings of a market research study recommending the University of Southern Maine change its name to the University of Maine at Portland.

For the past year, the University of Southern Maine has been exploring a possible name change to the University of Maine at Portland. There are several reasons for this name change, including better alignment with the rest of the University of Maine System. The primary driving reason, however, is to attract out-of-state students, crucial to USM's and the System's continued growth, as well as to meeting Maine's workforce challenges.

In the fall of 2018, the University of Southern Maine engaged Market Decisions and Broadreach Communications to conduct a market research study to ascertain whether a name change would, in fact, generate greater interest among out-of-state students.

Conducted among several hundred prospective students, guidance counselors and the parents of prospective students from Northern New England to the New York metropolitan area, the 107 page report revealed the following key findings:

- Portland is a very popular city among both Mainers and those out-of-state.
- Out-of-state students, parents and counselors, however, do not know USM is located in Portland. This is true even in New England.
- A new name that clearly associates USM with Portland would significantly move the needle in attracting out-of-state students.
- A name change would also generate interest in other universities in the University of Maine System.

For the past six months, President Cummings has shared the market research data at over 20 forums with faculty, staff, students and alumni. He has also shared the data with several organizations that subsequently went on to endorse a name change.

9/6/19

Endorsers of a name change include the Portland Regional Chamber of Commerce, the Portland Press Herald, USM's Board of Visitors, USM's Alumni Board, the USM Foundation Board, and 16 major Maine CEO and Business leaders who view a name-change as a means for addressing its workforce challenges.

It is estimated that a name change will cost \$1.2 million in up-front hard costs; these are costs mandatory for a name change such as signage, stationary/ business cards, uniforms, ID cards, and web and logo redesign. There would also be an additional \$1 million in soft costs, such as marketing and updating collateral to be spent over a three to five year period.

It is estimated that in the first year alone, a name-change will attract 80-100 additional out-of-state students, meaning USM could pay for the hard costs of a name change in three years.

Based on the clear data and the recommendation of the market research firms, the increased revenue generated through the recruitment of out-of-state students, the positive workforce development implications for employers and our State, and clearer alignment with the University System and its One University initiative, the Academic and Student Affairs Committee approved this recommendation and agreed to forward this item to the September 15-16, 2019 Board of Trustees meeting for approval.

6. TEXT OF PROPOSED RESOLUTION:

The Board of Trustees authorize the Chancellor and President Cummings, acting through the Office of Governmental Relations, to take such actions as are necessary before the Maine Legislature's cloture date to preserve the ability to seek legislative approval in the January 2020 legislative session for a name change, while the Board of Trustees provides opportunities for appropriate USM, UMS, and public input on the action.

Presentation:

[USM Name Change Presentation](#)



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Academic Program Proposal: BS in Data Sciences at UMA
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** Relevant Academic Programming **BOARD POLICY:** 305
New Program Proposal
5. **BACKGROUND:**

The Vice Chancellor granted temporary approval to The University of Maine at Augusta (UMA) for a new Bachelor of Science in Data Science, since the program meets a critical need in the UMS and the State of Maine. The ability to create, manipulate, and analyze massive data sets is emerging as a core skillset in the 21st century economy; thus, this program is intended to offer such competencies to students in traditional majors or to working adults wishing to develop new skills. The market research conducted on behalf of the UMS by Ruffalo Noel Levitz demonstrated substantial growth at both the national and regional levels (633% over a five year period) for “analytics” as an emerging workforce need. Accordingly, the goals of this degree were listed to:

1. “provide quality baccalaureate level education in the field of Data Science;
2. enhance knowledge, technical skills and tools that can be immediately applied in the workforce;
3. develop a pathway to graduate education in the STEM fields;
4. fill the demand for data-driven decisions making all sectors and industries.”

It is envisioned that initially the Data Science major will offer two tracks: Business Analytics Track and Social Science and Health track. A particularly appealing aspect of this program is the collaboration between UMA and University of Maine at Farmington (UMF), to include 1-2 credit, online technology modules. The future intent is to also align this program with UMF’s actuarial and advanced statistics expertise. Furthermore, the data science undergraduate degree provides a pathway for UMS students to pursue a UMS Master’s Degree in Data Science - the Intent to Plan for this Master’s degree has been submitted by the University of Maine and approved by the Chief Academic Affairs Council, with an opportunity for collaboration between the UM and University of Southern Maine.

This program anticipates no new equipment, library or facilities requirement. The needed equipment was funded as part of a 2018 Program Innovation Fund award. Course cross-

listing and existing faculty from UMA's Computer Information Systems and Cybersecurity programs will be used in the initial stages of the data science program offering.

The Academic and Student Affairs Committee forwarded the following resolution to the Consent Agenda for approval at the Board of Trustees meeting on September 15-16, 2019.

6. TEXT OF PROPOSED RESOLUTION

That the Board of Trustees accepts the recommendation of the Academic and Student Affairs Committee and authorizes the creation of the Bachelor of Science Degree in Data Science for the University of Maine at Augusta.

Attachment:

[BS in Data Science, UMA - Background Materials](#)



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Darling Marine Center Waterfront Infrastructure Improvement, UM
2. **INITIATED BY:** Dannel P. Malloy, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **OUTCOME:** **BOARD POLICY:**
 Improve Student Success and Completion 701 – Budgets-Operating & Capital
 Enhance Fiscal Positioning
 Support Maine through Research and Economic Development
5. **BACKGROUND:**

The University of Maine System acting through the University of Maine (UM) requests to increase the total authorization for the previously-approved Darling Marine Center Waterfront Infrastructure Improvement project by up to \$2,200,000, for a new total of up to \$5,200,000. The additional funding comes from potential new funds from the Economic Development Association (EDA) and various matching fund sources already identified by the campus. The requested increased authorization is contingent on and will be exercised only if the EDA funds become available. This request follows the receipt of bids earlier this year which greatly exceeded pre-bid estimates and the prior budget authorization such that no contract was awarded at that time. The project has been reconsidered and further funding sought since that time.

This current request is pursuant to Board Policy 701, which requires projects with a total cost of more than \$500,000 to be considered by the Board of Trustees or its Finance, Facilities and Technology Committee. In this case, the request is to forward the recommendation to the Consent Agenda of the full Board for approval.

The request is being made on a contingent basis because the timing of the University bid for this project could be critical in securing the most advantageous pricing and is believed to be at least part of the reason for the previously high bids. The preferred timing will require moving forward after the EDA determination is communicated to the University, hopefully in October, 2019, and before Trustees meet again, which is scheduled for late November.

The work of the project involves replacement of the existing pier, which is closed for most uses due to its deterioration, and renovations to the flowing seawater laboratory on site at the Darling Marine Center on the Damariscotta River in Walpole, Maine. The scope of the project remains as originally described in the July 2017 request (attached for reference) with the adjustment to the schedule for completion by the end of calendar year 2020.

The need for the project continues and is heightened by the recently approved \$20 million grant from the National Science Foundations' Established Program to Stimulate Competitive Research

(EPSCoR). The flowing seawater facility, research vessels and shoreside support provided by the pier are critical assets for this work.

The intent, should the additional EDA funding become available, is to bid the project immediately following confirmation of funding availability and to have contracts in place by calendar year end. The expectation is that this schedule would find more contractors available to bid on the projects and would allow them ample time to order materials and plan for the work come spring. The early bid timing will also allow a longer construction period – not compressing the time available to complete the necessary work.

As reported in June 2019, these projects were put out to bid this past spring but came in significantly over the pre-bid estimated budget. The campus has worked with the designers, end users and department to review the scope schedule and budget and to determine the best path forward, which is the reason the request is before Trustees at this time. The University has requested an increase of \$1,100,000 in funding from the EDA for the project and is awaiting a response which is expected in early October, 2019. The campus has also identified means for providing a match to the EDA funding should that become available.

The Finance, Facilities and Technology Committee approved this recommendation to be forwarded to the Consent Agenda for Board of Trustee approval at the September 15-16, 2019 Board meeting.

6. TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees accepts the recommendation of the Finance, Facilities and Technology Committee and authorizes the University of Maine System acting through the University of Maine to expend up to \$5,200,000 for the Darling Marine Center Waterfront Infrastructure Improvement project pending authorization from the EDA of additional grant funding and the University's match.

Attachment:

[UM Darling Marine Center Waterfront Infrastructure Background Materials](#)

University of Maine System
Board of Trustees
Self-Assessment 2019
Highlights

Ten out of fourteen eligible Trustees participated in the self-assessment.

Trustees rate the Board's performance as strong to very strong in the following areas (based on weighted average response):

- Knowledge and understanding of mission of the UMS and the campuses
- Making decisions that are in line with the mission of the UMS and the campuses
- Understanding the fiduciary responsibility of the Board
- Understanding the financial status of UMS and factors that affect its financial sustainability
- Making decisions consistent with the fiduciary responsibility
- Understanding factors that create strategic challenges for UMS (enrollment, demographics, etc.)
- Setting strategic directions for UMS
- Hiring, evaluating, retaining the chancellor and presidents
- Focusing on governance/strategic issues while avoiding over involvement in management/operations
- Oversight

Trustees rate the Board's performance as satisfactory to strong in the following areas (based on weighted average response):

- Seeking input from affected stakeholders
- Developing and stewarding resources
- Board member attendance and engagement
- Board member participation in meetings
- Board member preparation for meetings

100% of Board members responding think the Board is focusing on the right issues and there has been improvement in providing adequate time for the Board members to discuss strategic imperatives and directions.

The way of delivering board development that is seen as the most helpful is a workshop or outside speaker at a Board retreat. Board orientations have improved but there is concern because nearly half of the Board will be new members this year.

Board members feel the quality of information and analysis in advance of the meetings is appropriate. However, there is room for improvement in the timeliness and quantity of the information. Executive summaries and highlights rather than multi-page reports are appreciated and strongly encouraged.

Board members appreciate presentations being brief and concise and limiting the number of PowerPoint slides.

Communication from the Chancellor and the Chair are seen as appropriate in both content and frequency/timeliness.

Responses to open-ended questions offer suggestions for improving Board support and functioning:

- Keep track of progress and implement follow-up procedures to keep on target
- Continue to align programming requirements with State needs
- Additional information on best practices and national higher education issues

University of Maine System Managed Investment Pool

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
MIP Composite	346,025,942	100.0	100.0	0.0	10.4	1.3	5.9	3.8	6.4	7.0
Allocation Index				0.2	11.4	2.9	6.9	4.8	6.8	7.2
Policy Index				0.2	11.4	3.1	7.4	5.2	7.0	7.4
Total Domestic Large Cap	77,836,092	22.5	22.0	1.4	20.2	7.9	13.3	11.3	13.9	13.9
S&P 500				1.4	20.2	8.0	13.4	11.3	14.0	14.0
SSgA S&P 500	77,836,092	22.5	22.0	1.4	20.2	7.9	13.3	11.3	13.9	14.0
S&P 500				1.4	20.2	8.0	13.4	11.3	14.0	14.0
Total Domestic Small/Mid Cap	27,495,906	7.9	8.0	1.0	18.1	-4.6	11.1	7.7	12.8	13.2
Russell 2500				1.0	20.5	0.9	10.8	9.0	12.8	13.6
Westfield Capital	14,160,893	4.1	4.0	1.2	22.2	0.4	14.4	9.6	14.1	14.8
Russell 2500 Growth				1.6	25.8	5.8	14.5	11.5	14.5	15.0
DFA	13,335,014	3.9	4.0	0.7	14.0	-9.2	6.9	5.3	11.1	--
Russell 2000 Value				0.2	13.6	-7.7	8.0	6.7	10.5	11.2
Total International Equity (including emerging markets)	84,096,284	24.3	25.0	-1.9	8.9	-5.7	4.0	0.9	4.7	5.5
MSCI EAFE				-1.3	12.6	-2.6	6.9	2.4	6.9	5.8
Morgan Stanley	21,426,967	6.2	6.5	-2.6	11.0	-3.7	5.1	1.7	5.7	5.5
Globeflex	21,285,464	6.2	6.5	-2.1	7.4	-12.4	3.8	1.3	6.6	5.9
MSCI EAFE				-1.3	12.6	-2.6	6.9	2.4	6.9	5.8
Kabouter International Opportunities Offshore Fund II	17,845,851	5.2	5.0	-2.0	10.0	-7.0	--	--	--	--
MSCI EAFE Small Cap				-0.7	11.7	-7.6	6.7	4.7	9.7	8.8
Emerging Markets Equity	23,538,002	6.8	7.0	-1.1	8.0	-0.6	2.8	-0.5	1.3	--
MSCI Emerging Markets				-1.2	9.2	-2.2	8.4	1.8	3.7	4.6
Aberdeen Emerging Mkts	12,468,318	3.6	3.5	-1.3	13.3	4.8	6.3	1.9	3.1	6.3
MSCI Emerging Markets				-1.2	9.2	-2.2	8.4	1.8	3.7	4.6
Mondrian EM Small Cap	11,069,684	3.2	3.5	-0.7	2.6	-6.1	-0.8	-2.9	--	--
MSCI Emerging Markets Small Cap				-1.5	5.1	-7.7	3.5	0.1	3.5	4.5
Total Fixed Income	81,096,074	23.4	24.0	0.3	5.9	5.4	3.0	2.8	3.8	5.3
BBgBarc US Aggregate TR				0.2	6.3	8.1	2.2	3.0	2.5	3.8
Commonfund	24,498,948	7.1	7.0	0.1	6.4	7.4	3.0	3.2	3.4	5.1
BBgBarc US Aggregate TR				0.2	6.3	8.1	2.2	3.0	2.5	3.8
Vanguard Inflation-Protected Securities	12,632,474	3.7	3.5	0.3	6.4	5.5	1.8	--	--	--
BBgBarc US TIPS TR				0.4	6.5	5.7	1.9	1.8	1.0	3.7
Vanguard Short-Term Inflation-Protected Securities	12,199,766	3.5	3.5	0.0	--	--	--	--	--	--
BBgBarc US TIPS 1-5 Yr TR				0.0	3.6	3.6	1.6	1.0	0.8	2.0



July 31, 2019

University of Maine System Managed Investment Pool

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Blackrock Strategic Income Opportunities	16,825,597	4.9	5.0	0.4	5.6	5.1	--	--	--	--
3-Month Libor Total Return USD				0.2	1.5	2.6	1.9	1.3	1.0	0.8
Bain Capital Senior Loan Fund	14,939,289	4.3	5.0	0.6	6.3	--	--	--	--	--
Credit Suisse Leveraged Loans				0.8	6.2	4.1	5.2	4.0	4.7	5.9
Total GAA	52,551,644	15.2	15.0	-0.5	8.2	2.1	3.9	1.9	4.0	4.7
65% MSCI ACWI (Net) / 35% BBgBarc Global Agg				0.1	12.7	4.2	7.1	4.8	6.9	7.1
GMO Global Absolute Return	25,770,062	7.4	7.5	-1.0	5.7	0.2	4.0	2.0	4.0	4.7
Blended Index				0.4	8.4	7.5	3.8	3.8	3.7	5.4
Newton Global Real Return	26,781,582	7.7	7.5	0.0	8.9	7.7	2.5	--	--	--
60% MSCI ACWI (Net) / 40% BBgBarc Global Agg				0.1	12.1	4.4	6.7	4.6	6.4	6.8
Total Hedge Funds	19,130,919	5.5	6.0	1.1	8.8	-1.1	3.5	1.2	2.8	2.7
HFRI Fund of Funds Composite Index				0.3	6.4	1.2	3.8	2.3	3.6	3.1
Lighthouse	19,130,919	5.5	6.0	1.1	8.8	-1.1	4.6	--	--	--
Credit Suisse Long Shrt Eqt USD				0.7	7.4	0.4	5.3	3.7	6.2	5.4
Total Real Assets	1,523,353	0.4	0.0	0.0	-1.0	-6.7	-3.5	-0.3	3.9	--
NCREIF Timberland Index				0.0	1.2	2.9	3.3	4.6	6.0	4.0
John Hancock Timber Fund	1,523,353	0.4	0.0	0.0	-1.0	-6.7	-3.5	-0.3	3.9	0.0
NCREIF Timberland Index				0.0	1.2	2.9	3.3	4.6	6.0	4.0
Private Equity	1,911,286	0.6	0.0	0.0	3.4	1.9	12.8	9.3	--	--
Landmark Equity Partners XV	1,911,286	0.6	0.0	0.0	3.4	1.9	12.8	9.3	--	--
Cambridge Associates US All PE (1 Qtr Lag)				0.0	3.0	12.7	15.4	11.9	13.1	14.7
Total Cash	384,384	0.1	0.0							
Distribution Account	384,384	0.1	0.0	0.2	1.3	2.0	1.1	0.7	0.5	0.4
91 Day T-Bills				0.2	1.3	2.3	1.5	0.9	0.7	0.5

Notes:

Fiscal YTD begins 7/1

Blended Index: 40% BC Aggregate, 30% BC U.S. TIPS 1-10YR, 10% S&P 500, 10% BC High Yield, 10% JPM EMBI+

Returns are net of manager fees

John Hancock Timber market value as of 06/30/19

Landmark market value estimated as of 07/31/19

Cash account includes \$2 currently being held in the MetWest account and \$1 being held in the TCW account

July 31, 2019

University of Maine System Managed Investment Pool

CASH FLOW SUMMARY

	Month Ending July 31, 2019						Ending Market Value
	Beginning Market Value	Contributions	Withdrawals	Net Cash Flow	Fees	Net Investment Change	
Aberdeen Emerging Mkts	\$12,638,783	\$0	\$0	\$0	-\$11,429	-\$170,465	\$12,468,318
Bain Capital Senior Loan Fund	\$14,844,470	\$0	\$0	\$0	-\$6,304	\$94,819	\$14,939,289
Blackrock Strategic Income Opportunities	\$16,757,086	\$0	\$0	\$0	-\$7,431	\$68,511	\$16,825,597
Commonfund	\$24,469,825	\$0	\$0	\$0	-\$3,267	\$29,123	\$24,498,948
DFA	\$13,240,018	\$0	\$0	\$0	-\$4,556	\$94,996	\$13,335,014
Distribution Account	\$1,199,579	\$1,025,686	-\$1,841,556	-\$815,870	\$0	\$675	\$384,384
Globeflex	\$21,751,939	\$0	\$0	\$0	-\$13,303	-\$466,475	\$21,285,464
GMO Global Absolute Return	\$26,007,598	\$0	\$0	\$0	-\$21,475	-\$237,536	\$25,770,062
John Hancock Timber Fund	\$1,523,353	\$0	\$0	\$0	\$0	\$0	\$1,523,353
Kabouter International Opportunities Offshore Fund II	\$18,214,826	\$0	\$0	\$0	-\$14,872	-\$368,975	\$17,845,851
Landmark Equity Partners XV	\$1,918,577	\$36,241	-\$43,532	-\$7,291	\$0	\$0	\$1,911,286
Lighthouse	\$18,915,957	\$0	\$0	\$0	\$0	\$214,963	\$19,130,919
Mondrian EM Small Cap	\$11,142,353	\$0	\$0	\$0	-\$8,764	-\$72,669	\$11,069,684
Morgan Stanley	\$21,999,116	\$0	\$0	\$0	-\$16,963	-\$572,149	\$21,426,967
Newton Global Real Return	\$26,781,582	\$0	\$0	\$0	-\$17,854	\$0	\$26,781,582
SSgA S&P 500	\$74,947,334	\$1,800,000	\$0	\$1,800,000	-\$3,011	\$1,088,758	\$77,836,092
Vanguard Inflation-Protected Securities	\$12,596,586	\$0	\$0	\$0	-\$737	\$35,888	\$12,632,474
Vanguard Short-Term Inflation-Protected Securities	\$12,194,837	\$0	\$0	\$0	-\$407	\$4,929	\$12,199,766
Westfield Capital	\$14,008,285	\$0	-\$25,789	-\$25,789	-\$6,423	\$178,396	\$14,160,893
Total	\$345,152,104	\$2,861,927	-\$1,910,877	\$951,050	-\$136,796	-\$77,211	\$346,025,942



July 31, 2019

University of Maine System Managed Investment Pool

FEE SCHEDULE

Account	Fee Schedule	Market Value As of 7/31/2019	% of Portfolio	Est. Minimum Annual Fee (\$)	Estimated Annual Fee (\$)	Estimated Annual Fee (%)
Total Domestic Large Cap	No Fee	\$77,836,092	22.5%		--	--
SSgA S&P 500	0.05% of First 50.0 Mil, 0.04% of Next 50.0 Mil, 0.02% Thereafter	\$77,836,092	22.5%		\$36,134	0.05%
Total Domestic Small/Mid Cap	No Fee	\$27,495,906	7.9%		--	--
Westfield Capital	0.75% of First 10.0 Mil, 0.05% Thereafter	\$14,160,893	4.1%		\$77,080	0.54%
DFA	0.41% of Assets	\$13,335,014	3.9%		\$54,674	0.41%
Total International Equity (including emerging markets)	No Fee	\$84,096,284	24.3%		--	--
Morgan Stanley	0.95% of Assets	\$21,426,967	6.2%		\$203,556	0.95%
Globeflex	0.75% of First 50.0 Mil, 0.70% of Next 50.0 Mil, 0.65% Thereafter	\$21,285,464	6.2%		\$159,641	0.75%
Kabouter International Opportunities Offshore Fund II	1.00% of Assets	\$17,845,851	5.2%		\$178,459	1.00%
Emerging Markets Equity	No Fee	\$23,538,002	6.8%		--	--
Aberdeen Emerging Mkts	1.10% of Assets	\$12,468,318	3.6%		\$137,151	1.10%
Mondrian EM Small Cap	0.95% of First 50.0 Mil, 0.85% Thereafter	\$11,069,684	3.2%		\$105,162	0.95%
Total Fixed Income	No Fee	\$81,096,074	23.4%		--	--
Commonfund	0.16% of Assets	\$24,498,948	7.1%		\$39,198	0.16%
Vanguard Inflation-Protected Securities	0.07% of Assets	\$12,632,474	3.7%		\$8,843	0.07%
Vanguard Short-Term Inflation-Protected Securities	0.04% of Assets	\$12,199,766	3.5%		\$4,880	0.04%
Blackrock Strategic Income Opportunities	0.53% of Assets	\$16,825,597	4.9%		\$89,176	0.53%
Bain Capital Senior Loan Fund	0.50% of Assets	\$14,939,289	4.3%		\$74,696	0.50%



July 31, 2019

University of Maine System Managed Investment Pool

FEE SCHEDULE

Account	Fee Schedule	Market Value As of 7/31/2019	% of Portfolio	Est. Minimum Annual Fee (\$)	Estimated Annual Fee (\$)	Estimated Annual Fee (%)
Total GAA	No Fee	\$52,551,644	15.2%		--	--
GMO Global Absolute Return	1.00% of First 100.0 Mil, 0.90% Thereafter	\$25,770,062	7.4%		\$257,701	1.00%
Newton Global Real Return	0.80% of Assets	\$26,781,582	7.7%		\$214,253	0.80%
Total Hedge Funds	No Fee	\$19,130,919	5.5%		--	--
Lighthouse	1.15% of Assets	\$19,130,919	5.5%		\$220,006	1.15%
Total Real Assets	No Fee	\$1,523,353	0.4%		--	--
John Hancock Timber Fund	No Fee	\$1,523,353	0.4%		--	--
Private Equity	No Fee	\$1,911,286	0.6%		--	--
Landmark Equity Partners XV	No Fee	\$1,911,286	0.6%		--	--
Total Cash	No Fee	\$384,384	0.1%		--	--
Distribution Account	0.42% of Assets	\$384,384	0.1%		\$1,614	0.42%
Investment Management Fee		\$346,025,942	100.0%		\$1,862,224	0.54%



University of Maine System Pension Plan

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Pension Composite	26,258,189	100.0	100.0	0.5	9.0	4.2	4.9	3.6	5.7	6.4
Allocation Index				0.2	9.0	3.8	5.6	4.6	6.4	6.9
Policy Index				0.3	9.8	4.8	5.9	4.9	6.6	7.3
Total Global Equity	7,869,528	30.0	30.0							
MSCI World				0.5	17.6	3.6	10.4	7.1	10.5	9.9
Walter Scott Global Equity Fund	7,869,528	30.0	30.0							
MSCI World				0.5	17.6	3.6	10.4	7.1	10.5	9.9
Emerging Markets Equity	1,072,873	4.1	3.0	-0.7	2.6	-6.1	-0.8	-2.9	-0.5	--
MSCI Emerging Markets				-1.2	9.2	-2.2	8.4	1.8	3.7	4.6
Mondrian EM Small Cap	1,072,873	4.1	3.0	-0.7	2.6	-6.1	-0.8	-2.9	--	--
MSCI Emerging Markets Small Cap				-1.5	5.1	-7.7	3.5	0.1	3.5	4.5
Total Fixed Income	11,589,295	44.1	43.0	0.3	6.2	6.7	2.3	2.8	3.0	4.3
BBGBarc US Aggregate TR				0.2	6.3	8.1	2.2	3.0	2.5	3.8
Vanguard Total Bond Market Index	7,238,117	27.6	26.0	0.2	6.4	8.1	2.1	--	--	--
BBGBarc US Aggregate TR				0.2	6.3	8.1	2.2	3.0	2.5	3.8
Vanguard Inflation-Protected Securities	926,804	3.5	3.5	0.3	6.4	5.5	--	--	--	--
BBGBarc US TIPS TR				0.4	6.5	5.7	1.9	1.8	1.0	3.7
Vanguard Short-Term Inflation-Protected Securities - VTSPX	909,029	3.5	3.5	0.0	--	--	--	--	--	--
BBGBarc US TIPS 1-5 Yr TR				0.0	3.6	3.6	1.6	1.0	0.8	2.0
BlackRock Strategic Income Opportunities	1,174,415	4.5	5.0	0.4	5.6	5.2	--	--	--	--
3-Month Libor Total Return USD				0.2	1.5	2.6	1.9	1.3	1.0	0.8
Bain Capital Senior Loan Fund	1,340,931	5.1	5.0	0.6	6.4	--	--	--	--	--
Credit Suisse Leveraged Loans				0.8	6.2	4.1	5.2	4.0	4.7	5.9
Total GAA	1,895,111	7.2	8.0	0.0	10.9	4.6	4.4	2.3	4.1	5.3
65% MSCI ACWI (Net) / 35% BBGBarc Global Agg				0.1	12.7	4.2	7.1	4.8	6.9	7.1
Newton Global Real Return	1,895,111	7.2	8.0	0.0	8.9	7.7	2.6	--	--	--
60% MSCI ACWI (Net) / 40% FTSE WGBI				0.0	11.9	4.3	6.4	4.4	6.2	6.5
Total Alternative Investments	1,236,541	4.7	5.0	1.1	8.8	-1.1	3.5	1.8	3.2	3.0
HFRI Fund of Funds Composite Index				0.3	6.4	1.2	3.8	2.3	3.6	3.1
Lighthouse	1,236,541	4.7	5.0	1.1	8.8	-1.1	4.6	--	--	--
Credit Suisse Long Shrt Eqt USD				0.7	7.4	0.4	5.3	3.7	6.2	5.4



July 31, 2019

University of Maine System Pension Plan

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Total Real Assets	2,177,614	8.3	8.0							
Principal	2,177,614	8.3	8.0	0.5	3.4	6.5	7.8	9.7	10.3	9.6
NCREIF ODCE				0.0	2.4	6.4	7.6	9.8	10.5	9.9
Total Cash	417,227	1.6	3.0							
Distribution Account	417,227	1.6	3.0	0.2	1.3	2.0	1.1	0.7	0.5	0.4
91 Day T-Bills				0.2	1.3	2.3	1.5	0.9	0.7	0.5

Notes:

Fiscal YTD begins 7/1

Blended Index: 40% BC Aggregate, 30% BC U.S. TIPS 1-10YR, 10% S&P 500, 10% BC High Yield, 10% JPM EMBI+

Returns are net of manager fees

July 31, 2019

University of Maine System Operating Fund

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Operating Funds Composite	273,715,695	100.0	100.0	0.2	4.8	3.7	3.1	2.2	2.5	2.9
<i>Allocation Index</i>				0.2	4.8	3.8	3.2	2.4	2.7	2.7
Liquidity Pool Composite	59,705,708	21.8	30.0	0.2	1.3	2.1	1.3	0.9	0.7	0.6
State Pool	30,967,567	11.3		0.2	1.4	2.1	1.4	1.0	0.8	0.6
BOA General Fund	432,474	0.2		0.0	0.5	1.0	0.4	0.3	0.2	--
Federated Gov't Obligations	4,074,756	1.5		0.2	1.3	2.2	--	--	--	--
JP Morgan US Gov't Money Market Fund	24,230,911	8.9		0.2	1.3	2.2	--	--	--	--
<i>FTSE T-Bill 3 Months TR</i>				0.2	1.4	2.3	1.4	0.9	0.6	0.5
Income Pool Composite	143,778,486	52.5	47.5	0.2	4.2	4.7	2.3	2.1	2.3	3.4
Income Research + Management	76,732,583	28.0	26.0	0.0	2.8	4.2	1.6	1.5	--	--
<i>BBgBarc US Govt/Credit 1-3 Yr. TR</i>				-0.1	2.6	4.1	1.6	1.5	1.3	1.5
BlackRock Strategic Income Opportunities	22,371,768	8.2	7.0	0.4	5.6	5.2	3.9	--	--	--
<i>3-Month Libor Total Return USD</i>				0.2	1.5	2.6	1.9	1.3	1.0	0.8
Loomis Sayles Bank Loans	22,543,358	8.2	7.0	0.8	6.3	3.7	3.9	3.4	3.7	4.6
<i>Loomis Bank Loans Custom Index</i>				0.8	7.1	4.2	4.2	3.9	4.4	5.8
Vanguard Total Bond Market Instl' Fund	22,130,777	8.1	7.5	0.2	6.4	8.1	2.1	3.0	2.4	--
<i>BBgBarc US Aggregate TR</i>				0.2	6.3	8.1	2.2	3.0	2.5	3.8
Total Return Pool Composite	70,231,502	25.7	22.5	0.1	10.3	3.0	6.2	3.9	5.0	5.9
Lighthouse	14,788,598	5.4	5.0	1.1	8.8	-1.1	4.6	--	--	--
<i>Credit Suisse Long Shrt Eqt USD</i>				0.7	7.4	0.4	5.3	3.7	6.2	5.4
Newton Global Real Return	14,152,933	5.2	4.0	0.0	9.0	7.8	--	--	--	--
<i>60% MSCI ACWI (Net)/ 40% BBgBarc Global Agg</i>				0.1	12.1	4.4	6.7	4.6	6.4	6.8
PIMCO All Asset	13,308,130	4.9	4.0	-0.4	7.7	3.4	5.7	2.7	3.9	5.9
<i>Blended Index</i>				0.4	8.4	7.5	3.8	3.8	3.7	5.4
Vanguard Total World Stock Index	27,981,841	10.2	9.5	0.0	16.2	2.1	10.1	6.7	--	--
<i>FTSE Global All Cap Index</i>				0.3	16.6	2.5	9.8	5.5	8.5	7.9

Notes:

Returns are net of manager fees.

The inception date for the allocation index is 07/01/2009

Fiscal YTD begins 7/1

Blended Index: 40% BC Aggregate / 30% BC U.S. TIPS 1-10YR / 10% S&P 500 / 10% BC High Yield / 10% JPM EMBI+

Loomis Bank Loans Custom Index blends performance of "S&P/LSTA Leveraged Loan Index" before 9/1/2014 and "S&P/LSTA Leveraged BB Loan Index" after 9/1/2014.

Composite excludes external loans.

Blackrock SIO changed its share class in May 2018 to BSIKX.

UNIVERSITY OF MAINE SYSTEM

UNIFIED ACCREDITATION RECOMMENDATION

"An Excellent Opportunity to Pioneer in the Pursuit of Excellence"



[It] shall be [a] fundamental polic[y] adhered to in the state's public higher educational planning ... to develop, maintain and support a structure of public higher education in the State which will assure the most cohesive system possible for planning, action and service in providing higher educational opportunities.

20-A Maine Rev Stat § 10902(3)



Chancellor Dannel P. Malloy
Chief of Staff and General Counsel James B. Thelen
September 2019

INTRODUCTION

At the July 2019 meeting, University of Maine System Board Chair James Erwin stated that it was the Board's sense that, in order for UMS to move forward with and attain the strategic goals established in the December 2018 *Declaration of Strategic Priorities to Address Critical State Needs*,¹ UMS needs to be able to deliver significantly more collaborative, market-relevant cross-campus programming. In recent years, however, there have been significant challenges to developing, delivering, and managing such programs at the scope, scale, and pace the Board determines to be necessary to meet Maine's higher education attainment needs, some of which stem from the fact that each UMS university is accredited separately from its sister campuses in the System.

Except for the University of Maine at Machias, which is accredited as a regional campus of the University of Maine, the University of Maine and other five UMS universities are currently separately accredited by the New England Commission of Higher Education (NECHE), one of seven regional accreditors in the country recognized by the United States Department of Education to assess higher education institutional quality. While it is necessary that UMS universities be accredited, the fact of their separate accreditations requires that they each govern their own academic programs, which does not readily provide for, and for all practical purposes does not even permit, efficient governance, administration, and assessment at the System level of academic programs offered jointly by two or more universities. Yet both the UMS legal charter, a state law which establishes the System's organizational structure, and higher education public policy in Maine provide that this is one of the System's primary purposes – indeed, coordinated academic programming to serve the entire State of Maine was one of the core expectations the System's formation was meant to realize more than 50 years ago.

Recognizing these challenges, Chair Erwin asked UMS Chancellor Dannel Malloy to review UMS's accreditation status and provide recommendations for what accreditation structure is most likely to permit UMS to achieve its strategic goals and best serve the higher education needs of its students and the State of Maine.

This report reviews relevant UMS history and accreditation generally as well as within UMS. Based on this history, the Board's strategic priorities and interest in increasing collaborative cross-campus programs, the imperative to improve the UMS higher educational experience overall, and the State's interest in preserving all UMS universities where they currently exist, it is the Chancellor's recommendation that UMS universities begin a process to unify their accreditations to a statewide accreditation within the University of Maine System. The process should be undertaken based on the Guiding Principles set forth below, which were developed by the Chancellor, the UMS Presidents, and Senior System Staff.

¹ "Declaration of Strategic Priorities to Address Critical State Needs," December 2018 (UMS Board of Trustees Office).

RELEVANT UMS HISTORY

At its formation in 1968, the University of Maine System united the University of Maine (with campuses under the University of Maine Board's jurisdiction at that time in Orono, Bangor, Lewiston-Auburn, Augusta, and Portland) with five then-existing state colleges governed by the State Board of Education – Gorham State College, Farmington State College, Aroostook State College, Washington State College and Fort Kent State College.² The System was formed in response to public recommendations that higher education in Maine be coordinated under a single governing board to avoid unnecessary duplication of academic programs and maximize the transferability of credits within and between the State's separate colleges and the University of Maine. Further goals of the System's creation were to develop arrangements for sharing the responsibility between the System's various campuses to offer and provide for specialized graduate and professional programs and university-based research, and even to share facilities – libraries, laboratories, and other resources – where feasible to do so. Since the System was to be a single State of Maine-chartered entity, it was expected that all faculty at the several campuses making up the System would be considered one faculty for the whole of the System.³

An intended benefit of the System's formation was to ensure that its campuses planned and coordinated the academic programs available between them, even offering them cooperatively and jointly. The Commission whose recommendations were behind the formation of the System described the matter as follows:

While duplication of programs has been a serious shortcoming of higher education in the state of Maine, another shortcoming of equal or greater proportions (from which duplication often results) has been the absence of cooperative efforts among the public institutions ...

There are no reasons, legal or other, to prevent higher-education institutions in the state of Maine from doing things together; in fact there is increasingly ample evidence nationally to show that institutions working together, especially small ones (of which there are so many in Maine) can carry on more educational programs and conduct them better if joint efforts are involved. But in the past there has been no voluntary arrangement to foster such cooperation, nor sufficient coordination to achieve it, nor funds to support significant cooperative arrangements.⁴

² In 1970 Gorham State College merged with the Portland campus, which itself separated from the University of Maine at the same time, to become the University of Maine at Portland-Gorham; in 1978 the name changed to the University of Southern Maine. As discussed in the text below, the System's Board renamed Farmington State College, Aroostook State College, Washington State College and Fort Kent State College as the University of Maine at Farmington, Presque Isle, Machias, and Fort Kent, respectively, in April 1970.

³ See generally "The First Business of Our Times: A Report to the Advisory Commission for the Higher Education Study—State of Maine," (Academy for Educational Development, September 1966).

⁴ "First Business," at 37-38.

To foster and even ensure such cooperation, coordination, and planning, the Commission recommended, among other things, that the System head (Chancellor) convene a council of the administrative heads of the System's campuses for the purpose of ensuring regular and close coordination of all programs, activities, and planning between the campuses.⁵

Soon after the System was formed, then-Chancellor Donald R. McNeil proposed, and the UMS Board adopted, the current naming convention for the universities making up the System:

- Aroostook State College became the *University of Maine at Presque Isle*;
- Farmington State College became the *University of Maine at Farmington*;
- Fort Kent State College became the *University of Maine at Fort Kent*;
- Washington State College became the *University of Maine at Machias*; and
- Gorham State College, joining with the University of Maine at Portland, became the *University of Maine at Portland-Gorham*.

Chancellor McNeil's expressed intent in having this uniformity in naming the System's campuses was to "*enhance the concept [of the System operating as] a single university.*"⁶

But a state-wide task force reviewing higher education in Maine a decade-and-a-half into the System's operation judged that the System had not then yet developed a comprehensive assessment of Maine's needs for higher education opportunity, including particularly any analysis of how its program offerings and coordination between the campuses to provide them met those needs.⁷ The task force commended each System campus's attainment of regional accreditation from the New England Association of Schools and Colleges (now NECHE)⁸ as having contributed to academic quality, but also presciently observed that *the process of separate campus accreditation failed to address how any one or more of the campuses*

⁵ "First Business," at 21. The recommendation for a campus-heads council convened by the System head finds manifestation today in the UMS Presidents' Council, which the Chancellor currently convenes monthly.

⁶ UMS Board of Trustees Minutes, at 6, April 10, 1970 (UMS Board Office; emphasis added).

⁷ Report of the Visiting Committee to the University of Maine, at 17 (R. Strider II, Chair, January 1986). In January 1984, a special Maine Commission on the Status of Education had recommended that "there be a public review of the University of Maine [S]ystem as a whole ...," to include review of the System's "overall mission and program priorities," its governance, the distinct mission of each campus, [and] the methods used for allocating funds among campuses ..." The Legislature established the commission in June 1984, and, in August 1984, Governor Joseph E. Brennan signed Executive Order 3 FY 84/85 to name members to what was called the Visiting Committee to the University of Maine and set its charge. The Committee's Report was transmitted in late December 1985. See Visiting Committee Report, at 2.

⁸ The New England Commission of Higher Education (NECHE) accredits higher education institutions in Maine, as well as New Hampshire, Vermont, Connecticut, Massachusetts and Rhode Island. NECHE was formerly known as "NEASC," the New England Association of Schools and Colleges. NECHE began operating independently of NEASC in early 2018 to meet U.S. Department of Education requirements. NECHE continues to apply and enforce the higher education accreditation standards that were in effect through NEASC.

*contributed to the overall quality, purpose, and mission of the statewide System.*⁹ The task force then boldly recommended that statewide/system-wide accreditation be considered:

The Committee recommends that efforts be made to have the accreditation process apply to the University System as well as to the separate entities within it. ... [T]he System as a whole has not received its own accreditation. There are instances throughout the country in which systemwide accreditation has been achieved. It would be desirable for the New England Association of Schools and Colleges to give special attention to the System at some juncture in the future.¹⁰



The efficacy of the System is of central importance to the efficacy of the institutions that make up the whole.

Report of the Visiting Committee to the University of Maine (1986)



Upon receipt of the Visiting Committee's report, the UMS Board's standing Educational Policy Committee considered its recommendations, including the recommendation to pursue a statewide, System-level accreditation. The Board's committee "applaud[ed]" the Visiting Committee's accreditation recommendation, calling it a "novel and intriguing concept" and "an excellent opportunity to pioneer in the pursuit of excellence."¹¹ The full Board agreed, voting on February 24, 1986 to "seek accreditation for the System in an appropriate time frame."¹²

But ten years on, another state-appointed review commission noted that UMS had apparently not given serious attention to statewide System-level accreditation for no other reason than that there did not then appear to be a recognized standard for accreditation of university systems across the country.¹³ More generally, though the commission complimented the System's educational organization and leadership, it noted that "fine tuning" was necessary to provide statewide vision, planning, coordination, and accountability. Further, it noted concern both in Maine and nationally of the inefficiencies of duplication of programs and services among System institutions at a time when state funding for higher education was shrinking.

⁹ Visiting Committee Report, at 15.

¹⁰ Id., at 24.

¹¹ "A Review and Evaluation of The Report of the Visiting Committee," at 4 (UMS Board of Trustees Educational Policy Committee, February 24, 1986).

¹² UMS Board Minutes, at 6, February 24, 1986.

¹³ Final Report of the Commission on Higher Education Governance, App. Four (State of Maine, 1996).

Finally, the commission expressed concern that there was no clear information about, or availability or coordination of, statewide course and program offerings.¹⁴

Over the next two decades, facilities aged and costly-but-necessary maintenance was deferred. Enrollments failed to grow at the pace predicted by the 1985 commission. State appropriations did not keep pace with inflation or the System's rising expenses, and tuition rates climbed higher than Maine families could reasonably afford. Every System campus budget was strained to varying degrees by some combination of all three of the preceding factors. All the while, State needs for market-relevant academic programs grew, and the number of sufficiently credentialed citizens dwindled. And across the System, each university's separate NEASC (later NECHE) accreditation required that it maintain control over its own academic programming, with no clear standards to permit, let alone foster, innovative shared programs to make the most efficient use of limited academic resources between the System's campuses.¹⁵

Responding to many of these concerns, in early 2012, the UMS Board endorsed a set of goals and actions that would be foundational to what became the One University concept a few years later. Controlling student costs, imposing the first of six annual tuition freezes for in-state students, and fostering credit transfer both within the System and with Maine's Community College System were all key priorities.

Work began later that year on both a comprehensive intra-system block credit transfer policy and a general education block transfer agreement with the Maine Community College System, both of which became reality by late 2015. The work included key alignments of curriculum and general education requirements across the fourteen institutions of UMS and MCCS, respectively.

Administrative reviews began within UMS in 2013 to streamline Information Technology, Strategic Procurement, and Human Resources across the System, with the goal of eliminating the inefficiencies and inconsistencies inherent in having each System campus manage these functions separately. Facilities Management would follow by early 2015.

In mid-2014, the UMS Board adopted Strategic Outcomes, determining that it could not meet its statewide mission in either a financially responsible or sustainable way under its then-current business and organizational model. In the Strategic Outcomes, the Board declared that UMS would be an integrated system of distinct campuses, centers, and other facilities operating in concert to provide high-quality educational undergraduate and graduate opportunities that would be accessible, affordable, and relevant to the needs of Maine students, businesses, and communities.

In this environment, the One University concept was born. As conceived in early 2015 by then-Chancellor James Page, One University's goal was seven mission-differentiated, mutually

¹⁴ Id., at 15-16, 18.

¹⁵ See further discussion below at pp. 8-10.

dependent campuses operating as one fully integrated university singularly focused on student success and responsive service to the State of Maine.¹⁶

With most material administrative functions integrated across the System by then, UMS turned to academic integration. Through 2015, System-wide efforts toward academic planning and transformation, known as “Academic Portfolio Review and Integration Process” or “APRIP,” were led by Ellen Chaffee, Ph.D., and coordinated with the System’s Chief Academic Officers. Program Integration teams of faculty across the System were charged with developing recommendations for system-wide academic collaboration to improve quality, access, and financial sustainability.

With the academic integration work underway, the ultimate goal then expressed was to operate as One University – a single integrated statewide institution comprised of Maine’s seven public universities, offering both coordinated and integrated academic programming across the state. Indeed, in May 2015 – perhaps unknowingly harkening back to the February 1986 Board’s direction to seek a System accreditation “in an appropriate time frame” – Chancellor Page requested an advisory opinion from NEASC on the process for seeking a single accreditation for the UMS enterprise to replace the existing model of separate university accreditations. The UMS request was premised on the basic notion that, given its serious economic and demographic challenges, “[m]oving to a single accreditation [would] ... allow [UMS] a greater ability to offer new and enhanced programming to qualified students regardless of location.”¹⁷

NECHE responded favorably in July 2015, writing that “... the Commission is open in principle to accrediting what are now the seven Universities in the University of Maine System as a single institution if the institution meets the Commission’s Standards for Accreditation ...” However, NECHE questioned whether the System as a whole could be the sole accredited entity, demonstrating what was then a fundamental misalignment between NECHE’s understanding that it could only accredit single universities as “institutions of higher education” and the University of Maine System’s chartered structure as a single institution of higher education made up of Maine’s public universities.¹⁸

As late as Fall 2015, UMS remained committed to an operational transition to One University *that included pursuing a single accreditation through NECHE*. Chancellor Page shared a System-wide communication on behalf of the Presidents’ Council that explained both UMS’s intention to continue discussions with NECHE about transitioning to a single accreditation and the opportunities System university community members would have to provide input through the

¹⁶ “One University for all of Maine,” February 10, 2015 (UMS Chancellor’s Office).

¹⁷ James H. Page, Ph.D. letter to Dr. Barbara W. Brittingham, March 30, 2015, at 2; and Page letter to Brittingham, May 13, 2015, at 2 (UMS Chancellor’s Office). NECHE at that time was still known as NEASC.

¹⁸ Patricia Maguire Meservey letter to James H. Page, Ph.D., July 10, 2015, at 1, 2 (UMS Chancellor’s Office).

transition. Chancellor Page closed by noting that UMS would update NECHE about the status of its work in early 2016.¹⁹

But progress on academic integration proved difficult, and slow. In her January 2016 “Academic Transformation Recommendations for the University of Maine System” report to the UMS Board, Dr. Chaffee made the following relevant recommendations, among others:

- Academic portfolio review should continue, using data to identify and develop new or revised academic programs with high enrollment potential
- Give the resource needs of multi-campus collaborating programs priority consideration in budgeting and systems/technology development
- Academic programs that are not mission-critical, needed by the State, or fiscally sustainable should be discontinued, and work to do so should be ongoing in the regular course of academic administration
- Significant investments should be made in technology infrastructure and online academic program capacity and coordination (much of which was already planned or underway, even if resources had not then yet been identified)

Most significantly, Dr. Chaffee recommended that UMS develop new academic governance capabilities and faculty policies and assignment options to both enable and support collaborative multi-campus academic programs. Dr. Chaffee noted the importance of complying with accreditation requirements, but also clearly recommended that UMS take a system-level approach to accreditation if necessary to further develop collaborative academic programs.²⁰

But by March 2016, Chancellor Page and the System Presidents turned the focus of their communications with NECHE to exploring whether System’s universities could continue to satisfy accreditation standards separately even as key One University efforts moved forward. Momentum waned on the direct pursuit of singly accrediting the System as a primary outcome of One University priorities – at least in part due to the understanding that NECHE did not then believe the System itself could be accredited.²¹

Still, a number of strategic initiatives continued through the present time, including several joint programs and collaborations between the universities – all manifestations of working together among and between the campuses as One University.²²

¹⁹ James H. Page “Colleagues” Letter, August 28, 2015 (UMS Chancellor’s Office).

²⁰ Chaffee, Ellen-Earle, Ph.D., “Academic Transformation Recommendations for the University of Maine System, at 3, 6-8, January 24, 2016 (UMS Chancellor’s Office).

²¹ James H. Page, Ph.D., and System Presidents’ letter to Dr. Barbara Brittingham, March 29, 2016 (UMS Chancellor’s Office).

²² Over time, System leaders began to describe the One University initiative as “the framework by which UMS organizes and acts so as to bring all its resources into focused support for all Maine learners, businesses, and communities [...] driven by a realistic appraisal of Maine’s severe demographic and

By mid 2016, work was underway on a Unified Financial Management Structure. In October that year, the UMS Board approved the initial phases of the Maine Center for Graduate and Professional Studies, bringing the MBA programs from the University of Southern Maine and University of Maine together in a newly formed University of Maine Graduate School of Business (that included USM graduate business faculty) and joining it in an academic consortium along with the University of Maine School of Law and the University of Southern Maine's Muskie School of Public Service.

At the same time, enrollment pressures and limited academic resources at several smaller campuses demanded more innovative One University solutions. The University of Maine at Machias, facing acute financial and operational strain, and the consequent potential loss of its NECHE accreditation as an independent institution, was joined with the University of Maine as its regional campus in mid 2017. By doing so, UMM retained its identity and status as an anchor institution in economically challenged Washington County and Downeast Maine, even though its ongoing accreditation continued as of July 1, 2018 only as a part of the University of Maine's accreditation. In Aroostook County, UMS initiated an ongoing and historic collaboration between the University of Maine at Presque Isle and the University of Maine at Fort Kent, with the institutions beginning to share programs²³ and administrative positions²⁴ to mitigate demographic and resource challenges in Maine's most remote rural area, even as each campus's independence and ongoing viability as separate institutions under current accreditation standards comes under heavy scrutiny from NECHE.²⁵

In late 2016, following through on one of the Chaffee Report recommendations,²⁶ UMS hired Dr. Robert Neely as UMS Vice Chancellor for Academic Affairs (VCAA) to lead academic transformation across Maine's public universities, with a specific focus on developing collaborative, multi-campus programming as an outgrowth of the previously-initiated "APRIP" process. Unfortunately, shortly thereafter, commenting on a few newly-developed multi-campus academic programs, NECHE (then NEASC) wrote:

fiscal facts and by the highly competitive and rapidly changing higher education landscape." See, e.g., "One University Accomplishments 2012-2019," at 1, May 2019 (UMS Chancellor's Office).

²³ For example, the University of Maine at Presque Isle began offering education degrees at Fort Kent after the University of Maine at Fort Kent's faculty in the program were lost due to attrition and retirement. Similarly, the University of Maine at Fort Kent began offering its nursing program at Presque Isle to meet a clear student need for such programming there. In each case, with the resource constraints each campus faced, it would have been financially impractical and imprudent for either university to restore or stand up a program its sister campus already offered nearby.

²⁴ UMFK and UMPI currently share four administrative positions: Director of Financial Aid, Executive Director of Enrollment Management, Dean of Students, and Registrar.

²⁵ See, e.g., David P. Angel letter to Dr. Raymond Joseph Rice and Dr. John Short, at 2, August 8, 2018 (UMS Chancellor's Office).

²⁶ See Chaffee, "Academic Transformation," at 9.

We applaud the fact that the System and its separate institutions are contemplating further cooperation to ensure that students enrolled in any of the Universities have as many academic options as reasonably possible. We understand that each of the current programs is governed by a steering committee with representation from the participating campuses. However, it is not clear to us who the responsible chief academic officer is for each of the multi-institutional organizational structures, at least in the short run, we find that the contemplated expansion of programs offered by multiple separate Universities will lead, in the longer run, to the System's Chief Academic Officer in effect becoming the Chief Academic Officer for individual Universities, at least where programs of multiple campuses are involved. *Such a situation would not be satisfactory to the Commission.*²⁷

As the basis for its concerns, NECHE cited its Standards 3.14²⁸ and 4.5,²⁹ which address academic oversight, the role of faculty, and the control an accredited institution's Chief Academic Officer is to have over the academic program at each accredited university. By comparison, UMS academic governance policies generally provide the UMS Vice Chancellor for Academic Affairs with authority to engage at the System level in much of the academic oversight called for in these NECHE standards. But to the point of NECHE's correspondence quoted above, the VCAA's true exercise of that authority is at odds with NECHE accreditation standards for a single university's control over its own academic program.³⁰

From then on, the Chancellor, VCAA, and others in UMS engaged in ongoing discussions with NECHE to explore various options for a multi-campus academic programs model that could satisfy NECHE standards for each university to remain separately accredited. Options included a lead campus, rotating lead campuses, formal committee structure involving representatives from the collaborating campuses, a stand-alone, separate academic entity accredited and recognized at the System level (separate from any one UMS campus), and course cross-listing. A lead campus model could potentially be workable with NECHE, but has proven problematic. First, the lead campus would offer its own program to other campuses, and thus not represent

²⁷ David Angel letter to James H. Page, Ph.D., at 2, October 3, 2016 (UMS Chancellor's Office; emphasis added).

²⁸ NECHE Standard 3.14 provides: The institution's chief academic officer is directly responsible to the chief executive officer, and in concert with the faculty and other academic administrators, is responsible for the quality of the academic program. The institution's organization and governance structure assure the integrity and quality of academic programming however and wherever offered. Off-campus, continuing education, distance education, correspondence education, international, evening, and weekend programs are clearly integrated and incorporated into the policy formation, academic oversight, and evaluation system of the institution.

²⁹ NECHE Standard 4.5 provides: Through its system of academic administration and faculty participation, the institution demonstrates an effective system of academic oversight, assuring the quality of the academic program wherever and however it is offered.

³⁰ Board Policy 305, Section 305.2, for example, empowers the VCAA, with input from all university chief academic officers, to approve or reject proposed changes to existing academic programs across the System. This authority is at odds with a literal application of NECHE Standards 3.14 and 4.5 as long as UMS universities are separately accredited.

a true multi-campus program with two or more campuses collaborating to deliver the program. Second, the lead campus model has not generally been considered acceptable by those faculty who prefer a model of shared collaboration and oversight. NECHE did not believe the committee model could be scaled. A stand-alone multi-campus academic unit accredited at the System level to house collaborative programs piqued interest among campus leaders, but would result in confusion regarding faculty roles and reporting lines since such a unit would not have its own faculty, but use instead the faculty already assigned to existing UMS universities.³¹

As UMS explored and then began piloting course cross-listing in 2018, NECHE wrote:

... [T]he developing plans for cross-listing courses represents another form of collaboration. We concur that cross-listing courses between and among institutions in the University of Maine System has considerable potential for increasing collaboration among campuses and expanding the educational opportunities available to the people of Maine. At the same time, there is also the potential for students to take a very limited number of credits in their major from the institution at which they are matriculated thereby creating considerable challenges for the institution to ensure that students achieve the learning goals specified in the program. *It also has the potential to challenge the Commission, for example, in holding the institution accountable for the quality of its graduates.*³²

Later, writing about the possibility of cross-listing courses between the University of Maine at Fort Kent and the University of Maine at Presque Isle, NECHE opined that course cross-listing would make it difficult, if not impossible, for UMFK and UMPI to each separately meet NECHE's accreditation standards.³³

Thus, efforts to develop, administer, and scale-up multi-campus programming have been hampered for three years by the inability to come up with multi-campus academic governance policies and structures that satisfy NECHE accreditation standards with each university having its own separate accreditation. The issues from the outset have consistently stemmed from separate campus accreditation requirements for local oversight of academic programs, chief academic officers reporting to presidents, and participation of local campus faculty in academic oversight only at the individual university level. Repeatedly, and consistently, from 2016 through the present, NECHE has informally stated that *these issues would be rendered moot under a model of single or unified accreditation* because the Commission would then be accrediting a single statewide, System-level institution with campuses where they already are.

* * * * *

³¹ See David Quigley letter to James H. Page, Ph.D., at 2, May 10, 2019 (UMS Chancellor's Office). See also Aims McGuinness Memo to Barbara Brittingham, "Issues and Questions with Respect to the University of Maine System and its Universities," at 7, April 27, 2017 (UMS Chancellor's Office).

³² David P. Angel letter to Dr. John Short, at 3, August 7, 2018 (UMS Chancellor's Office).

³³ David P. Angel letter to Dr. Raymond Joseph Rice and Dr. John Short, at 2, August 8, 2018 (UMS Chancellor's Office).

In sum, across the span of UMS's history from its formation to present, the question of whether the separately accredited universities that make up the System can efficiently coordinate, collaborate on, and integrate academic programming among themselves to best serve state-wide needs has been called again and again. A special review commission and an outside academic consultant have each recommended that UMS explore a System-level statewide accreditation to enhance UMS's ability to develop coordinated academic programming to better meet state needs. Over time, this Board and previous System leadership have voted and determined to take such action – and even started work to pursue a unified, System-level accreditation, only to pause for further consideration, perhaps from a desire for consensus. NECHE, pointing out the challenges of developing multi-campus collaborative programming at the scale necessary to best serve Maine's needs with UMS's universities separately accredited, has proven receptive to a System-level accreditation.

Finally, in December of 2018 the Board of Trustees adopted a *Declaration of Strategic Priorities to Address Critical State Needs*, in which it stated:

... UMS must comprehensively and continuously adapt its curriculum, programs and services, both in substance and in manner of delivery, to meet Maine's workforce needs and to remain relevant and competitive. And UMS must continue to grow the research and knowledge base that will support those emerging workforce and business needs to enable and even catalyze innovation in Maine. However, solving Maine's workforce crisis in a time of rapid changes in learning and teaching requires more – a new vision for a public education continuum in Maine that creates learner success for all stakeholders from early childhood through life-long learning to retirement. UMS must play a vital role in bringing together education and policy leaders to ensure this vision is learner-centric, nimble, collaborative, data-driven, knowledge-generating, continuously improving, and properly resourced, and that the vision aligns with emerging State economic development plans and policies.

Therefore, it is the policy of the University of Maine System Board of Trustees that UMS exercise leadership among Maine's education systems and policy makers to realize this vision. System leadership shall promptly take the steps necessary to begin this process, initially including strategic collaboration among UMS universities and expanding to timely information sharing and innovation along the entire public and private education and learning continuum, including stakeholders in P-12, the Maine Community College System, and Maine's employers. The primary goal of these efforts must be maximizing educational attainment in Maine through the provision of quality, affordable, accessible, relevant and responsive programs and services that meet the changing needs of both Maine's students and employers.

UMS leadership will be guided by the One University principle of making all UMS university resources available to support Maine families, businesses and communities regardless of location. UMS has made significant progress since 2012 in transforming its business model to become more efficient, affordable, and responsive. However, the aggregate impact of

*Maine’s current and future workforce crisis, demographics, societal problems, and the changing higher education marketplace on the educational needs of Maine students and employers requires UMS to take further definitive actions to deploy the fully realized benefits of One University in response to these urgent challenges.*³⁴

To that end, Goal 4 of the *Declaration* directed System leadership to “accelerate the transition to One University organizationally, systemically, and culturally to facilitate resource allocation and investments across UMS that best achieve” the *Declaration’s* workforce readiness, attainment, program alignment, and sustainability outcomes.³⁵

It is important to be clear about the strategic purpose of unified accreditation. *Unified accreditation is not a UMS strategic priority unto itself.* However, attaining it will better enable UMS’s capacity and ability to implement State and Board policy and meet Maine’s attainment and workforce needs for more market-relevant, multi-campus collaborative programming, and it should therefore be pursued without delay.

³⁴ “Declaration,” at 2-3.

³⁵ *Id.*, at 6.

ACCREDITATION

The Imperative

Last updated nearly 23 years ago, UMS Board Policy 308 is a neutral statement acknowledging the importance of UMS universities having accreditation.

Policy 308 states:

Accreditation is viewed as a necessary and valued means of quality assurance and self-improvement. Institutional accreditation should serve to ensure continuous self-review of mission, faculty, programs, resources, and support services, while specialized accreditation serves to improve professional education, prepare graduates for professional licensing, and protect the public. The University of Maine System supports the accreditation activities of its institutions.

Though Policy 308 and the generally accepted description and purpose of accreditation both focus on quality – specifically as “a process of external quality review created and used by higher education to scrutinize colleges, universities, and programs for quality assurance and quality improvement”³⁶ – accreditation serves other purposes as well, including:

- **Providing access to federal funds** – federal student aid funds (e.g., federal financial aid) are available only to students who attend an institution that is accredited by a regional accrediting body recognized by the U.S. Department of Education
- **Engendering private sector confidence** – the accreditation status of an institution is important to employers evaluating the degree credentials of job applicants or deciding whether to providing financial support for tuition for current employees seeking additional education
- **Easing credit transfer** – an institution to which a student may wish to transfer will take note of whether credits the student wishes to transfer were earned at an accredited institution³⁷

Institutions may operate without accreditation, but they would do so without the public presumption of academic and institutional quality that comes with having accreditation. And more importantly, *without accreditation, the institution’s students would not be eligible to obtain the various forms of Title IV financial aid to help pay for the costs of their higher education at the institution.*

Having such eligibility is imperative to UMS universities’ financial viability. Across the University of Maine System, with variation by campus, *more than seventy percent of*

³⁶ Hegji, A., “An Overview of Accreditation of Higher Education in the United States,” at 2, March 2017 (Congressional Research Service).

³⁷ Id.

undergraduate students who attend UMS institutions utilize some form of Title IV federal financial aid to pay for some or all of their tuition, fees and other costs. At Farmington, Machias, and Presque Isle, *more than eighty percent* of students rely on federal aid to attend.³⁸

With the exception of the University of Maine at Machias, which since July 2018 has been accredited not independently but instead as a regional campus of the University of Maine, UMS universities are each accredited separately. In practical effect, this means that each accredited university must demonstrate to NECHE that it can and has sufficient resources to comply with every NECHE accreditation standard on its own.

The Challenge

As the historical discussion in the previous section makes clear, and generally speaking, an institution accredited by NECHE must have its own chief academic officer and chief executive that together control that institution's academic program. More simply, from NECHE's perspective, each separately accredited UMS university must control its own academic program in order to maintain full accreditation on its own, even though UMS is chartered under Maine law to coordinate its academic program across and among all of universities that make up the System. The 1986 Visiting Committee recognized this as the signal limitation of campus-by-campus accreditation, which assesses each university in isolation, never considering a statewide, System-level perspective of how the campuses, acting together as a System, meet statewide needs in the most efficient way. Dr. Chaffee's 2016 Report reached a similar conclusion, recommending that a System-level accreditation be explored to overcome the barriers that separate university accreditations imposed to greater multi-campus collaborative programming.

Beyond the issue of scaling multi-campus collaborative programs, having separately accredited universities within the University of Maine System requires, in order to maintain each institution's independent accreditation, that sufficient financial resources be devoted to each university for that university to *fully comply by itself* with all NECHE accreditation standards. This issue is compounded by the fact that, even if they are able to propose and maintain a balanced budget through the UMS fiscal year, the smallest UMS campuses can nevertheless find themselves challenged to fully comply with all NECHE accreditation standards independent of the other UMS universities. This, coupled with other financial challenges, led UMS to pursue and implement the previously-mentioned primary partnership relationship between the University of Maine and UMM, as NECHE had informally advised UMM and UMS that UMM could no longer be independently accredited as a separate institution. NECHE has informally advised more recently that UMFK's and UMPI's separate accreditations may not be sustainable either, a reality that underpins the need, at least in the short run, for the UMFK-UMPI collaboration to be successful.

³⁸ UMS Institutional Research (August 27, 2019).



The University of Maine System One University effort is “an opportunity for new thinking about institutional accreditation in a dramatically changing [higher education] environment.”

Aims McGuinness, National Center for Higher Education Management Systems (2017)



The Potential

Following NECHE’s initial receptivity in mid 2015 to singly accrediting one university for the whole System, though not necessarily the System itself,³⁹ UMS and NECHE have continued informal discussions since then on the question of whether UMS can itself, as a constellation of universities, be the accredited entity and recognized as an Institution of Higher Education for all purposes under NECHE’s Standards and the federal Higher Education Act.

Relatedly, NECHE sought independent review of UMS’s One University initiatives, including the Unified Financial Management Structure and its multi-campus collaborative program plans, from the National Center for Higher Education Management Systems (NCHEMS), seeking advice on how UMS’s strategic plans might be considered from an accreditation standpoint. Nationally recognized higher education consultant Aims McGuinness observed to NECHE President Dr. Barbara Brittingham that UMS was “moving into uncharted territory in which policies and structures to ensure quality and accountability in the past” – in other words, when such assessments were made only separately, campus by campus – “may not be effective for the future.” McGuinness encouraged Dr. Brittingham and NECHE “to continue to work collaboratively with ... UMS” on its One University efforts, noting that doing so “may provide an opportunity for new thinking about institutional accreditation in a dramatically changing environment.”⁴⁰

In May 2018, NECHE and UMS jointly retained Jay Urwitz, former legal counsel at the U.S. Department of Education, as outside legal counsel to advise on System-level accreditation. Specifically, NECHE and UMS asked Urwitz to opine on whether UMS, as legally constituted and chartered as it is under Maine law, could meet the federal Higher Education Act⁴¹ requirements

³⁹ See footnote 18 and accompanying discussion at p. 6 above.

⁴⁰ McGuinness Memo, at 2.

⁴¹ Section 1001(a) of the Higher Education Act, 20 USC §1001(a), defines an “institution of higher education” as an educational institution in a State that (1) admits students; (2) is legally authorized by the State to provide a program of education beyond secondary education; (3) awards academic degrees;

to be recognized by the U.S. Department of Education as an Institution of Higher Education – as the UMS universities themselves already were. If so, NECHE and UMS asked Urwitz to advise on an appropriate process to follow should UMS itself seek to be accredited by NECHE and recognized as the single multi-location institution of public higher education in Maine.

In September 2018, Urwitz provided a legal opinion that generally concluded that the U.S. Department of Education could properly recognize a single multi-location/multi-campus institution of higher education in Maine organized either by the System or a single lead university, as long as it were accredited as such. NECHE President Barbara Brittingham, UMS Chief of Staff and General Counsel James Thelen, and Counsel Urwitz met in Washington, D.C. in early October 2018 with Diane Jones, Principal Deputy Under Secretary at the Department, to informally explore the Department's views on the question of System accreditation. Through follow-up discussions with NECHE, UMS staff, and DOE staff in Washington, D.C. and Boston, UMS and NECHE have been assured that the Department will be receptive to System recognition if UMS attains System-level accreditation through NECHE.

Accrediting bodies nationally are being encouraged “to more fully embrace and lead innovation by streamlining the requirements that institutions must meet to engage in new and innovative practices,” as well as to “broaden the universe” of accreditation by reviewing new types of educational entities beyond the traditional university.⁴² To that end, and in light of the work UMS and NECHE have done with Counsel Urwitz and the U.S. Department of Education, NECHE has confirmed as recently as May 2019 that it remains receptive to working with UMS to transition from separate university accreditations to a unified, statewide, System-level accreditation.⁴³

(4) is a public or other nonprofit institution; and (5) is accredited by a nationally recognized accrediting agency or association.

⁴² Eaton, J., “Trends in Accreditation: What Matters to Governing Boards,” *Trusteeship*, September/October 2019.

⁴³ See David Quigley letters to James H. Page, Ph.D., March 13, 2019 and May 10, 2019, respectively (UMS Chancellor's Office).

RECOMMENDATION

Maine's public universities should seek approval from NECHE to unify their separate accreditations within the University of Maine System to become one System-accredited institution.

With a unified accreditation, acting through its universities as it was chartered to do, the University of Maine System can more fully realize the intent and promise of its creation: developing and offering coordinated, multi-campus programs alongside university-specific programs and land-grant research responsive to state needs and available to students throughout the state, efficiently deploying academic resources and services, without unnecessary duplication, where they are needed most. In a resource-constrained state, where the population of college-bound students is expected to decline dramatically over the next two decades, the survivability of UMS's smaller universities can be better ensured by relieving them of the administrative and financial burdens of fully complying with all NECHE accreditation standards on their own, which in turn will free up resources to invest in student support. And with Maine's rapidly evolving 21st century workforce and economy needs demanding new credentials and programs and new modalities to access them, UMS must respond with the statewide academic nimbleness a unified accreditation is expected to better permit.

The UMS Board of Trustees, in an earlier time, called the idea of System accreditation "novel" and even "pioneer[ing]" – indeed, adopting a state higher education commission's recommendation that it do so, the Board voted in February 1986 to seek System-level accreditation "in an appropriate time frame."⁴⁴ More than thirty-three years later, that pioneering step has not yet been taken, but an "appropriate time frame" is upon us now.

Considering UMS's evolution, especially over the last decade or more, along with the coming demographic challenges and disruptive changes occasioned by advancing technology and student demand and expectations, it is time to become One University in more than name. Pursuing a unified UMS accreditation is the logical next step in UMS's evolution, not only to more properly align accreditation with UMS's chartered structure, but to free UMS universities from individual accreditation requirements so as to foster academic innovation among and between them to better serve Maine's students.

In its pursuit of unified accreditation, UMS should follow the Guiding Principles set forth below. The Guiding Principles were developed through August 2019 by the UMS Chancellor and System Presidents to assure the University of Maine System community of the guideposts UMS intends to respect through the process of attaining a unified accreditation.

⁴⁴ See discussion at p. 4 and footnotes 11-12 above.

GUIDING PRINCIPLES FOR UNIFIED ACCREDITATION

Recognizing that greater coordination and integration among UMS universities, access to more collaborative, multi-campus programs, and the preservation of all UMS campuses where they are will maximize the benefit Maine students and the State realize under the UMS Board of Trustees' Strategic Priorities, while acknowledging the practical burdens that separate university accreditations impose on achieving these goals at the scope, scale, and pace necessary to meet the educational and workforce needs of the citizens of this State, UMS universities will unify their NECHE accreditations following a robust period of campus engagement led by the UMS Chancellor and System Presidents.

Principle One

UMS's primary goals are to:

- realize, to the fullest extent possible, the purpose and benefits the University of Maine System's formation was meant to achieve, which unified accreditation is expected to catalyze and foster;
- preserve the academic, financial, and administrative operations of UMS universities that best serve the interests of UMS students and the State and provide the highest quality educational experience; and
- relieve individual campuses of the burden of each fully complying on their own with all NECHE standards.

Principle Two

Pursuant to UMS Board Policy 212 and the UMS Statement on Shared Governance, faculty will retain all rights to academic freedom and shared governance to develop academic policy, curriculum, and faculty appointment and promotion and tenure standards on their campuses and as necessary for multi-campus programs developed under a unified accreditation.

Principle Three

UMS will follow existing collective bargaining agreements and bargain in good faith with its employees' representatives as necessary to achieve unified accreditation.

Principle Four

UMS universities will remain where they are as provided in 20-A MRS §10901-A, preserving all existing multi-campus arrangements (e.g., UMaine-UMM Primary Partnership, USM partnership in UMaine Graduate and Professional Center, etc.) and not merging or closing campuses to achieve unified accreditation. UMS Presidents will preside over their respective universities and be responsible for the day-to-day operation and development of their university's academic, research, service, and extracurricular programs within limits defined by the Board of Trustees

and Chancellor. UMS will continue to operate under its existing Charter, with Presidents accountable to the UMS Chancellor and Board as leaders of their universities and the Chancellor serving as UMS's Chief Executive Officer.

Principle Five

UMS will maintain, to the maximum degree possible, the current independent IPEDS reporting and financial aid eligibility and administration at each university (an example for which is the University of Maine at Machias IPEDS reporting separately from the University of Maine). Although UMS will be responsible for complying with NECHE standards, it will delegate substantial authority back to its universities for coordinated, unified compliance with NECHE standards where doing so improves the educational experience and student outcomes and maximizes efficiencies.

Principle Six

UMS will pursue unified accreditation transparently, making official written correspondence between UMS, NECHE, and the U.S. Department of Education and related materials publicly available without request, including past communications and records showing historical consideration of single and unified accreditation.

Principle Seven

UMS University Presidents will maintain and manage their current accreditations and correspondence with NECHE related to them and work with the UMS Chancellor to determine appropriate transition plans for unified accreditation. The Chancellor (and his designees) and UMS Presidents (and their designees) will develop and prepare all material UMS unified accreditation applications, reports, and correspondence, and Presidents will be copied on all records, reports, and correspondence received related to unified accreditation.

Principle Eight

The University of Maine will retain its land, sea, and space grant statuses, and each University will retain its Carnegie and related national classification and association status and individual program and professional accreditations according to all appropriate and relevant standards. All UMS universities will work to achieve strategic complementarity to ensure the success of unified accreditation. Each will retain, to the maximum extent possible within the higher education public policy of the State, its distinctive academic, research, athletic (including conference and division affiliations) and extracurricular programs.

THE CASE FOR UNIFIED ACCREDITATION

Beyond the more than three-decades-long consideration of the issue, with recommendations to do so and even steps along the way to seek it, the reasons for UMS transitioning to a unified accreditation now range from the pioneering and noble to the pragmatic. The foundation and outcome of the effort must of course be improved service to students, enriched and more relevant academic programming, and the highest standard of academic quality, all achieved through the most efficient use of taxpayer dollars that ensures the survival of UMS campuses where they are.

But so much more can be gained. By charting a path to unified accreditation, the University of Maine System can, in the 1986 Board's words, "pioneer in the pursuit of excellence." Given the relatively small population but large geography UMS serves statewide, with acute demographic and rural challenges, the One University effort has already been lauded nationally, with the *Chronicle of Higher Education* recently labeling UMS a "laboratory for the future of public higher education."⁴⁵ Pursuing unified accreditation will be a bold step forward, not only for UMS, but also for NECHE and the U.S. Department of Education for their roles. UMS will be able to rightly claim the mantle of innovation in public higher education with the effort.

More simply, although the Board Chair charged the Chancellor to bring forward accreditation recommendations that foster the growth of multi-campus collaborative programs and the achievement of the Board's Strategic Priorities, there are many other practical benefits and cost/burden efficiencies that UMS may expect to realize by unifying campus accreditations. They are summarized below.

Benefits

A unified accreditation can be expected to result in the following advantages for students:

- more multi-campus programming, resulting in easier and greater access to a richer array of courses and programs throughout the whole of UMS, not just at a student's resident campus, perhaps through a common course catalog;
- access to the full complement of faculty expertise in the System (as opposed to only faculty on the campus where a student may matriculate, reside, or attend);
- much simpler process for students to enroll in courses offered by other UMS campuses, enabling more students to be retained and graduate on time because of this program flexibility;
- creation of new programs not currently available by streamlining the current academic program inventory, resulting in Maine students being better prepared for the changing workplace and to be leaders in the knowledge workforce and economy;

⁴⁵ Gardner, L., "How Maine Became a Laboratory for the Future of Public Higher Ed," *Chronicle of Higher Education*, February 25, 2018.



A culture of innovation at a college or university begins with an understanding that the status quo is not sufficient for continued success or viability. While the institution's mission may still have value, the new environment for higher education requires fresh approaches for delivering that mission.

AGB Board of Directors' Statement on Innovation in Higher Education (2017)



- greater availability and coordination of student support services among campuses, leading to increased retention, graduation and employment;
- enhanced research opportunities in collaboration with faculty across the System, as well as other forms of experiential learning where evidence shows this leads to improved retention and job placements;
- improved academic quality through sharing of faculty and access to financial, academic, and physical resources across the System, leading to higher quality program offerings that are more competitive nationally.

Faculty too can be expected to realize advantages through a unified accreditation, and in the best traditions of higher education shared governance, will be able to help shape the faculty policy and academic and curricular innovations that become possible in a unified accreditation model. Expected among them are:

- the pooling and coordination of faculty expertise across the System will ensure a critical mass of academic capability and diversity in specific disciplines and enable faculty to bring their teaching, research, and service expertise to sites where there are interested students and colleagues;
- particularly for faculty on smaller campuses, development and access to a broader array of faculty support services, e.g., faculty development centers/opportunities, innovative pedagogies grant development/management, joint appointments and research and scholarly collaborations, access to shared research and teaching laboratories, instruments, field sites, and facilities, and other forms of research support, library resources, graduate students, etc.;
- fewer service obligations, e.g., instead of multiple "Institutional Review Boards," a single review board could serve for the entire system; similar examples could be offered for various academic committees.

Cost/Burden Efficiencies and Reinvested Savings

Maine taxpayers provide substantial support to UMS each year, with Maine's public policy on higher education dictating that the "highest priority" be given to supporting "the most cohesive system possible for planning, action and service in providing higher educational opportunities." And Maine's citizens are entitled to public accountability in UMS's use of public resources.⁴⁶ Together this requires that UMS use its public resources efficiently, sharing them across its campuses when doing so better serves the State and its mission.

To that end, Maine citizens will benefit from UMS's transition to a unified accreditation, as the survivability of UMS's smaller campuses can be better ensured if they are relieved of the financial and administrative burdens of independently complying with all NECHE standards. The savings realized can be reinvested in student and faculty support and development and additional accessible academic programming, among other critical priorities, including elevating the profile of Maine's strongest institutions. Additional savings can be expected from integrated academic units that minimize duplication of program offerings and better coordinate faculty expertise across the UMS enterprise, while UMS can pursue greater economic leverage in library subscriptions and academic purchasing agreements statewide.

In pure financial savings at the outset, NECHE estimates that UMS would save nearly \$800,000 over a ten-year accreditation cycle by transitioning from six separate NECHE annual dues and review fees to a single System-level NECHE membership and review cycle.⁴⁷ Additionally, although UMS internal review continues of the campus-by-campus administrative and financial burden associated with preparing for and managing NECHE's accreditation and substantive change review cycles, each campus spends literally hundreds of hours of staff, faculty, and administrator time and up to two years to prepare for a ten-year accreditation review, with direct salary and other accreditation-related expenses far exceeding \$1,000,000 over that time. No direct comparative cost and burden calculation is possible yet for how much less the effort would be if streamlined to one System-wide review in NECHE's ten-year accreditation cycle, instead of borne separately by the campuses six separate times over the same period. However, it is intuitively reasonable to assume substantial efficiencies and cost savings by managing the effort in a coordinated fashion once across the System instead of six times separately.

⁴⁶ 20-A Maine Rev. Stat. §§10902(3, 7, 8, and 9).

⁴⁷ Email from Barbara Brittingham to Dannel P. Malloy (UMS Chancellor's Office, August 14, 2019).

CONCLUSION

In an earlier time, after its Educational Policy Committee “applauded” the “novel and intriguing concept” of unified System-level accreditation as “an excellent opportunity to pioneer in the pursuit of excellence,” the UMS Board of Trustees voted to “seek accreditation for the System in an appropriate time frame.”⁴⁸

Now, more than three decades on – as higher education faces disruptions unknown in its history, and as Maine faces needs that UMS cannot meet with the status quo – the opportunity to pioneer remains. Indeed, innovation is no longer optional, *but required* for institutions trying to advance their mission, to ensure their future viability and success, or to achieve their aspirational goals.⁴⁹

Within UMS, some collaborative multi-campus programs are under way. More are in the works. There are some joint faculty appointments between campuses. More are needed. System universities have launched partnerships and new initiatives together, and are exploring new credentials and certificates. Maine needs more. UMS connections with Maine businesses are growing, and its academic programs reflect more market relevance, sending engaged citizens into Maine communities to stay and raise families and fill the jobs of tomorrow.

In this time, innovation is needed everywhere, including in the UMS accreditation model. To do more of everything that Maine needs from UMS, now is indeed “an appropriate time” for Maine’s public universities to unify their accreditations in the University of Maine System.

⁴⁸ See footnotes 11-12 and accompanying discussion at p. 4 above.

⁴⁹ AGB Board of Directors’ Statement on Innovation in Higher Education, at 2 (2017).

UNIVERSITY OF MAINE SYSTEM

GUIDING PRINCIPLES FOR UNIFIED ACCREDITATION

Recognizing that greater coordination and integration among UMS universities, access to more collaborative, multi-campus programs, and the preservation of all UMS campuses where they are will maximize the benefit Maine students and the State realize under the UMS Board of Trustees' Strategic Priorities, while acknowledging the practical burdens that separate university accreditations impose on achieving these goals at the scope, scale, and pace necessary to meet the educational and workforce needs of the citizens of this State, UMS universities will unify their NECHE accreditations following a robust period of campus engagement led by the UMS Chancellor and System Presidents.

Principle One

UMS's primary goals are to:

- realize, to the fullest extent possible, the purpose and benefits the University of Maine System's formation was meant to achieve, which unified accreditation is expected to catalyze and foster;
- preserve the academic, financial, and administrative operations of UMS universities that best serve the interests of UMS students and the State and provide the highest quality educational experience; and
- relieve individual campuses of the burden of each fully complying on their own with all NECHE standards.

Principle Two

Pursuant to UMS Board Policy 212 and the UMS Statement on Shared Governance, faculty will retain all rights to academic freedom and shared governance to develop academic policy, curriculum, and faculty appointment and promotion and tenure standards on their campuses and as necessary for multi-campus programs developed under a unified accreditation.

Principle Three

UMS will follow existing collective bargaining agreements and bargain in good faith with its employees' representatives as necessary to achieve unified accreditation.

Principle Four

UMS universities will remain where they are as provided in 20-A MRS §10901-A, preserving all existing multi-campus arrangements (e.g., UMaine-UMM Primary Partnership, USM partnership in UMaine Graduate and Professional Center, etc.) and not merging or closing campuses to achieve unified accreditation. UMS Presidents will preside over their respective universities and

be responsible for the day-to-day operation and development of their university's academic, research, service, and extracurricular programs within limits defined by the Board of Trustees and Chancellor. UMS will continue to operate under its existing Charter, with Presidents accountable to the UMS Chancellor and Board as leaders of their universities and the Chancellor serving as UMS's Chief Executive Officer.

Principle Five

UMS will maintain, to the maximum degree possible, the current independent IPEDS reporting and financial aid eligibility and administration at each university (an example for which is the University of Maine at Machias IPEDS reporting separately from the University of Maine). Although UMS will be responsible for complying with NECHE standards, it will delegate substantial authority back to its universities for coordinated, unified compliance with NECHE standards where doing so improves the educational experience and student outcomes and maximizes efficiencies.

Principle Six

UMS will pursue unified accreditation transparently, making official written correspondence between UMS, NECHE, and the U.S. Department of Education and related materials publicly available without request, including past communications and records showing historical consideration of single and unified accreditation.

Principle Seven

UMS University Presidents will maintain and manage their current accreditations and correspondence with NECHE related to them and work with the UMS Chancellor to determine appropriate transition plans for unified accreditation. The Chancellor (and his designees) and UMS Presidents (and their designees) will develop and prepare all material UMS unified accreditation applications, reports, and correspondence, and Presidents will be copied on all records, reports, and correspondence received related to unified accreditation.

Principle Eight

The University of Maine will retain its land, sea, and space grant statuses, and each University will retain its Carnegie and related national classification and association status and individual program and professional accreditations according to all appropriate and relevant standards. All UMS universities will work to achieve strategic complementarity to ensure the success of unified accreditation. Each will retain, to the maximum extent possible within the higher education public policy of the State, its distinctive academic, research, athletic (including conference and division affiliations) and extracurricular programs.

Committee to Advise on the Future Direction of the Law School

Report to the Board of Trustees of the University of Maine System

July 15, 2019

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1. Committee to Advise on the Future Direction of the Law School, Charter (February 15, 2019)	
2. Preliminary Analysis Memo, William Henderson, Professor of Law at Indiana University Maurer School of Law (March 9, 2019)	
3. University of Maine School of Law: Review and Recruitment Plan, Nanci Tessier, Higher Education Consulting (August 9, 2018)	

EXECUTIVE SUMMARY

Maine needs highly competent lawyers to serve our citizens, businesses, and government. The University of Maine School of Law (“Maine Law” or the “Law School”) has served that mission by educating half of the lawyers practicing in the State for nearly 60 years. Recent changes in the legal industry have upended legal education and resulted in, among other things, enrollment and budget challenges at Maine Law.

As Maine’s only law school, Maine Law is a strategic asset of the State of Maine. Thus, the University of Maine System (UMS or “the System”) Board of Trustees (BOT) chartered this study by a committee of interested educators, alumni, and leaders to advise the Board on the future direction of the Law School (“the Committee”). (The Charter is Exhibit 1.)

The Committee believes, based on its Seven Principles discussed more fully below, that a 21st Century legal education in Maine be one that:

- Provides a rigorous course of legal education to highly qualified students;
- Emphasizes a student-centered educational experience, including opportunities for experiential learning, for Maine students and those who are likely to contribute to Maine;
- Excels in specific fields, including Business, Commercial, and Health Law, to support JD and non-JD students of the Maine Center;
- Fosters centers of excellence in discrete areas of law with national significance (i.e. Information Privacy Law, Arctic Law, Immigration Law);
- Serves the needs of rural Maine; and,
- Trains and incubates quality lawyers to serve our communities.

The curricular innovations we recommend initiating or continuing for a 21st Century legal education include:

- **Law and Technology:** Expanding course offerings on the emerging role of technology in the delivery of legal services and the opportunities for attorneys, including the applicability to the rural practitioner;
- **Rural Semester-in-Practice:** Launching a Rural Semester-in-Practice where students obtain credits through classroom and experiential coursework fully located in rural practices;
- **3+3 and PLUS:** Expanding the “3+3” program, in which undergraduates can complete an undergraduate and Law School course of study in 6 years, and maintaining the PreLaw Undergraduate Scholars (PLUS) program;
- **Transactional Law Clinic:** Developing and launching an experiential learning program that will enable JD students, working with MBA students, to gain skills and knowledge in transactional law and related areas of expertise;
- **Cross-Disciplinary Curriculum:** Leveraging expertise of Law School and other System faculty to support the mission of the Maine Center by preparing graduates to serve Maine businesses and institutions; and,
- **Maine Community Law Center:** Integrating Maine’s only legal incubator into Maine Law, and expand its reach with a facility in Bangor.

As form must follow function, so too must the Law School’s infrastructure be re-developed to support its 21st Century mission. We recommend a three-year transition period in which the Law

School's leadership, core capabilities, and governance be aligned to its mission. Specifically, we recommend:

- **Dean Search and Selection:** The search for a new dean should commence immediately and involve a cross-section of the community in the selection process.
- **Rebuild and Redirect Core Law School Functions:** For reasons discussed below, resources needed for some of the Law School's core capabilities have been redirected to fund budget shortfalls. Business and Commercial Law expertise, in particular, must be restored as necessary to meet the needs of curricular innovations and the Maine Center.
- **Online Learning and Partnerships:** To the extent permitted by accreditors, develop and implement an online learning plan, which may include partnerships with other law schools to lower the cost of delivery and expand the breadth of course offerings.
- **Governance:** For the transition period, direct oversight of the Law School should be provided by a subcommittee of the BOT (maintaining the *status quo* for operational support from USM) and development of an appropriate structure for Law School governance;
- **Performance Budgeting:** Law School performance should be measured, and rewarded, consistent with key performance indicators.

There is no time to waste in setting the Law School on secure footing. As discussed more fully below, Maine Law has already begun to cannibalize core functions in order to balance budget priorities. If Maine is to have a law school, then it must be repositioned within three years, funded, and led by a skilled team as soon as possible.

I. THE COMMITTEE'S WORK: CONTEXT AND PROCESS

The Law School was founded in 1962. As the Board of Trustees recognizes, the Law School has "a long and distinguished history of preparing lawyers for Maine and beyond." The Law School has graduated more than 4000 students over its 57 years as an institution. Among its graduates are 5 governors, members of the Maine Legislature, federal and state judges, CEOs and, of course, lawyers in the smallest and largest firms in our state.

Maine Law's contributions to justice and leadership in Maine are ongoing and important. Forty-four percent of attorneys practicing in Maine (and 42% of those practicing outside of Cumberland County) are Maine Law alums. In rural counties, up to 57% of the practicing lawyers are Maine Law alums. Because 75% of Maine Law graduates stay in Maine, the Law School's alumni contribute to the advancement of our civic institutions through service on boards and commissions from Kittery to Fort Kent. Maine Law is a strategic asset of the State of Maine.

The Committee was convened by the Board of Trustees in February 2019 to assess Maine Law's present condition and to make recommendations for its future. The Committee has met seven times and read and discussed analyses of the current state of legal education both at Maine Law and nationwide. We heard presentations from faculty, staff, the Dean, students, alumni, law firms, the public interest bar, and the Law School's Foundation and Board of Visitors.

Kim Jenkins, UMS Director of Organizational Effectiveness, conducted two focus groups and made a report to our committee, and the Committee retained a national expert on legal trends, Professor William Henderson of Indiana School of Law, to advise on a path forward.

Emerging Crisis: Changing Times and Fewer Students

Like many industries, the legal industry is being disrupted. What lawyers do and where they work is transforming rapidly. Total employment in the U.S. legal services sector declined by approximately 55,000 jobs since the high-water mark in 2007. Meanwhile, the growth rate for in-house lawyers nationally has doubled since 2007, and now the number of in-house lawyers working in the U.S. equals the number of lawyers at the top 200 law firms' U.S. offices combined. While recruitment of law graduates (and even students) by law firms and businesses is on the rise in the last two years and law career recruitment has returned to pre-recession levels, there is no doubt that the legal services industry is in the midst of an unprecedented transformation.

Some of the causes of disruption in the legal industry are obvious (i.e., changes in technology, policy development, a preference for alternative dispute resolution, and a maturing U.S. economy), but there are forces at work today that we will not fully understand for decades. Moreover, the disruption in the legal industry is occurring at a time when the demand for higher education is generally decreasing. Fewer candidates are competing for seats in our institutions of higher learning, and the Law School is not immune from such trends. The number of students applying to law schools nationwide peaked in 2010, totaling 87,476. Despite a slight upward trend, the number of law school applicants in 2018 was 60,387 (down 31%). New England applicants and Maine applicants mirrored the national trend with a 31% drop. Since the makeup of Maine Law's incoming classes is 60-75% in-state students, the resulting Maine resident applicants (to any law school) dropped from 252 students in 2011 to 151 in 2017.

ABA Accreditation Standards Limit Response Capability, U.S. News Fosters Fierce Competition for Desirable Students

We will not delve into the influence of the byzantine ABA accreditation requirements or U.S. News and World Report rankings here. It suffices to acknowledge that the collective impact of these two institutions has been to constrain the ability of most law schools to lower costs through innovation and to encourage schools to allocate all available resources to awarding scholarships to desirable students. Smaller law schools and those not associated with and supported by a university are particularly vulnerable to these pressures.

Left with few opportunities to innovate, law schools have responded by heavily discounting tuition, unleashing a war of attrition. Research has revealed an average 6% decrease in law school net tuition revenues (\$1.5 billion annually) between 2011 and 2017. Six law schools have closed, several are struggling, and a few within the same state or city have been forced to merge to avert closure.

Maine Law Holds Its Own In a War of Attrition – But Not Without Great Cost

When the enrollment crisis started to bite in 2013, the Law School deployed all available resources to tuition scholarships. In Fiscal Year 2019, the Law School granted \$1.9 in tuition waivers and scholarships, which represents over 22% of its budget. Education & General (E&G) spending of all kinds has been curtailed. The impact on the institution has been substantial:

- Since 2013, faculty have forgone nearly \$200,000 in salary because of five years of COLA suspensions;
- Since 2010, there are 6.5 fewer tenured or tenure-track faculty and 4.5 fewer full-time faculty, and 8.5 non-faculty positions have been permanently retrenched or remain unfilled; and,

- Core components of the curriculum, including First Year courses, are taught increasingly by adjuncts or visitors.

In the midst of the crisis, and despite substantial budgetary limitations, the Law School has held on to its accreditation, high-quality program, and solid numbers of incoming first-year students. The Law School has managed by:

- awarding tuition scholarships and using a range of effective non-financial enrollment strategies;
- focusing on its core mission of providing a student-centered legal education;
- emphasizing “place-based” education; and,
- identifying new programs and funding to build on this strength, such as:
 - Pre-Law Undergraduate Scholars (“PLUS”) program,
 - 3 + 3 pipeline programs,
 - Rural Lawyers Project,
 - Information Privacy Certificate; and,
 - Non-JD programs (e.g., Compliance).

We have concluded, after carefully assessing the information presented to us, that the State of Maine needs talented and dedicated Maine Law educated attorneys to serve the legal needs of the state and the well-being of its citizens.

II. A STRATEGIC PLAN FOR A 21ST CENTURY LAW SCHOOL IN MAINE

When any business or institution confronts a crisis the first, and usually appropriate, response is to use the tools available to preserve the business model. If the crisis persists, and the business or institution does not succumb, the typical result is a lean organization focused on its core mission, but unable to execute a new strategic direction. The institution is then left with a true Hobson’s Choice: start cutting resources from its core mission or attempt to change strategy and develop new business models without appropriate resources. Either option results in failure.

Businesses and institutions that arrive at this juncture typically require external help to confront reality and to develop and execute a new model. Maine Law is poised for success. With sufficient resources, it can develop and implement programs to advance its mission of addressing the legal needs of Maine and the broader legal marketplace. It has a culture of excellence and community-building. It has a small but dedicated staff and faculty who have built a rigorous program of legal education with value-added components including non-JD programs and initiatives aimed at addressing critical needs in Maine such as the shortage of attorneys in many Maine communities. An ethos of public service is infused throughout the Law School’s program. We believe that a proper strategy that is well resourced and appropriately governed can move Maine Law forward.

The Committee identified seven principles upon which any successful strategy must rest:

Principle 1: Emphasize Place-Based Education

The Law School’s mission should be guided by the school’s primary purpose: serving the needs of the people of Maine, including access to justice and the legal system, particularly in underserved rural parts of the State.

Principle 2: Emphasize Student-Centered Education

Decisions about the Law School's mission, growth, programming, curriculum, and staffing must be guided primarily upon what best serves the needs of students.

Principle 3: Maine Law Should Not Decrease Admissions Standards to Increase Enrollment

Maine Law has earned a reputation of providing a rigorous legal education to well-qualified students. Maine Law must not decrease its admissions standards or sacrifice its course of education to increase enrollment.

Principle 4: Define Limits and Ensure Predictability in Scholarship Use

For the foreseeable future, use of tuition scholarships is necessary to compete effectively for qualified students. The Committee believes that tuition scholarships are a necessity and should continue as one important tool to help the Law School attract qualified students. However, the Committee recommends that the scholarship rate be allowed up to 2 percentage points above that used during the current admissions cycle over the next three years. It is important to establish a limit on scholarship rates for two reasons: first, this provides predictability in the admissions and budgeting process, and second, a limit on scholarship rates places the emphasis on finding new ways to market the Law School's value to prospective students.

Principle 5: Appeal to Students Through Adding Value to Legal Education

Maine Law's long-term success depends upon finding ways, other than tuition scholarships, to appeal to qualified students. Currently, even with substantial scholarship offers, some highly-qualified applicants (including those who are Maine residents) choose to attend higher-ranked law schools that can offer full, tuition-free scholarships (and even cash incentives).

Principle 6: The Mission Requires Adequate Funding

The Law School's financial challenges are a symptom of the deeper problems discussed in this Report. However, for Maine to continue to reap the benefits of its only law school, its funding needs to be adequate, predictable, and reliable.

Principle 7: Measure and Reward Success of Adding Value to Legal Education

One of Maine Law's strengths is the unusual dedication and innovation of its faculty and staff. As such, Maine Law is uniquely situated to take advantage of performance-based funding. The metrics we propose below will align state, student, and institutional imperatives.

Consistent with the Seven Principles and the direction given to us in the Charter, our plan recommends:

- specific courses of action to better serve Maine's 21st Century legal needs;
- buttressing Maine Law's core functionality to support the 21st Century mission;

- attracting and enrolling high-quality students using a blend of enrollment strategies designed to supplement tuition scholarships;
- immediate commencement of a Dean's search, with a committee representative of the Law School, the System, and the community they serve;
- direct oversight of the Law School by the BOT for the duration of the 3-year plan period;
- key performance indicators (KPIs) for the new Dean, and the faculty, which KPIs will serve as measures of success as well as justifications for incremental funding; and
- certain operational considerations related to finance and governance.

This plan will require new resources. However, we believe that this plan, executed within three years, will position the Law School to thrive in a rapidly changing environment.

A. Specific Courses of Action to Serve Maine's 21st Century Legal Needs

The Committee retained a consultant to provide guidance on national legal education trends: William Henderson, Professor of Law at Indiana University Maurer School of Law whose research focuses on the empirical analysis of the legal profession and legal education. He prepared and presented a report to the Committee at its March 25 meeting, which is attached here as Exhibit 2. According to Professor Henderson, Maine Law is well-positioned to develop new opportunities for students in the rapidly evolving legal market. Professor Henderson identified "possible avenues for exploration" as part of strategic planning for Maine Law's future. These include:

- curricular innovations;
- innovation in the delivery of legal education, including collaborations around the development of online learning to reduce costs and increase the diversity of course offerings;
- diversifying legal education outside the Juris Doctor market; and,
- deepening collaboration with the other programs in the Maine Center.

Our recommendations for positioning the Law School to meet the current and future needs of the state and the legal market augment Prof. Henderson's prescription with an added focus on the legal needs of rural Maine. We also note that the initiatives described below all require expanded faculty and staff resources, and, in some instances, they may require one-time or ongoing investments in equipment or planning before implementation. The Committee believes that the courses of action set forth below represent worthwhile investments of additional resources rather than being pursued at the expense of the core mission described above.

1. Curricular innovations to prepare Maine Law graduates and other professionals for the future of the legal profession and legal services industry

Maine Law has developed expertise in key areas that are likely to demand well-trained attorneys. In addition to Maine Law's renowned clinical programs, Professor Henderson lauded Maine Law for its Information Privacy Program, which directly addresses the implications and challenges presented by digital technology. Another example of where Maine Law prepares students for changing legal needs is in the areas of immigration and human rights. In both the classroom and its well-regarded Refugee and Human Rights Clinic, the Law School is training attorneys to meet the legal implications of human migration around the world.

The Committee sees additional value drivers for Maine Law and recommends the following strategies:

- Law and Technology: Expand course offerings on the emerging role of technology in the delivery of legal services and the opportunities for attorneys, emphasizing the applicability to the rural practitioner;
- Rural Semester-in-Practice: To prepare students for practice in Maine's underserved rural communities, launch a Rural Semester-in-Practice where students obtain credits through classroom and experiential coursework fully located in rural practices; and,
- Transactional Law Clinic: Develop and launch a clinic or other experiential learning program that will enable JD students to gain skills and knowledge needed in transactional settings, including business formation, intellectual property, and community economic development. Location of such a program in the Maine Center can provide an opportunity for Law and Business School students to collaborate and share expertise to serve the needs of Maine entrepreneurs and innovators. To enable the Law School to train competent transactional lawyers and contribute productively to its affiliation with the Business School and the Maine Center will require strengthening traditional courses in contracts, commercial law, taxation, estate planning, bankruptcy, remedies, and conflict of laws, all of which are important for an effective transactional practice.

However, the Committee believes that as new programs are developed, Maine Law must ensure that the curriculum it develops stems organically from Maine Law's connection to the community and businesses in Maine. We believe that the above programs and offerings (i) leverage the Law School's core capabilities, (ii) serve the education needs of Maine students in an evolving job market, and (iii) are consistent with Maine Law's mission for place-based education.

RECOMMENDATION: Expand resources to add course offerings in law and technology, to develop a rural semester-in-practice program, and to launch a transactional law clinic.

2. *Innovation in the delivery of legal education, including collaborations around the development of online learning to reduce costs and increase the diversity of course offerings*

Technology is providing opportunities for distance and flexible education that were inconceivable a generation ago. Indeed, most students have come of age in an interconnected and mobile world and are demanding greater choice, agency, and cost-effectiveness in their educational experience. The System has been a leader in providing new platforms for education to its students. However, the delivery of JD courses via online instruction is a very recent development in the legal academy. This delay is due in large part to the reluctance of the ABA to permit accredited law schools to include fully online courses in their curricula based on concerns about such courses' quality and learning outcomes for students.

Law schools, including Maine Law, have offered hybrid courses and other uses of technology for several years. At least two law schools have sought, and received, accreditation waivers from the ABA to deliver online JDs. The Committee believes that the Law School would be able to enhance its ability to achieve its mission by providing greater access to remote students and, potentially, adding to its course offerings by accessing online content in partnership

with other accredited law schools. Improving access, quality, and cost effectiveness could all be achieved by embracing technology and developing new partnerships.

As this is a new area of focus for the Law School and the Law School has limited staff and faculty resources to expand its current level of online instruction, the Committee recommends that the Law School, in collaboration with the other Maine Center programs, investigate and develop a distance instruction strategy. The potential for online learning within the law school context is something of an unknown, because of ABA accreditation rules and other variables, such as the resources required for delivery of high-quality instruction. As a result, the Committee is not making a prescriptive recommendation about online instruction.

We do note, however, the possibilities for online legal education. For example, Maine Law could:

- offer a hybrid or online JD allowing mid-career, working professionals and other place-bound students in under-served communities to receive a legal education;
- offer JD coursework in its signature areas (such as Information Privacy) in a distance format, making them available within a consortium of law schools;
- source signature course offerings from other law schools within that consortium;
- enable students who are doing field placements beyond Southern Maine to enroll remotely in standard-delivery courses taught at the Law School; and
- deliver existing and new non-JD certificate programs (i.e., Compliance) to an expanded market through an online format;

The Maine Center staff could include a Director of Education Innovation, or similar title, whose responsibilities would include following the rapid developments in online delivery of JD coursework or full programs, and, as appropriate, working with the ABA and other law schools to explore potential collaboration around online legal education. Other areas of innovation within Director's charge should include new experiential learning opportunities located in the Maine Center, such as a cross-disciplinary experiential learning program and partnership with Maine's legal incubator, the Maine Community Law Center, ideally expanding its reach within Maine.

RECOMMENDATION: Expand resources to enable the Law School to identify and pilot online learning opportunities for JD and non-JD students. Build into the design of the Maine Center the staff and expertise to identify, develop, or expand remote and innovative educational experiences and leverage technology and disrupted legal education market to form partnerships with other institutions, including other law schools.

3. Diversify legal education outside the Juris Doctor market

The Law School has been actively designing and, in some cases, launching non-JD offerings. For instance, the Law School offers a professional education program in Compliance Law. In partnership with the Maine Center and several Maine businesses, the Law School's Compliance offering addresses the needs of non-attorney professionals to gain knowledge of compliance concepts and requirements. Moreover, Maine Law has developed, but has been unable to launch due to budget constraints, a Master of Studies in Law program of study.

The Committee believes that building on the success of the Compliance program, and in collaboration with the Maine Center, the Law School should identify other areas of need within the business and non-profit communities to develop additional certificates and other short-term

credentials. Executive education, micro-credentialing for non-attorney professionals, and professional certificates (e.g., in Information Privacy Law or Cybersecurity Law) should be considered and, if appropriate, funded and pursued.

Finally, as the System's law school, Maine Law is a resource for law-related education to students beyond the JD program. Maine Law faculty engagement, including direct instruction, with undergraduate and graduate students within the System can contribute to the educational experience of students and yield the myriad other benefits of cross-disciplinary learning.

RECOMMENDATION: Direct the Law School, working with the Maine Center, the System, and local businesses, as appropriate, to develop and propose to the BOT, or its designee, a least three potential new non-JD educational strategies by July 15, 2020.

4. Deepen collaboration between the Law School and other programs in the Maine Center

The Law School was an early and eager participant in developing the Maine Center's strategic framework. The Law School identified that its participation in the Maine Center provides an array of opportunities that will not only enhance the delivery of legal education in Maine but graduate education as a whole. Specifically, further engagement with the Business School and Muskie School through the Maine Center can benefit Maine Law by:

- supporting increased enrollment through market-relevant programming and integrated marketing messaging;
- fostering greater academic alignment with UMS campuses including pathways for students to post-graduate opportunities;
- developing a broader array of non-JD educational and credentialing opportunities; and,
- supporting faculty capacity and engagement by leveraging cross-disciplinary opportunities (including experiential learning), as well as increased financial support (pending fundraising success) for new program development, among others.

These benefits will help drive improvements in ranking and reputation, which has the positive reinforcing effect of increasing enrollment of desirable candidates. The implementation and marketing of customized programming will enhance the value proposition of Maine Law to prospective students, which should lessen the pressure on scholarship escalation.

RECOMMENDATION: Ensure the Law School's continued and expanded engagement as a member of the Maine Center as it develops its cross-disciplinary program of education.

B. Buttress Maine Law's Core Capabilities to Support the 21st Century Mission

Maine Law will best serve Maine's 21st legal needs by attracting the most qualified students, providing them with a high-quality legal education and transitioning those that plan to remain in the state to careers in Maine. Within the three-year transition period, Maine Law must strengthen its capabilities so that it may execute a program of education consistent with the needs of a 21st Century legal education.

1. Fill open faculty positions, replace imminent retirements and departures

Since 2010 there are 6.5 fewer tenured or tenure-track faculty and 4.5 fewer full-time faculty overall at Maine Law. Through impending retirements and recent departures, all but one faculty position in Business and Commercial Law subject area are, or soon will be, unfilled due to budget constraints. The lack of depth in the Business and Commercial Law disciplines is particularly concerning given the direction of the legal profession, and the needs of the Maine Center's future students.

RECOMMENDATION: To maintain the Law School's quality place-based education, funding for at least two tenure-track positions must be restored and imminent resignations and retirements replaced to ensure a critical mass of law faculty to cover core parts of the curriculum, to provide service to the state, bar, and the academy, and to conduct research. The Committee strongly believes that the Business and Commercial Law capabilities of the Law School, in particular, be resourced to support the cross-disciplinary vision for the Maine Center.

2. Budget for COLA and merit increase

A core faculty with a mutual commitment to the institution is essential for designing and implementing curricular and program initiatives and innovations, mentoring and supporting students, populating the numerous committees through which much of the Law School's work is done (particularly in light of the limited number of staff), partnering with admissions to encourage new applicants, collaborating with other System faculty and programs, and serving Maine courts, bar, organizations, and businesses. Maine Law must be positioned to retain its full-time faculty and attract and hire high-quality faculty candidates who demonstrate promise and commitment to serving the Law School's core mission. The current faculty should receive COLA increases consistent with those provided to represented faculty, as well the opportunity for merit-based increases, consistent with Law School faculty personnel policies and practices, in the current year and over the three-year transition period.

A key component of Maine Law's core mission—and a factor in its outsized impact—is its commitment to a student-focused program of legal education. This commitment is reflected across the Law School's functions, beginning with its aim to attract and enroll excellent students, from Maine and beyond. The full faculty and staff, and many students as well, are actively engaged in the admissions process to serve this objective. The Committee believes that this commitment, if followed by continued results, should be rewarded. As discussed more fully below, the Committee believes that measuring the Law School's performance against key performance indicators ("KPIs") is crucial to navigating this dynamic moment. We believe that the Law School faculty and staff should be eligible for merit-based increases commensurate with meeting or exceeding the established KPIs.

RECOMMENDATION: Faculty should receive COLA increases, and faculty and staff should be eligible for merit pay during the transition period.

3. Support student success

Maine Law's rigorous program of legal education is designed to prepare graduates for a wide range of careers in government, private practice, business, nonprofits, and other settings. The Law School has long been ahead of the curve in providing a rich array of experiential learning opportunities. Maine Law has enhanced its legal writing, professionalism, and student success programs. However, the preservation and enhancement of all of these efforts depend on personnel and other resources. Unlike most other System institutions and other law schools, Maine Law currently has no dedicated student success professional to ensure that students maximize opportunities at Maine Law.

A Director of Student Success or similar title would enhance Maine Law's overall program of legal education while also improving outcomes for Maine Law students and alumni in law school courses and on the bar exam. The ABA has recently imposed a bar passage metric (75%) for schools to maintain their accreditation. The Law School has studied the efforts of other schools and learned that schools investing in academic success programs saw measurable improvement in their graduates' bar passage rates. The Law School's student body includes many non-traditional students (who completed their undergraduate degree several years before enrolling) and first-generation college-goers, many of whom would benefit from the personalized support of an academic success program. An effective program requires one-on-one meetings, skills workshops, early bar exam preparation courses, identifying and monitoring at-risk students, and other measures that are beyond the capacity of the full-time faculty and student services office as presently constituted. A full-time professional would also support the faculty in key initiatives now underway to improve student learning assessments.

RECOMMENDATION: Hire a Director of Student Success.

4. *Prepare Maine Law graduates to meet Maine's legal needs, with an emphasis on rural and other underserved communities*

The legal system in Maine relies on competent, well-trained, licensed attorneys to provide many of the core legal services to individuals, businesses, and government. However, serving the needs of rural and underserved areas is challenged by shifting demographics and economic dislocations. The Law School, particularly through its involvement with the Maine Center, is in a unique position to make a substantial contribution to ongoing efforts aimed at ensuring that rural and underserved areas of the state have access to legal services.

Maine Law has pioneered the education of rural lawyers with a range of strategies, from its clinical program, designed specifically to prepare students for solo or small firm practice, to its Rural Lawyer Fellowship program, which places Maine Law students with firms around the state. In addition, its recent symposium on rural lawyering drew experts from around the country to share insights on the needs of rural lawyers and communities. However, Maine Law does not have the resources to sustain or expand its program of rural legal education. The Rural Fellows program, for instance, is in its final year of funding, and this program, while effective, cannot fully address the worsening problem of access to justice in rural Maine.

Working with the Maine Center programs, the Law School can help the Maine bench, bar, and communities identify innovative business models and methods of delivering legal services to rural parts of Maine and other states, placing Maine Law in a leadership role for addressing the problems of underserved rural populations.

The Committee sees enormous potential for further enhancing Maine Law's leadership in both experiential legal education and responding to the needs of rural Maine by a formal relationship with the Maine Community Law Center (MCLC) through the Maine Center. Launched in 2015, MCLC is Maine's first and only "legal incubator." The brainchild of Maine Law alumna and highly-regarded attorney Elizabeth Stout, MCLC hires new Maine Law graduates for two-year fellowships during which they serve paying clients on a sliding-scale fee basis while honing their skills and building their law practices, all with guidance and mentorship from Ms. Stout. In just its first 4 years, MCLC has brought on nearly a dozen Maine Law graduates. Its former fellows have joined small firms or launched their own. A legal incubator program would be ideally suited for a location closer to Maine's rural counties, but MCLC (a non-profit corporation based in Portland) lacks the resources to expand its program. It also

cannot provide health insurance to its fellows, which limits the reach of the program. There is potential for significant admissions and placement benefits to Maine Law if MCLC were to be an official program of the Maine Center, especially with a second location closer to where many Maine students are drawn and hope to return after graduation.

RECOMMENDATION: Permanently fund the Rural Fellows program and include the legal incubator Maine Community Law Center under the Maine Center's umbrella. Explore the launch of a second MCLC location in the Northern half of the state to seed or support new law-focused businesses in rural counties.

C. Attract and Enroll High-Quality Students Using a Blend of Enrollment Strategies Designed To Supplement Scholarships

Maine Law furnishes Maine with lawyers and leaders by educating students, from within Maine and beyond, who plan to remain in Maine. In service of this role, the Law School seeks the most qualified students for its course of legal education. The Committee strongly believes that a successful enrollment strategy will not sacrifice the caliber of students Maine Law attracts merely to fill seats at the institution. Providing tuition scholarships is an enrollment strategy that is used throughout higher education, including at all System campuses, to attract qualified students.

Over the past several years, Maine Law has managed the challenging admissions climate through a combination of scholarships and other strategies, including pipeline programs, fellowships, and engagement of the full-time faculty in active recruitment efforts. A more aggressive enrollment strategy that relies less on scholarship incentives, but does not relax admissions standards, will be comprised of (a) increased marketing and targeting, (b) a deeper engagement within the System, (c) creating opportunities for employment post-graduation, particularly in rural Maine, and (d) establishing a predictable but capped tuition scholarship rate for the transition period.

1. Enhance marketing and targeting

Nanci Tessier's 2018 Review and Recruitment Plan for the Law School, attached here as Exhibit 3, provided recommendations to enhance the work of Maine Law's Admissions Office. The Law School has implemented many of Ms. Tessier's recommendations. The Committee believes additional gains are achievable through:

- **Marketing:** Enhancing the current marketing plan using various delivery systems (brochure content, website, email marketing, search engine marketing, and social media marketing) and expanding outreach strategies, both within and outside of Maine, and design and print support for updated materials.
- **Collaboration with the System and the Maine Center:** Use System resources, such as through the Office of Institutional Research, to compile data and make recommendations on where investments could be made to raise the Law School's national profile. Collaborate with the Maine Center to reach new audiences and to support the Maine Center in its mission.
- **Deploying Yellow Arrows:** Expand use of national admissions consulting firm (Yellow Arrows) so that they provide strategic support, scholarship strategies and critical data collection throughout the admissions cycle (as is used for most law schools).

RECOMMENDATION: Increase marketing, collaboration with the System and Maine Center, and deploy Yellow Arrows.

2. Deepen involvement with students and the System: 3+3 and PLUS

Greater coordination with the System to service students already within the System is, potentially, a powerful enrollment strategy. The Law School has developed partnerships with the University of Maine and University of Southern Maine (USM), among other undergraduate programs, which enable students to receive an undergraduate degree and JD in six years. Since their inception in 2016, these “3+3” programs have resulted in five Maine Law enrollments and three more are expected this fall, with dozens more potential students in the pipeline across Maine. Marketing this program more aggressively and expanding it to cover all System campuses is an efficient means of offering more opportunities to students that are already served by the System. In addition, expanded Law School faculty involvement in undergraduate and graduate education and research could expose more System students to the potential benefits of a legal education.

Similarly, Maine Law’s PreLaw Undergraduate Scholars (PLUS) Program, which recently completed its fourth year, has been a source of recruitment. The 3-week immersion program was launched with a grant from the Law School Admission Council, and it provides an opportunity for undergraduates to explore their leadership potential and a career in the law. It is designed primarily for college students from rural areas, first-generation students, students of color, immigrants, and low-income students, reflecting the ultimate goal of bringing more diversity to the legal profession in Maine. Maine Law also hopes to inspire young people from rural communities to consider law as a career. Taught by Maine Law professors and staff, students in the PLUS program enter a rigorous curriculum of foundational lawyering and professionalism skills, including in subject areas such as criminal law, administrative law, and constitutional law. A total of 85 undergraduates have participated in PLUS over the 4-year period. However, the PLUS program’s funding is ending this year. On June 13, 2019, the final class of PLUS graduates presented their final reports. While the PLUS program was a pilot, it appears to have engaged students effectively. Thus far, five former PLUS participants have enrolled at Maine Law.

RECOMMENDATIONS: Expand and promote 3+3 Systemwide, provide permanent funding to maintain the PLUS program.

3. Establish an allowable but capped tuition scholarship rate for the transition period

While data on other law schools’ use of scholarships to compete for students is challenging to gather, it appears that Maine Law has used tuition scholarships at rates well below its peers. Nevertheless, the volatility of Maine Law’s scholarship requirements has been challenging for the System and USM to accommodate. As Maine Law’s internal resources have been depleted, it has had to rely increasingly on the System and USM to close the gap. The scholarship pressure experienced by Maine Law has, therefore, created operational uncertainty for the System and USM.

The Committee recommends allowing scholarship awards during the transition period at up to a 2 percentage points increase above the current admissions cycle rate, which is in line with practices elsewhere in the System.

RECOMMENDATION: Allow tuition scholarship use at up to a 2 percentage points increase from the current admissions cycle rate during the transition period and provide support for increasing fundraising efforts aimed at scholarship donations.

D. Operational Considerations

The execution of this plan, as well as the long-term success of the Law School, is dependent upon compensation review for faculty, clear and measurable success metrics during the transition period, strong leadership, support from the community, and appropriate alignment within the System.

1. Faculty salary review

The faculty have foregone COLAs for five years, and faculty turnover is at a historic high. While this report does not recommend specific salary increases for the faculty at this time (beyond the restoration of COLA increases in line with other UMS faculty and the opportunity for merit pay increases), the Committee believes that, to retain and recruit a qualified team, the BOT or System should conduct a compensation review to compare Maine Law compensation packages for faculty to those offered at similarly situated institutions.

RECOMMENDATION: To retain and attract faculty, engage a compensation consultant to verify, if possible, that current compensation levels are consistent with the Law School's peers.

2. Key Performance Indicators: Measures of success and proof of concept

The Committee strongly believes that the strategy we recommend herein, and the Law School's performance generally, be measured against KPIs. We recommend the following KPIs:

- Student selectivity (as measured by average LSAT scores, undergraduate GPA, and acceptance rate);
- Graduate placement and bar passage success;
- Rate of applications, including the percentage of Maine applicants;
- Faculty service and scholarship; and
- Advancement measured in funds received and percentage of constituency engagement.

While we believe that these are the right KPIs, establishing specific metrics and periods of performance are typically done collaboratively. We recommend that the BOT oversight committee, in consultation with the Interim Dean, establish specific metrics as soon as the oversight committee is seated.

The KPIs we recommend will gauge the Law School's performance in the legal education marketplace and establish a baseline against which the success of the strategies we recommend. In addition, we believe that they can and should be used to measure the performance of the Dean and the Law School team. We believe that the BOT oversight committee should consider incentive compensation for the Dean and Law School faculty and staff based on performance at or above KPI thresholds, to the extent appropriate.

RECOMMENDATION: BOT oversight committee and Interim Dean establish metrics to evaluate the Law School's performance during the next three years and to provide resources for incentive compensation.

3. *Dean selection criteria and process*

To enable the System and the Law School to achieve successful implementation of the strategic plan recommended in this Report, Maine Law's next dean should be outward-facing, visionary, and bold. The dean should be able to work collaboratively with USM, UMS, and the Law School's Maine Center partners and have a strong management record. The dean should be able to forge external partnerships, strengthen philanthropic giving to the Law School, and have a proven record of developing and leading a quality team. Some members of the Committee believe that the next dean should be appointed for a short term and specifically to implement the above proposed 21st Century Plan. Others believe that a permanent dean selection is the best approach. However, the full Committee agrees that the key qualities for the next dean are those that will best ensure that the plan is implemented effectively and successfully.

The Committee recommends that a Dean Selection Committee be appointed by the Chairman of the BOT or the Chancellor and that committee be comprised of: one member of the Law School staff; two members of the Law School faculty; three members of the public; and one current Trustee of the System. The Dean Selection Committee would present a candidate, or candidates, to the President of USM, or whichever governance body the BOT determines has authority to make the appointment.

Finally, given the complexity of requirements of the position, we believe that a search firm be engaged to aid in the selection of appropriate candidates for Dean.

RECOMMENDATION: Select a dean with the characteristics and by the process described above. Immediately engage a search firm and commence a search for a dean.

4. *Advancement*

Maine Law has only one professional, a Director of Advancement, solely responsible for development, fundraising, and alumni relations. Several of the Law School's valued and effective programs (both new and established), such as the Rural Lawyers Project and the Cumberland Legal Aid Clinic, are funded in whole or in significant part by external funding sources. They continue to be dependent on such funds because all available E&G funds are applied to tuition scholarships. Excluding grants and sponsorships, the Law School's source of private funds are its annual fund and endowment interest.

In 2001, Maine Law's Foundation raised \$3 million for endowed scholarships and in 2012-13, raised \$500,000 to honor the law school's 50th Anniversary. The total endowment is a little over \$4 million and is administered by the University of Maine System. Overall giving decreased after 2013 until an experienced development professional was hired in September of 2017. Annual giving increased from \$252,000 in 2017 to \$333,000 in 2018 as did the number of alumni giving from 10% to almost 14%. However, the amount of individual donations from most alumni is modest at best.

- Alumni gifts range from \$5 to \$10,000
- The majority of alumni donors give \$100 or less (in FY18 that was 56% of donors)
- Usually 10% or less of alumni donors give between \$1,000 and \$10,000 (in FY18 it was 7% in that category, which was 44 donors)

Current fundraising is focused on increasing the annual fund dollars and alumni participation. The Dean has been asking area law firms for real-time operating funds and has current commitments of \$125,000 over five years. Maine Law participates in a working group

with the Universities of Maine and Southern Maine and Maine Center Ventures to raise funds for the Maine Center. When Law School fundraising dollars are used as matching dollars for its Center participation, such funds should also directly benefit Maine Law.

Private giving from Maine Law's alumni, affinity groups and friends must be a part of the broader solution to stabilize the Law School's finances. Advancement can be part of the overall enrollment strategy: when philanthropy is used to launch new or enhance existing scholarships, a broader community is engaged in student success. The Foundation, if it had the assistance of additional development staff, would be well-positioned to set and achieve specific goals to raise real time operating as well as long term scholarship funds. The System should ensure that the Foundation can effectively unlock that potential by clarifying that the fundraising benefits and obligations of Maine Law to the Maine Center do not undermine or limit the Law School's own fundraising efforts, such as, for example, if the Foundation were to launch a future capital campaign to increase scholarship funds and support its clinics.

RECOMMENDATION: The Law School should hire an additional development staff member to aid the Foundation's efforts to support scholarships and clinical programs.

5. Long-term operational issues: Finance and Governance

As a final matter, two key aspects of the Law School's position within the System were raised by a range of stakeholders throughout our work: finance and governance. We believe that the BOT should take the opportunity to address these issues as it works through the governance and finance imperatives associated with the "One University" and Maine Center initiatives.

a. Financial Considerations

Maine Law has two primary sources of revenue: tuition and state appropriation. Gross tuition revenues have been relatively stable. However, net tuition revenue has steadily declined since 2015, due to increased tuition scholarships as financial aid packages have grown to compete for students. The Law School's base budget state appropriation was set at approximately \$900,000 in a written agreement with USM starting in 2011, with the understanding that this amount would decrease or increase in proportion to any increases in USM's allocation as a whole and adjustments would be made as needed to ensure that Law School faculty would receive salary increases in line with those given to other University faculty. This agreement was abrogated in 2016, and there was no permanent increase of state-appropriated dollars from USM or the System.

Maine Law exhausted its limited reserves in FY17. In FYs 15, 18, 19 and 20, USM contributed increasing funds from its reserves to plug the gap, while requiring further cuts by the Law School. In FY18 and 19, The University System also has contributed reserve funds. Maine Law has a minimum \$500,000 deficit beginning July 1, 2019, for FY20, which the UMS will cover. This financial model is not sustainable.

The Committee recommends changing the current state appropriation model. Maine Law's allocation of state appropriation funding should be set and funded directly at the System level, rather than through one campus, as is the present practice. The Committee further recommends that the System undertake a peer-group analysis-based allocation system specific to the Law School, similar to that now being performed for the other campuses. The results of this analysis can be used to inform the development of an appropriate level of System allocation for the Law School going forward. The UMS Vice Chancellor for Finance and Administration has noted that the process of identifying peer institutions and analyzing the appropriate allocation will likely

take at least two budget cycles. The Committee requests that the System allocate, in the interim, additional funding to support the recommendations herein.

b. Governance

Although Maine Law is a statewide strategic asset and serves as the System's law school, it is an "administrative unit" of USM. For all practical purposes, however, it is *sui generis* in terms of its operations and governance. The Law School has separate personnel who handle recruitment, enrollment, career and student services, finance and personnel matters, and advancement/alumni relations. It is accredited and evaluated by a different set of regulators. The System provides procurement, HR and IT services for Maine Law as it does for all university institutions. USM provides financial aid and registration processing for students and supports the Law School's facilities, among other "back-end services." Maine Law's Foundation resources are held separately and administered by the System.

The Dean reports to the President and currently attends his cabinet meetings. The Law School has its own Board of Visitors that advises the Dean but does not have an identified role as an advocate for the Law School within the System or actively in the broader community. Perhaps most significantly, the Law School has a strong brand identity—within and beyond the System—that is wholly distinct and apart from USM's.

As noted already in this report, the Committee recommends that the BOT appoint both an oversight committee and a Dean Search Committee. The Committee further recommends that during the three-year transition period, the BOT identify a new governance structure for the Law School in light of its position statewide and as System's only professional school. The timing of such analysis would be fortuitous, as the System now faces significant changes and opportunities, particularly through the development of the Maine Center and the System's "One University" initiative. As decisions are made to implement these and other initiatives, the place and reporting structure of the Law School should be a key consideration so that it is optimally positioned and strengthened. The Law School's Board of Visitors should be included in opportunities to meet regularly with the BOT as do other institutions' boards and serve more broadly as an advocate for Maine Law as a valued System-wide asset.

III. CONCLUSION

The Committee was charged with advising on the future direction of the Law School, not whether Maine should have one. In a state that is not rich in resources, it is fair to question the wisdom of investing in a form of higher education that appears less desirable to today's students and therefore, one could argue, has a less compelling public mission. While there are clearly fewer qualified students seeking a legal education, the need for good lawyers in Maine, particularly in rural Maine, is enduring and will only increase as the current generation of rural lawyers retire from practice.

The Committee heard from dozens of Maine citizens about the disproportionate role Maine Law graduates play developing Maine business, serving rural communities, defending and prosecuting criminal cases, governing and policymaking, and serving the most needed in our society. Indeed, nearly half of the lawyers serving rural Maine are Maine Law graduates. Moreover, a cadre of educated Maine citizens schooled in the rule of law and expert in the architecture of our democracy serves as the skeletal structure of our institutions and civic life.

While one could argue that without Maine Law lawyers educated elsewhere will come to Maine, there is little evidence to suggest that those lawyers will settle anywhere but in Maine's largest cities. Without Maine Law, Maine businesses, institutions, and people will be underserved in the communities that most need legal services.

We wish to express our thanks to the BOT for valuing the Law School by appointing this committee and for providing us the opportunity to work together and to learn more about Maine Law and its current work, mission, and people. We also extend our appreciation to the many faculty, staff, students, and alumni of the Law School who supported our work over the past months by providing information, answering questions, and sharing their thoughts. The Committee received excellent staff support from Maine Law, the System, and the University of Southern Maine.

Respectfully submitted,

Kurt Adams, Co-Chair, CEO, Summit Utilities

Deirdre M. Smith, Co-Chair, Professor and Director of the Cumberland Legal Aid Clinic,
University of Maine School of Law

Martha Casey, Partner, O'Neill, Athy & Casey

Ben Devine, Principal, Devine Capital

Ben Gideon, Esq., Berman & Simmons

ADM Gregory Johnson, Member of the UMS Board of Trustees

Peter Mills, Executive Director of the Maine Turnpike Authority

Heather Sanborn, Maine State Senator, Co-Owner Rising Tide Brewery

Teresa Sutton, CEO, Maine Center Ventures

Adam-Max Tuchinsky, Dean of College of Arts, Humanities and Social Sciences and Associate
Professor of History, University of Southern Maine

Vendean Vafiades, Executive and Leadership Support Consultant

Exhibit 1

Committee to Advise on the Future Direction of the Law School, Charter (February 15, 2019)

**COMMITTEE TO ADVISE ON THE FUTURE DIRECTION OF THE LAW SCHOOL
CHARTER
15 February 2019**

BACKGROUND

The University of Maine School of Law (Maine Law) is Maine's only law school, preparing those going into legal practice as well as those entering professions and occupations that benefit from elements of legal training. As the legal profession has an essential economic and societal role, it is critical that Maine Law is well positioned to serve its students, the profession, and the State.

Maine Law has a long and distinguished history of preparing lawyers for Maine and beyond, of providing the value of a quality legal education to those engaging in other pursuits, and of serving as a vital repository of the exceptional culture of high quality, ethical and civil practice embodied by the Maine bench and bar.

Like similarly situated law schools across the country, a confluence of factors is significantly impacting the school and presenting serious challenges that must be addressed. These factors include a changing market for legal services that requires new and innovative approaches to legal education, a decline in law school applicants creating a highly competitive market for qualified students, and a state experiencing a severe demographic challenge and growing skills gap. Furthermore, as a small school, Maine Law is challenged with respect to having a stable and predictable funding stream sufficient to achieve its fundamental mission of providing a high-quality legal education.

This is also a time of opportunity. A small, nimble and innovative school, properly resourced, can re-envision and reposition itself to play a lead role in how legal education can better serve its students and, indeed, Maine as a whole. The timing is fortuitous: the University System's One University initiative encourages and supports new collaborations and innovations, the Maine Center for Graduate and Professional Studies project brings new resources and partnerships to the table, and greater Portland and the University of Southern Maine is becoming an attractor of talent and capital.

Given these challenges and opportunities, the University of Maine System Board of Trustees acting through the Office of the Chancellor is assembling a small group of internal and external stakeholders to act as an *ad hoc* Committee to Advise on the Future Direction of the Law School (the Committee) to advise it on these key issues. This advice will take the form of a report to be delivered to the Chancellor's office for consideration at the July 2019 BOT meeting. Interim or additional briefings may be requested by the Chancellor or Board Chair.

CHARTER PURPOSE

The purpose of this Charter is to set the tasks, roles and responsibilities for the Committee.

CHARTER SPONSOR

The UMS Chancellor acting on behalf of the System Board of Trustees is the Charter Sponsor.

COMMITTEE COMPOSITION

The Committee is co-Chaired by Kurt Adams and Deirdre Smith. Additional Committee members are Martha Casey, Ben Devine, Ben Gideon, Gregory Johnson, Peter Mills, Heather Sanborn, Chief Justice Leigh Saufley, Terry Sutton, Adam Tuchinsky, and Vendean Vafiades. The Committee will be staffed by the UMS General Counsel and Chancellor's Chief of Staff Jim Thelen who will be able to call upon additional UMS and campus personnel as needed.

COMMITTEE CHARGE

The Committee will deliver a report that includes:

1. an analysis and opinion as to the direction of 21st century legal education, with topics to include: how legal education can best serve Maine's legal profession and the emerging legal services industry, how best to develop options for new or expanded student markets (e.g., non-traditional and international students as well as students pursuing legal training for other professional and career reasons), and how to improve access to legal services in rural parts of the state;

2. a summary and assessment of how Maine Law is currently addressing the topics discussed in response to Charge #1, including its program of legal education and other programs and initiatives;
3. an analysis of opportunities for Maine Law as a member of the Maine Center consortium and in partnership with Maine Center Ventures, with recommendations including, but not limited to: expanded programming and (micro-) credentialing, multi-modal course and program deliveries, and greater academic alignment with UMS campuses including pathways for students to post-graduate attainment;
4. a review with recommendations of Maine Law operations, including, programs, finances, organizational issues including back-end services with UMS and USM, advancement, enrollment strategies, and statewide public engagement;
5. a recommended profile for the new Dean of the Law School informed by the Committee's findings;
6. other matters that may advance the Law School, its students, and its impact on Maine statewide.

The use of an outside professional consultant who is expert on national trends and developments in legal education is strongly recommended. The Co-Chairs will collaborate with the Board Chair and Chancellor to identify and engage this individual, with the final decision resting with the Board Chair.

RESOURCES

There will be an initial allocation of \$2500 from the Chancellor's office for the Committee's incidental expenses. The Co-Chairs may request additional resources from the UMS Chancellor to complete its work including the cost of external consultants.

CALENDAR

The Committee's report will be delivered to the Chancellor's office in time for review and subsequent consideration at the July BOT meeting. A specific date will be determined later. Interim or additional briefings may be requested by the Chancellor or Board Chair.

CHARTER EXPIRATION AND MODIFICATION

This Charter and the Committee's work will expire with the chairs report delivery in July 2019. It may be extended or modified with written approval by the Chancellor or the Board Chair.



J. Page
Chancellor

Exhibit 2

Preliminary Analysis Memo, William Henderson, Professor of
Law at Indiana University Maurer School of Law
(March 9, 2019)



William D. Henderson
Researcher, Advisor, Editor
bill@legalevolution.org

Date: March 9, 2019

To: Kurt Adams, Trustee, University of Maine
Prof. Deirdre Smith, University of Maine School of Law

RE: Preliminary analysis

This memo is a preliminary analysis prepared for members of the Committee to Advise the Future Direction of the Law School, which was formed at the direction of the Board of Trustees of the University of Maine System.

Scope

The Committee to Advise on the Future Direction of the Law School seeks guidance on “[t]he direction of 21st century legal education and the legal services industry, including but not limited to:

- “Emerging and future needs of the legal profession and the legal services industry, and how law schools can and should respond to those needs;
- “Current and emerging innovations in the delivery of legal education; and
- “New and expanded student markets for legal education (e.g., non-traditional and international students as well as students pursuing legal training for other professional and career goals) and how law schools can be best positioned to compete in such markets.”

With regards to these changes, the Committee seeks guidance “on the specific roles, challenges, and opportunities for smaller and public law schools.”

High-Level Overview

My prior research, particularly for the California Bar during the summer of 2018,¹ enables me to provide some firm conclusions on the “[e]merging and future needs of the legal profession and the legal services industry[.]” Drawing upon this research, it is my belief that practicing lawyers are experiencing two seemingly contradictory crosswinds.

The first crosswind is rising legal complexity created by increased globalization, digital interconnection, and associated regulatory pressures. It is no exaggeration to conclude that the peace and prosperity we all desire requires a well-functioning legal system that is

¹ See William D. Henderson, Legal Market Landscape Report, Commissioned by the State Bar of California (July 2018) online at: <http://board.calbar.ca.gov/docs/agendaitem/Public/agendaitem1000022382.pdf> [hereafter California Bar Report]. The executive summary is included in Appendix C to this memo.



perceived by the public as fair and efficient. Now more than ever, lawyers are needed to guide the updating and redesign of existing legal institutions.

The second crosswind is legal industry stagnation that substantially pre-dates the 2008 recession. Despite nearly two decades of rising GDP and national population, the high-water mark for employment in private law firms occurred in 2004.² Likewise, in the aggregate, law school graduates in the class of 2017 had the fewest number for entry-level private practice jobs than at any time since the mid-1990s.³

Unfortunately, amidst these seemingly contradictory crosswinds, there is no accepted consensus on “the emerging and future needs of the legal profession and the legal industry.” Indeed, only a subgroup of legal educators and lawyers track and understand the macro-level trends that suggest widespread structural change. Further, among this small subgroup, we are limited to working hypotheses on what is causing the industry stagnation.⁴ It is very difficult to design and implement an effective strategic plan when there is (a) lack of stakeholder awareness (or acceptance) of systemic problems, and (b) lack of consensus on how to respond.

For legal education, it is imperative to think in terms of supply chain principles. For example, law schools are a supplier to the legal employers who are struggling with the two crosswinds described above. Obviously, law schools cannot change in ways that are out of synch with the pace and scale of change occurring in the broader legal industry. As the fate of buyer and supplier are interdependent, changes and adaptations ideally occur in coordination with one another. This type and level of collaboration is undoubtedly new and foreign to most stakeholders, yet it’s hard to imagine how law schools and legal employers, acting in isolation with one another, will successfully respond to a paradigm shift in the legal services market.

Although some of this dialogue is destined to occur at a national level through existing industry and regulatory groups, we also need to be attuned to the needs and opportunities that exist within local ecosystems. Indeed, one of the greatest contributions that smaller jurisdictions can make to the larger legal profession is to build high-quality local solutions that can be copied, deployed, and scaled by others.

This last insight is arguably Maine Law’s greatest competitive strength. As a small public law school—and the state’s only law school—located in Maine’s largest metropolitan area, Maine Law is ideally situated to co-create solutions in dialogue with other state and local stakeholders, including the state bar, the Maine judiciary, alumni, law firms, state agencies and legal departments.

² According to the U.S. Census Bureau County Business Patterns dataset, employment in Office of Lawyers (NAICS 541110) reached its highest level in 2004 with 1,122,723 employees. In 2016, this sector employed 1,056,512.

³ See Bill Henderson, “Four charts to better understand the Class of 2017 (060),” *Legal Evolution*, Aug. 5, 2018, online at <https://www.legalevolution.org/2018/08/four-charts-better-understand-class-2017-060/>.

⁴ My own hypotheses are set forth in the California Bar Report. See note 1. However, Maine Law stakeholders should reach their own conclusions based on a fact gathering process that simultaneously educates and creates stakeholder buy-in.



In preparation for this analysis, I conducted some initial research on Maine Law and the Maine legal sector, which is summarized in Appendix A (Maine Law) and Appendix B (Maine legal sector). Based on this research, the charge written by the Committee to the legal consultant, and my prior research, I offer the following avenues for additional exploration.

Possible Avenues for Exploration

In my experience, effective strategic planning has two crucial components: (1) a correct factual analysis of the issues and challenges facing the organization; and (2) an implementation strategy that pulls together and creates buy-in among relevant stakeholders. For high-level knowledge workers like lawyers, professors, and judges, the necessary buy-in requires their inclusion in the Step 1 problem diagnostic phase. Further, the best an outside consultant can do, even one with expert credentials, is to facilitate a process where stakeholders reach their own conclusions. If everything goes well, several internal champions and opinion leaders emerge who have the knowledge, tools and motivation to effectively lead the change effort.

With this strategic planning approach in mind, below are four possible avenues the Committee might wish to explore:

1. *Maine Legal Industry Taskforce.* The smaller scale of the Maine Bar, and Maine Law's status as a public law school located in the heart of the state's largest metropolitan area, make it the ideal convener for a taskforce to analyze structural changes in the legal profession vis-à-vis the needs of Maine citizens and businesses. Such a taskforce can be used to gather facts, educate and forge consensus. Unlike other states and law schools, it is possible for Maine Law to get all the key stakeholders into the same room. Further, the charge would be to address the needs of the state of Maine, which is destined to produce a very different solution set than national proposals that are bound to tilt toward the interests of larger jurisdictions, such as New York, California, Illinois and Texas, and the most elite law schools. Why wait for a solution that is bound to be poor fit?
2. *Curricular Innovations.* The growing complexity the legal economy cuts in two ways. First, it creates new fields of substantive law (Type 0 innovation). A text book example of this is privacy and cybersecurity, where Maine Law faculty and alumni played—and continue to play—a crucial role in the creation and growth of the International Association of Privacy Professionals (IAPP). Second, growing legal complexity requires new methods of service delivery that increase the output of lawyers and other legal professionals *per unit of effort* (Type 1 Innovation).⁵ This latter topic, which emphasizes the integration of law with data, process, technology and other allied disciplines, was one of the key topics in my California Bar Report. It would be near impossible for a law school to simultaneously focus on both Type 0 and Type 1 innovation. With Maine Law's limited resources, and the narrower needs

⁵ For additional discussion of the difference between Type 0 (substantive law) and Type 1 (service delivery) legal innovation, see Bill Henderson, "Two types of legal innovation: Type 0 substantive law, Type 1 service delivery (071)," *Legal Evolution*, Oct. 28, 2018, online at <https://www.legalevolution.org/2018/10/two-types-legal-innovation-type-0-type-1-071/>.



of the Maine legal professions as identified through a working taskforce, Maine Law should prioritize where it can be a leader and where it should be a fast follower.

3. *Innovation in the Delivery of Legal Education.* Part of the Committee's charge to the legal educational consultant requests guidance on "[c]urrent and emerging innovations in the delivery of legal education." One of the key questions here is whether Maine Law is a buyer or seller of these innovations. For example, through a waiver obtained through the ABA, Syracuse Law is experimenting with an online JD program. In its first year, it enrolled 32 students from a pool of 241 applicants. Surprisingly, the online cohort possessed stronger LSAT/UGPA credentials than Syracuse Law's residential program.⁶ In the early stages, these programs are capital intensive with the hope earning a substantial marginal return when the programs reach scale. Yet, what might be a wonderful market for a few, could be disastrous for many, as it's possible if not likely that the financial benefits of these programs will be competed away. An alternative model might be law schools collaborating in the creation of online modules, essentially spreading out the development costs and ensuring a financial return than can sustain high-quality content. Legal publishers, who are well-situated to bear the development costs, are also interested in creating online modules. Adoption of this technology could reduce the per-student staffing costs while increasing curricular variety and quality. These questions are fundamentally a build versus buy analysis, which is a decision that confronts virtually every industry. Now the topic is coming to legal education.
4. *Diversifying Legal Education Outside the JD Market.* Part of the Committee's charge to the legal educational consultant requests guidance on possible "expanded student markets for legal education" outside the confines of the traditional JD degree. With some caveats, I believe this is a fertile market that is highly relevant to Maine Law. This is true foremost because of the need of large and complex organizations to stay in compliance with a constantly growing constellation of laws and regulations. Part of the solution is destined to be cost-effective training and certifications of law-oriented content to mid-career professionals, particularly those in heavily regulated industries. In some cases, the certification programs could prove to be a substantial draw for undergraduate students. The development costs for these types of programs can be partially borne by some of the region's largest local employers seeking solutions to known organizational challenges. Because Maine Law is a public institution and the sole law school located in the economic center of the state, Maine Law is well situated to identify opportunities and fill the need. The biggest challenge, however, is likely to be law faculty who perceive this type of work as anathema to Maine Law's national profile and scholarly mission. With effective law school leadership and the many rewards of contributing to a successful regional effort, however, it is possible to successfully navigate these issues.

⁶ See Karen Sloan, "Syracuse's New Online JD Portends Popularity of Hybrid Programs," Law.com, Jan. 9, 2019, online at <https://www.law.com/newyorklawjournal/2019/01/09/syracuses-new-online-j-d-portends-popularity-of-hybrid-programs/>.



Appendix A

Overview of Maine Law

A focus on the future requires the gathering of a core set of facts. Below are some facts and figures related to Maine Law.

Location / Role in State. Maine Law is located in Portland, Maine, an attractive coastal city that anchors the state's largest metropolitan area. It is the only law school serving the nation's 42 largest state (1,342,000 est. pop. in 2019). It is also a public law school with close, longstanding connections to the state judiciary and elected officials.

Enrollment. Compared to other ABA-accredited law schools, Maine Law has relatively small JD enrollment. In the spring of 2018, Maine Law graduated 75 JD students, down from a high of 96 in 2013 and 2014. In 2018, the average JD graduating class size of an ABA accredited law school was 170; the median was 147. In terms of graduating class size, Maine Law is currently in the 8th percentile among ABA-accredited law schools. It is noteworthy that University of New Hampshire School of Law has a nearly identical enrollment (73 JD graduate in 2018).

US News Ranking (USN). Out of nearly 200 ABA-accredited law schools ranked by U.S. News & World Report, Maine Law is currently ranked #126. During the 1990s and the early 2000s, USN ordinarily ranked 50 law schools in the "first tier" and thereafter listed schools alphabetically in Tiers 2, 3, and 4. During this period, Maine Law was placed in Tier 3. In 2003, the ordinal ranking was expanded to the Top 100 (Tiers 1 and 2), with Maine Law making this list once (#100 in 2009). In 2011, the ordinal ranking was expanded to include Tier 3 (~145 ranked schools per year), with Maine Law ranked 121. Since that time, Maine Law's USN rank has hovered between #134 (in 2013) and #106 (in 2018).

Although I don't believe that USN is a valid measure of educational quality, USN has a significant effect on applicant volume, yields and the amount of financial aid necessary to hit enrollment targets. As such, it cannot be safely ignored.

Cost of Enrollment. Maine Law's tuition (both in-state and non-resident) is a relative bargain. According to data collected by AccessLex Institute, in 2018, FT in-state tuition at Maine Law totaled \$23,640 compared to average of \$27,357 for other public law schools. Out-of-state tuition totaled \$34,710 compared to an average of \$40,410 at other public law schools and \$47,633 at private law schools. Further, 68.8% of students receive grant aid, with a median grant of \$10,000. Finally, since 2011 (first year of the AccessLex dataset), tuition at Maine Law has increased by less than \$700 for in-state students and slightly more than \$800 for out-of-state students.

Employment and Bar Passage. Approximately 75% of the student body remains in Maine and takes the Maine bar exam. 56.6% of the Class of 2017 obtained bar-passaged required jobs. Another 12.0% obtained JD-advantaged jobs. 12% were unemployed and seeking



employment 10 months following graduation. These are not statistics that suggest a need for expanded JD enrollment.

Curriculum. Maine Law places a large emphasis on clinics and field placements, with roughly one open slot per year for all 2L and 3L students. Owing to several dynamic faculty and alumni, Maine Law played an important role in the pioneering of privacy and cybersecurity law. Indeed, Maine Law alumni were instrumental in the creation of the International Association of Privacy Professionals (IAPP), a highly influential and rapidly growing organization that came into being to solve the large number of complex legal and business issues surrounding digitization.



Appendix B

Overview of the Maine Legal Economy

To better understand the Maine legal sector, I quickly compiled the following statistics:

According to the Bureau of Economic Analysis (BEA), in 2017 the state of Maine had approximately 3,900 active and resident lawyers (#41 among 50 states and the District of Columbia). Roughly 2,200 of this number are either partners in law firms or the owners of their own solo practice; the remaining 1,700 work as W-2 employees in law firms, government, business or nonprofit organizations.

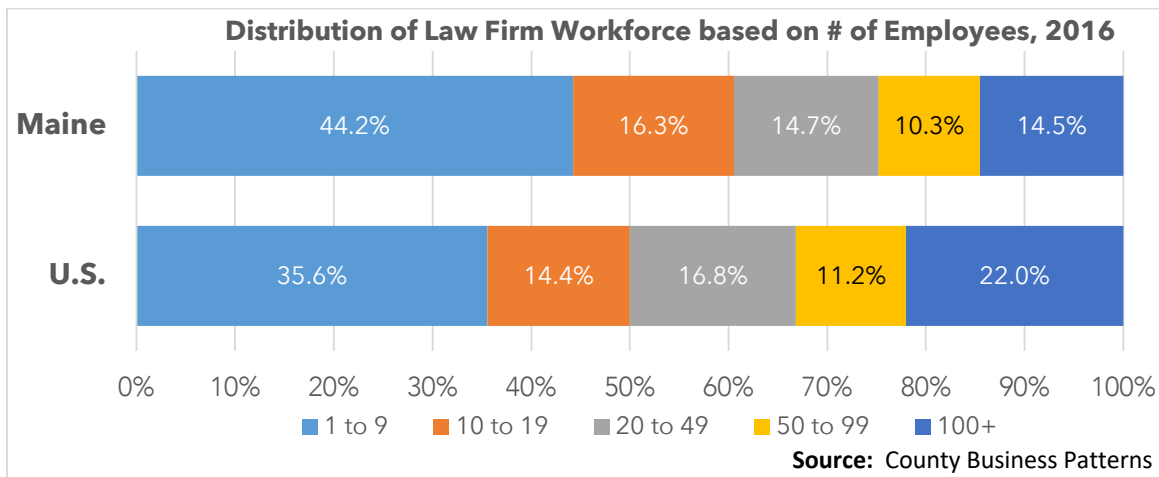
Unfortunately, among the majority of Maine lawyers who are self-employed (as partners in firm or solo practitioners), we lack a reliable data source for estimating income. However, for lawyers working as W-2 employees, we have extensive data through the Bureau of Labor Statistics.

In 2017, the average annual salary of a W-2 employed Maine lawyer was \$102,040, which is lower than other New England states, such as New Hampshire (\$119,650), Vermont (\$122,840), Massachusetts (\$157,450) and Rhode Island (\$129,410). Within the state of Maine, salaries vary widely based on geography. The table below provides a summary:

Metro / Region	Number of Lawyers	Avg. Salary
Portsmouth, NH-ME	270	\$140,010
Portland-South Portland ME	870	\$120,280
Dover-Durham NH-ME	90	\$112,230
Bangor	170	\$99,390
Lewiston-Auburn ME	140	\$92,810
SW Maine NonMetro	450	\$77,230
NE Maine NonMetro	70	\$66,380

Similar to the overall trend among U.S. law firms, employment in Maine law firms appears to be on a downward trajectory. Between 2005 and 2016, the number of employees working in Maine law firms (both lawyers and non-lawyer staff) steadily declined from 4,168 to 3,756 (-9.9%). The comparable figure for the entire U.S. was also a steady decline, but at a slower rate (-4.2%). During this time period, average salaries paid by Maine law firms increased from \$54,337 to \$67,431 (+18.8%). The comparable figures for the U.S. law firm sector were higher in both nominal dollars (\$72,192 to \$93,342) and percentage growth (+28.1%).

As shown the bar graph below, law firms in Maine tend to operate at a smaller scale than the broader U.S. law firm sector.



Finally, one of the reasons that private law firms are not growing is that businesses—which consume more than 75% of all legal services in the U.S.—are increasingly insourcing legal work by hiring general counsel and staffing legal departments with former law firm associates.⁷

As Maine Law seeks to engage key stakeholders, it would be advantageous to understand the business drivers of Maine’s most significant and dynamic industries, as they are bound to have some of the state’s largest corporate legal departments and be major consumers of legal services both inside and outside the state of Maine.

One way to identify these industries and employers is through the location quotients published by the Bureau of Labor Statistics. A location quotient is a simple statistic that compares the volume of industry economic activity in a geographic location (e.g., Maine) with the volume of industry activity occurring through the entire U.S. economy. When the location quotient equals 1.00, the location’s share of activity is proportional to the total U.S. economy. When the location quotient is less than 1.00 (down to zero), the industry is underrepresented. A location quotient of 1.50 means 50% greater activity than the nation as a whole; 2.00 means twice as much; 3.00 means three times as much, etc. According to BLS data, the following industries tend to have high concentrations of economic activity in the state of Maine (ordered by total wages paid to Maine workers).

- Hospitals (LQ 1.96, NAICS 622), \$2.1B in wages
- Insurance carriers (LQ 1.19, NAICS 524), \$783M in wages
- Transportation equipment manufacturing (LQ 1.52, NAICS 336), \$619M in wages⁸
- Paper manufacturing (LQ 4.08, NAICS 322), \$336M in wages
- Wood product manufacturing (LQ 3.38, NAICS 321), \$199M in wages
- Forestry and logging (LQ 11.69, NAICS 113), \$94M in wages

⁷ See California Bar Report, *supra* note 1, at 4-5 & fig. 2.

⁸ Of this total amount, the subcategory Ship and boat building (LQ 15.54, NAICS 3366) accounts for \$440M in wages.



Appendix C
Executive Summary to Legal Market Landscape Report
Commission by State Bar of California (July 2008)

Throughout the United States, legal regulators face a challenging environment in which the cost of traditional legal services is going up, access to legal services is going down, the growth rate of law firms is flat, and lawyers serving ordinary people are struggling to earn a living. The primary mechanism for regulating this market is lawyer ethics, including the historical prohibition on nonlawyer ownership of businesses engaged in the practice of law. However, private investors are increasingly pushing the boundaries of these rules by funding new technologies and service delivery models designed to solve many of the legal market's most vexing problems.

There is ample evidence that the legal profession is divided into two segments, one serving individuals (PeopleLaw) and the other serving corporations (Organizational Clients). These two segments have very different economic drivers and are evolving in very different ways. Since the mid-1970s, the PeopleLaw sector has entered a period of decline characterized by fewer paying clients and shrinking lawyer income. Recent government statistics reveal that the PeopleLaw sector shrank by nearly \$7 billion (10.2%) between 2007 and 2012. Throughout this period, the number of self-represented parties in state court continued to climb. The Organizational Client sector is also experiencing economic stress. Its primary challenge is the growing complexity of a highly regulated and interconnected economy. Since the 1990s, corporate clients have coped with this challenge by growing legal departments and insourcing legal work. More recently, cost pressure on corporate clients has given rise to alternative legal service providers (ALSPs) funded by sophisticated private investors. Both responses come at the expense of traditional law firms.

What ties these two sectors together is the problem of lagging legal productivity. As society become wealthier through better and cheaper good and services, human-intensive fields such as law, medical care, and higher education become relatively more expensive. In contrast to medical care and higher education, however, a growing proportion of U.S. consumers are choosing to forgo legal services rather than pay a higher price.

The legal profession is at an inflection point. Solving the problem of lagging legal productivity requires lawyers to work closely with professionals from other disciplines. Unfortunately, the ethics rules hinder this type of collaboration. To the extent these rules promote consumer protection, they do so only for the minority of citizens who can afford legal services. Modifying the ethics rules to facilitate greater collaboration across law and other disciplines will (1) drive down costs; (2) improve access; (3) increase predictability and transparency of legal services; (4) aid the growth of new businesses; and (5) elevate the reputation of the legal profession. Some U.S. jurisdiction needs to go first. Based on historical precedent, the most likely jurisdiction is California.

Exhibit 3

University of Maine School of Law: Review and Recruitment
Plan, Nanci Tessier, Higher Education Consulting
(August 9, 2018)

University of Maine School of Law

Review and Recruitment Plan

Prepared by:
Nanci Tessier
August 9, 2018

Nanci Tessier
Higher Education Consulting
72 Putnam Street
Needham Heights, Massachusetts 02494

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I. Introduction

Thank you for the invitation to visit the University of Southern Maine and the University of Maine School of Law. I greatly enjoyed the time that I spent on campus in June 2018. I particularly appreciated the open and engaging conversations that I had with each member of the Maine community. I would like to give a special thank you to Dean Danielle Conway, Associate Dean for Law Admission Carrie Wilshusen, and Assistant Dean for Finance & Administration Nicole Vinal for the way in which they welcomed me to the Law School, their willingness to share information, and the candid conversations in which they engaged. It is my hope that this report assists you as you work to recruit talented students to the Law School. Please contact me with questions

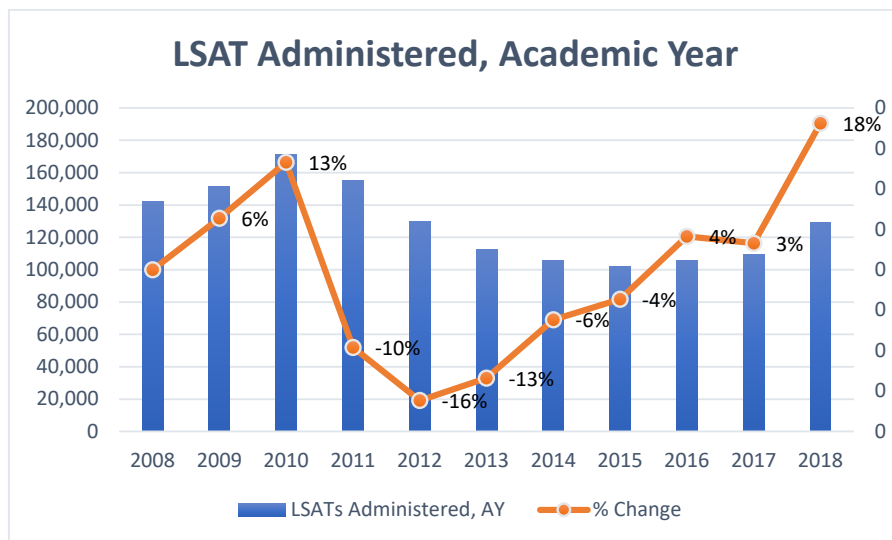
II. The Law School Market, Nationally and Regionally

Much has been written in the past few years regarding the declining interest in law schools due to a number of factors related primarily to the Recession. While I will not go into great detail on this topic, I thought it would be helpful to provide some general statistics that emphasize the very competitive environment in which law school admission offices are operating. It is within this very challenging national, regional and state landscape that Maine Law must recruit and enroll a class.

1. LSAT Test Takers Nationally

In the following chart, we see the change in the number of LSATs taken by students from Academic Years 2007-08 through 2017-18. Of note:

- In a five-year period, from AY 2010 to AY 2015, the number of LSATs administered fell from 171,514 to 101,689 – a drop of 69,825 or 41%. Each year, these declining numbers portended the drop in applications that would shortly follow.
- For the first time since 2010, there is a substantial increase (18%) in the number of LSATs administered over the previous year. However, the number of LSATs administered (129,165) in AY2017-18 is down 25% (42,324 LSAT takers) from AY10. While an upward trend is a positive indicator, it is important to understand that the demand for law school admissions remains a weak market in comparison to the years leading up to 2010.



2. LSAT Scores Nationally

In the last four years, the 25-75% percentile scores for LSAT takers enrolled at Maine School of Law ranged from a 147-157. The most desirable students fall in the 150-159 range. Of the students who took the LSAT in AY2010-11, the number scoring between a 150 and 159 was

35,198. Just six years later, in AY2016-17, just 20,372 students scored in this same band – a drop of nearly 14,900 students or 42 percent.

3. Applicants Nationally

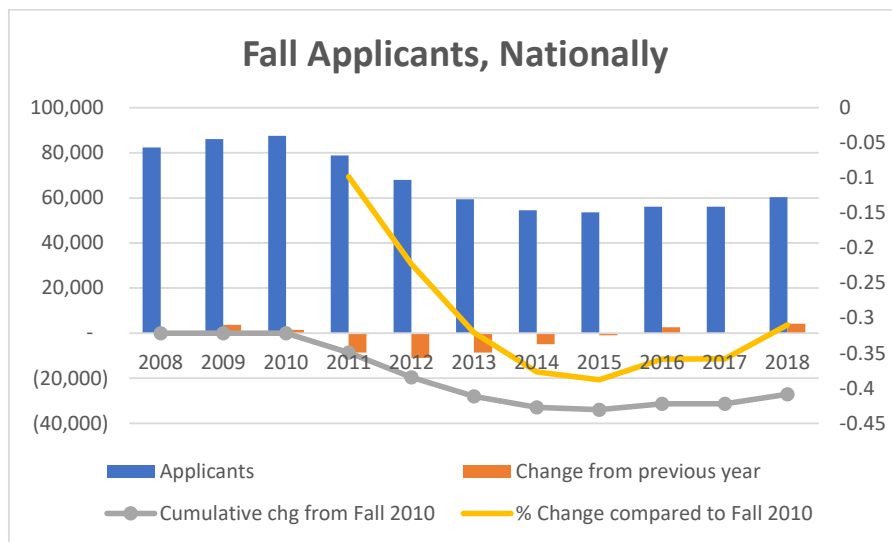
A similar pattern emerges when looking at the both the national number of students applying to law school and the number of applications submitted.

- The number of applicants declined by nearly 34,000 (39%) from Fall 2010 to Fall 2015.
- While the number of applicants grew from Fall 2017 to 60,387 in Fall 2018, it is important to note that Fall 2018 applicants are still well below Fall 2010 numbers:
 - Fall 2010 – 87,476 applicants
 - Fall 2018 – 60,387 applicants, approximately 27,000 (31%) below Fall 2010

The table below shows the national number of students applying to Law Schools with comparisons to Fall 2010 entrance.

Fall Entrance	2010	2011	2012	2013	2014	2015	2016	2017	2018
Applicants	87,476	78,881	67,95	59,426	54,527	53,548	56,126	56,168	60,387
Change from last year	1,402	-8,595	-10,924	-8,531	-4,899	-979	2,578	42	4,219
Cumulative Chg from F10		-8,595	-19,519	-28,050	-32,949	-33,928	-31,350	-31,308	-27,089
% Chg compared to F10		-10%	-22%	-32%	-38%	-39%	-36%	-36%	-31%

The following chart is a pictorial representation of the table above.



4. Applications Submitted Nationally

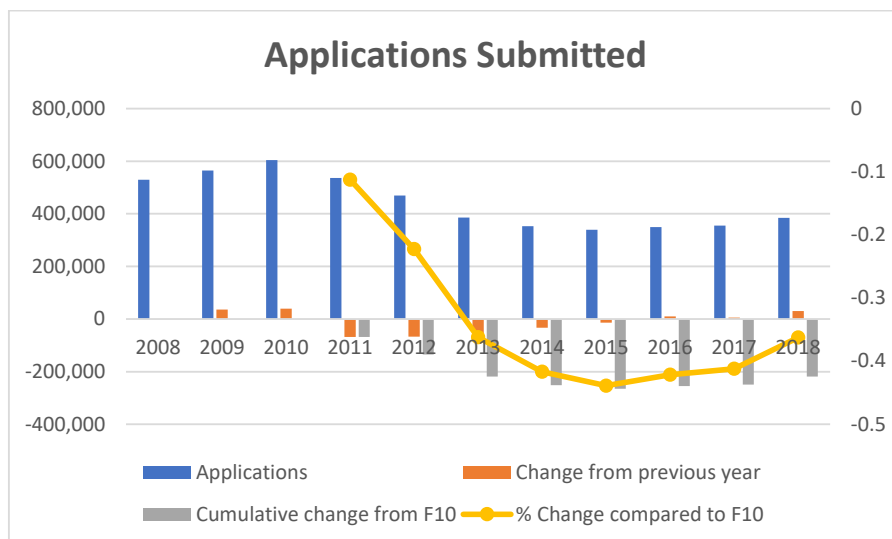
Each applicant typically submits multiple applications. In the table and chart below, we see the number of applications submitted peaked in Fall 2010 and then began a decline.

- In Fall 2015, applications had fallen by 44%, approximately 265,000 applications, from Fall 2010.
- By Fall 2018, applications remained below the Fall 2010 mark with a total of 385,000 applications submitted, down approximately 220,000 applications (36%), from Fall 2010.

The table below shows the national number of applications submitted to Law Schools with comparisons to Fall 2010 entrance.

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Applications	604,145	536,200	469,642	385,358	352,406	339,006	349,551	355,227	385,077
Change from last year	39,164	-67,945	-66,558	-84,284	-32,952	-13,400	10,545	5,676	29,850
Cumulative Chg from F10		-67,945	-134,503	-218,787	-251,739	-265,139	-254,594	-248,918	-219,068
% Chg compared to F10		-11%	-22%	-36%	-42%	-44%	-42%	-41%	-36%

The following chart is a pictorial representation of the table above.

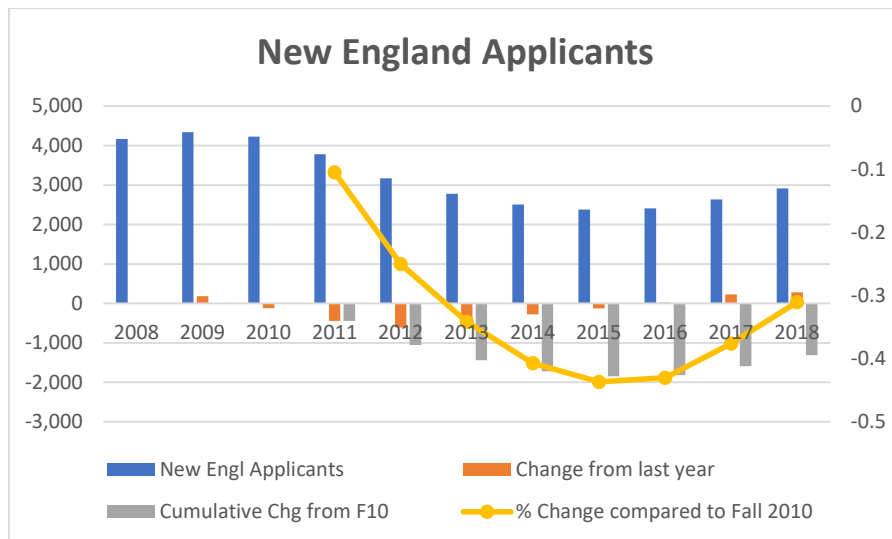


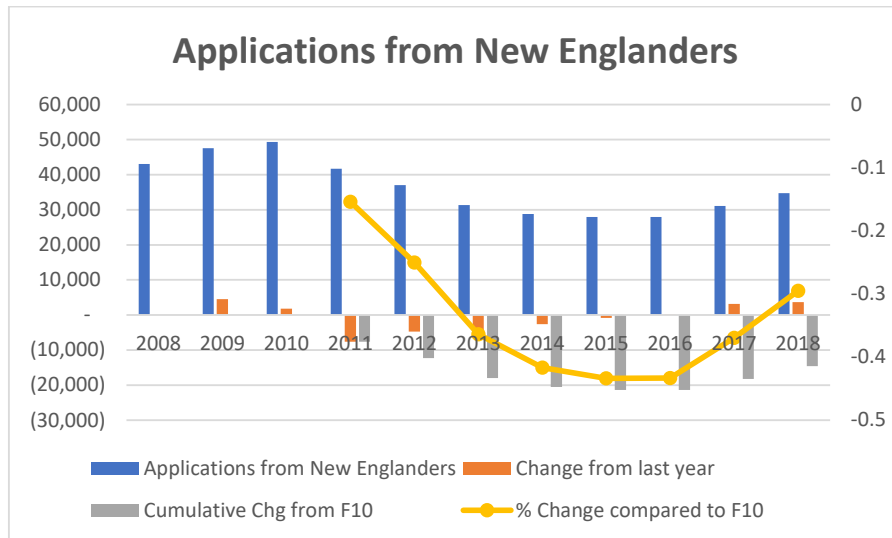
5. Applicants from New England and Numbers of Applications Submitted

Among national applicants, approximately five percent are residents of the New England states. This percentage has not changed over the past ten years. As you will see in the following two

charts:

- The number of applicants from New England states has declined by 31% since Fall 2010
 - Fall 2010: 4,224 applicants;
Fall 2015: 2,379 applicants;
Fall 2018: 2,912 applicants.
This is a decline of 1,845 students (44%) from Fall 2010 to Fall 2015 and a decline of 1,312 (31%) from Fall 2010 to 2018.
 - Thus, while there is a slight upward trend in the last two years, there are still approximately one-third fewer New England residents applying to law schools.
- On average, law school applicants from New England submit 11 applications each year. This number has not changed in the past ten years. However, because there are significantly fewer numbers of New Englanders applying to law school, the number of applications submitted has fallen by 43%, from a high of 49,331 in Fall 2010 to 27,933 in Fall 2015. In the last two years, applications have increased slightly year to year; however, the number of applications for Fall 2018 is 34,773, which is still down nearly 14,600 (30%) applications from Fall 2010.

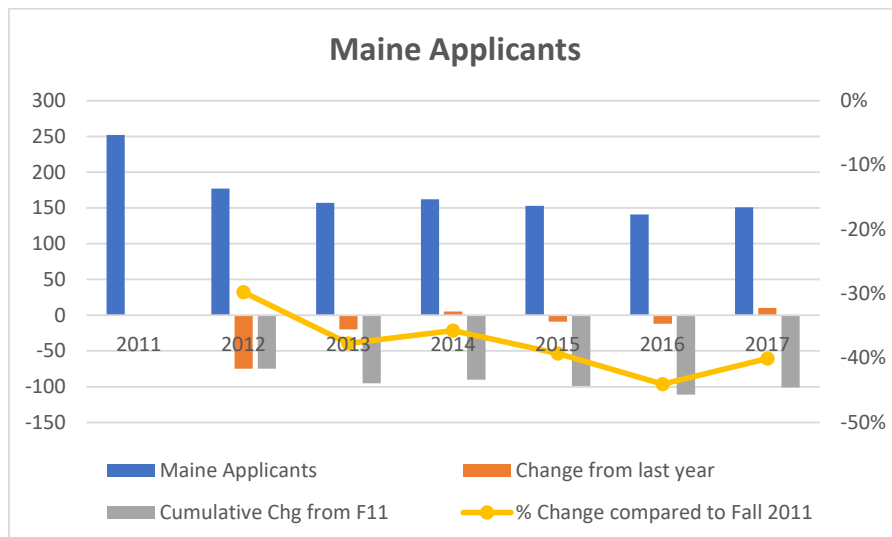




6. Maine Applicants

Each year, less than one-half of one percent (0.3%) of all students applying to law schools are residents of Maine. This number has declined precipitously since Fall 2011. The low number of applications is particularly challenging given that typically 20% of Maine's applicant pool and 60-75% of the enrolling class is comprised of Maine residents.

- The number of Maine applicants has ranged from a high of 252 in the Fall of 2011 to a low of 141 (down 44%) in Fall 2016.
- In Fall 2017 – the most recent year for which data is available – the number of Maine applicants across the nation is just 151 students, a decline of 40% since Fall 2011.



III. Enrollment

1. Enrollment Goals

While those I spoke with seem clear as to the goal for the size of the enrolled 1L class (85-90 students), there appears to be a lack of understanding of the desired goals for the following:

- Enrollment percentages for Maine students and Non-resident students
- Median LSAT
- Median GPA
- Discount Rate and Scholarship Budget
- Net Tuition Revenue

In addition, goals for the LLM Program – enrollment, scholarship budget, and Net Tuition Revenue – do not seem clear.

In addition to setting numerical goals, the Law School articulates enrollment goals that are mission centric. For example, they have stated a need to attract and retain star students in Maine who will ultimately practice in Maine and fill key leadership roles in the state. At the same time, there is an understanding that the Law School cannot exist solely to serve Maine residents. Non-resident students are needed to enrich the classroom experience and to generate revenue. Thus, the Maine School of Law cannot be perceived as a “local” law school. The USM Central Administration and the Law School would benefit from a clear and shared understanding of these enrollment goals and progress towards them. Thus, I suggest that in the weekly reports sent to senior leadership, the following information be included:

- National Data (based on year to date comparisons)
- Maine School of Law
 - Enrollment Goals
 - Application Update
 - Scholarship Budget and Expenditures
 - Discount Rate
 - Net Tuition Revenue
- Brief narrative related to these topics

On the next three pages are examples of tables provided to show an approach to providing the data. Some of the tables would be appropriate to include at all times of the year (e.g. *Enrollment Goals* table), while others need only be included once the admission season is fully underway (e.g. *Applicant Pool Detail* table).

The National Landscape***LSAT Takers***

LSAT Takers	F17	F18	F19	# Change 1-year	% Change 1-year
National					
New England					
Maine					
With Test Scores 145-149					
With Test Scores 150-155					

National Number of Applicants and Applications

	F17	F18	F19	# Change 1-year	% Change 1-year
Nat'l Applicants					
Nat'l Applications					
New England Applicants					
New England Applications					
Maine Applicants					

Maine School of Law***Enrollment Goals***

	F17 Final	F18 Final	F19 To Date
1L Class Enrolled			
LSAT Median			
GPA Median			
LLM Class Enrolled			
Net Tuition Revenue			

Admission Update, 1L Class**Summary**

1L Class	F17	F18	F19	# Change 1-year	% Change 1-year
Applied					
Admitted					
Admit Rate %					
Enrolled					
Yield %					
Maine (#)					
Maine (%)					
Non-Resident (#)					
Non-Resident (%)					
LSAT Median					
GPA Median					
Not Enrolling					
Decline Rate %					
No Response					
No Response Rate %					

Applicant Pool Detail

1L Class	F17	F18	F19	# Change 1-year	% Change 1-year
Applied					
Admitted					
Admit % Rate					
Denied					
Deny % Rate					
Withdrawn					
Withdrawn % Rate					
No Decision					
No Dec % Rate					
Admitted: Maine					
Admitted: ME %					
Admitted: Non-Res					
Admitted: NR %					
Admitted: LSAT Median					
Admitted: GPA Median					

Net Revenue Update, 1L Class

1L Class	F17	F18	F19	# Change 1-Year	% Change 1-Year
Scholarship Budget (\$)					
Admitted Students (#)					
Enrolled Students (#)					
Non-enrolling Students (#)					
No Response to Offer of Admission (#)					
Scholarships Offered (\$)					
Scholarships Offered (#)					
% of Admits offered Scholarship					
Scholarships Accepted (\$)					
Students accepting Scholarships (#)					
Students accepting Scholarships (%)					
Avg. Scholarship per Enrolled Scholarship Recipient (\$)					
Scholarships Declined (\$)					
Students declining Scholarships (#)					
Students declining Scholarships (%)					
Avg Scholarship declined (\$)					
No Response to Scholarship (#)					
Students not Responding to Scholarship (%)					
Avg Scholarship to Non-Respondents (\$)					
Gross Tuition Revenue					
Net Tuition Revenue (\$)					
NTR Per Matric (\$)					
Discount Rate (%)					

Admission Update, LLM Program

LLM Class	F17	F18	F19	# Change	% Change
Applied					
Admitted					
Admit % Rate					
Denied					
Denied % Rate					
Withdrawn					
Withdrawn % Rate					
No Decision					
No Dec % Rate					

A similar table related to Net Tuition Revenue can be created for the LLM program. Since some students are offered Scholarships, it is important to track aid and NTR for this group.

Enrollment and Financial Update, All Law Students

The following table provides enrollment and scholarship information on the most recent classes as well as projections for the next three years.

	FY17 Final	FY18 Final	FY19 To Date	FY20 Projected	FY21 Projected
1L Enrolled (#)					
2L Enrolled (#)					
3L Enrolled (#)					
LLM Enrolled (#)					
Total Enrollment					
1L Scholar (\$)					
2L Scholar (\$)					
3L Scholar (\$)					
LLM Scholar (\$)					
Total Scholarship					
NTR					
Discount Rate					

2. Size of Enrollment

Currently, the Maine School of Law offers a traditional day 3-year program for full-time students with the exception of a couple of students each year who choose to do a Flex Program (e.g. part-time enrollment), extending their coursework beyond three years. The main 1L classroom can accommodate 90 students. This physical classroom limits the size of the enrolling 1L class to 90. In addition, the School must accommodate entering LLM students many of whom

(bar-seeking) register for 1L courses; thus, this room must accommodate both the 1L and LLM group.

I was asked if the Law School could:

- Increase its size?
- Open an evening/weekend part-time program?
- Offer online coursework?

In order to fully answer these questions, a comprehensive analysis would need to be done regarding the following topics before any decisions are made. Topics to be addressed would include the following:

- Market demand (quality and quantity of students) for both expanded day and LLM programs as well as a new evening program;
- The desired size of the LLM program with consideration of the percentage and number of students who would take 1L classes and therefore utilize 1L seat space;
- Opportunities to and feasibility of using classroom space on the USM Portland or Gorham campuses;
- The opportunity to design classroom space, particularly for the 1L class, that allows for increased enrollment in the new Graduate and Professional Center building;
- ABA [regulations](#) regarding online coursework, currently limiting online coursework to 15 credits, in the awarding of a JD degree (related ABA [article](#));
- The impact of increased enrollment on:
 - Faculty workloads;
 - Faculty to student ratio, including implications for rankings; and
 - Administrative staff;
- The need for additional faculty and/or staff and the associated costs (salary, fringe benefits, office space, administrative support, etc.); and
- Net Tuition Revenue projections for both the JD and LLM programs.

IV. Marketing Messages

I was told that prior to the recession, the Law School was able to meet enrollment goals both in terms of numbers of enrolled students and Net Tuition Revenue (NTR) without marketing itself. Since the recession the national demand for a legal education has declined dramatically and the competition for students has increased significantly. This has, of course, had an impact on the Maine School of Law. Correspondingly, there is a growing awareness of the School's need to effectively market its programs. The concept of marketing has not been readily or quickly embraced in parts of higher education and that may have been particularly true at a School that was described by one staff member as a "humble place" and "not a flaunty place". In some ways, the Law School may very well mirror the state in which it resides – where substance trumps style – and the residents it so often seeks to serve.

In the past few years, there has been a powerful shift in increasing marketing efforts to more firmly position the Law School within the competitive landscape, including helping the faculty to understand the ways in which they could engage in recruiting efforts. Still, opportunities remain to more effectively tell the Law School's story to prospective students in ways that are likely to influence application and enrollment decisions.

The School of Law considers the following areas to be their strengths when recruiting students to the Law School:

- Experiential learning, including Externships and Clinical programs, which show deep engagement with the community and prepare students for work upon graduation
 - Example: 30 (one third of all) 1L students are paid through the Public Interest Fellowship program.
 - Example: Ranked 40th in Moot Court successes. Trial Teams have the opportunity to participate in prepping and arguing cases in front of lawyers (both alumni and local attorneys), judges and law professors. Students draft briefs and participate in oral arguments, both of which provide experience and exposure that are valuable for preparing for work as an attorney and connections in locating jobs. Moot Court is offered in Civil Rights, Constitutional Law, Criminal Procedure, International Law, Trademark Law, and National Labor and Employment.
 - Example: Clinical programs such as the Cumberland Legal Aid Clinic that provides free legal aid to more than 600 low-income individuals and families each year. Students represent real clients in real cases thus gaining practical skills training.
 - Example: The Rural Pathways Fellowship that provides \$6,000 in funding for law students placed with practitioners in communities that would otherwise have limited access to legal students. Law students work in the summer under the

- guidance of practitioners on legal research and drafting, dispute resolution, general practice case management, real estate transactions, trial practice, and ethics.
- Faculty bring their practical experience to the classroom and are published in best national law reviews and journals
 - Example: [Jeff Maine](#) an expert on tax law and author (or co-author) of seven books and more than a dozen articles in the field. Formerly a practicing attorney at Holland & Knight in Tampa, Florida. His research is focused on the intersection of federal taxation and intellectual property.
 - Example: [Sarah Schindler](#) is nationally recognized for her scholarship, which focuses on property, land use, local government, and sustainable development. Her articles have been widely praised as creative and insightful additions to these fields. Professor Schindler clerked for Judge Will Garwood of the Fifth Circuit Court of Appeals in Austin, Texas and practiced in the area of land use and environmental law at Morrison and Foerster in San Francisco.
 - Example: [Jenny Wriggins](#) is a nationally recognized scholar whose work focuses on torts, insurance, health law, and family law, with a frequent focus on race and gender. She set the tone for her research with her first published article, Rape, Racism and the Law (*Harvard Women's Law Journal*, 1983), which has been reprinted in abridged form many times during the past 30 years. Recent publications have focused on federal flood insurance and climate change as well as race, racism, and personal injury damages.
 - Example: [Anthony Moffa](#) writes and teaches in the fields of administrative law, criminal law, property law, and international law, with a particular emphasis on the treatment of the environment. Prior to joining the Maine Law faculty, Professor Moffa served in the General Counsel's office of the U.S. Environmental Protection Agency. He also clerked for Judge F. Dennis Saylor IV on the United States District Court for the District of Massachusetts and Judge Kermit Lipez on the United States Court of Appeals for the First Circuit in Portland.
 - Strong areas of specialty within the Law School curriculum
 - Example: Certificate in Information Privacy Law
 - Example: Refugee and Human Rights Clinic
 - Example: Environmental Law
 - A hands-on approach from enrollment to employment, including excellent advisement throughout the three years. This phrase "Hands on from Enrollment to Employment" has the potential to be used in marketing materials.
 - Strong network of alumni and friends that aids in gaining Externships, Internships and Job Placement
 - Example: 27% of graduating students have clerkships (federal, state, local) compared to the national average of 9.3% ([Source: American Bar Association, Stats, 2017](#)).

USNWR point to the importance of clerkships in one of its [articles](#) on the “Law School Admissions Lowdown” site.

- Example: The Dean of the Law School states, “We are a phone call away from the Chief Justice of the Supreme Court of Maine. Access is critically important to students. The faculty and staff are conduits to people of legal lore in Maine.”
- Example: Alumni have achieved success in a variety of fields.
 - Example: Leigh Saufley ’81, First Female Chief Justice of the ME Supreme Judicial Court
 - Example: Janet Trafton Mills ’76, Attorney General, State of Maine
 - Example: Julia Spencer-Fleming ’90, American Novelist of Mystery Fiction
 - Note – additional examples needed for alumni who are successful outside the state of Maine and the New England region
- Location – Portland is seen as a city with personality – increasing national recognition for livability (USNWR ranks Portland #27 of Best Places to Live); artful living; great dining, 18 [breweries](#); local entrepreneurs, music venues – acclaimed bands, wine and jazz bars and intimate settings to enjoy acoustic, indie, or progressive live music; fantastic festivals; and easy access to the great outdoors – hiking, biking, kayaking, paddle boarding, skiing. While increasingly expensive for the cost of housing, Portland remains less expensive than other major US cities – Boston, NYC, Washington, DC, Chicago, etc.
- Affordable
 - Example: Maine School of Law has not raised its tuition in five years.
 - Example: The city of Portland is less expensive than major cities on the East Coast.
 - Example: Scholarships are available.

The Law School also has data from surveys of admitted students (enrolling and non-enrolling) that should be used to inform the marketing strategy and communications. Information from 2016 surveys of admitted students both enrolled and non-enrolled point to students’ key criteria when considering whether to apply to or enroll at Maine Law.

Applicants

Q: How important was each of the following factors in deciding to **APPLY** to Maine Law?

Students are asked to indicate the level of importance: Highest, High, Moderate, Minor, or Did not influence my decision at all.

(Continues on next page)

Responses based on Rating Average (1 low to 5 high):

Enrolling Students

- Affordability (or value for price): 4.58
- Options for jobs after graduation: 4.37
- Availability of financial aid: 4.30
- Community Culture/Atmosphere: 4.26
- Location in Portland: 4.16
- Clinical/Practical training opportunities: 4.05
- Likelihood of acceptance: 3.93
- Academic reputation: 3.88
- Courses in a specialty area: 3.74
- Standing in published law school rankings: 3.37

Non-enrolling Students

- Affordability (or value for price): 4.21
- Availability of financial aid: 4.16
- Options for jobs after graduation: 3.89
- Courses in a specialty area: 3.89
- Likelihood of acceptance: 3.88
- Community Culture/Atmosphere: 3.85
- Clinical/Practical training opportunities: 3.84
- Location in Portland: 3.75
- Academic reputation: 3.70
- Standing in published law school rankings: 3.46

Of note is that for both enrolling and non-enrolling students, more students indicate that cost (affordability and/or financial aid) rather than any other topics were of the Highest Importance.

Percentage of students selecting “Highest Importance” for these topics related to cost:

Enrolling Students

- Affordability: 60%
- Availability of financial aid: 47%

Non-Enrolling Students

- Affordability: 41%
- Availability of financial aid: 38%

Based on student responses to surveys and identified strengths by the law school, it is clear that the following topics need to be front and center when recruiting students to the Law School:

1. Affordability (or value for the price) and Availability of Financial Aid
2. Options for Jobs after Graduation

In addition, these secondary topics need to be addressed in communications

3. Courses in specialty areas
4. Community culture and atmosphere
5. Location in Portland

While Clinical/Practical training opportunities do not appear in the top five on either group’s list, these opportunities are critically important to ensuring that students are competitive for job opportunities at graduation. Thus, the messaging on this topic needs to explain not only what is available to students but why participating in these programs matter.

The School’s location in Portland is both a positive and a negative. The city attracts those looking for a high-quality small city experience with access to the outdoors. Those who want a major urban environment – New York City, Chicago, etc. – will not be attracted to Maine School

of Law no matter how strong the School's messaging. Thus, you should market the attributes of Portland to attract those who are open to a smaller exciting city and not worry about those who will never be.

Admitted Students

Q: How important was each of the following factors in deciding to ATTEND Maine Law?

Students are asked to indicate the level of importance: Highest, High, Moderate, Minor, or Did not influence my decision at all.

Enrolling Students (Responses based on Rating Average (1 low to 5 high)):

- Affordability (or value for the price): 4.63
- Merit based scholarships: 4.50
- Options for jobs after graduation: 4.31
- Community Culture/Atmosphere: 4.19
- Availability of financial aid: 4.19
- Location in Portland: 4.14
- Clinical/Practical training opportunities: 4.12
- Academic reputation: 3.71
- Courses in specialty area: 3.69
- Standing in published law school rankings: 3.50

Q: Why did you decide NOT to attend Maine Law?

- *Received larger scholarship at other school: 67.9%
- I want a school with a better academic reputation: 48.2%
- Employment opportunities appear limited from a geographic standpoint: 28.6%
- Its location: 21.4%
- *Financial aid package not adequate: 21.4%
- *Its tuition was too high: 16.1%
- *I didn't get a scholarship: 7.1%
- Timing of acceptance: 7.1%
- Limited course offerings in my particular area(s) of interest: 5.4%
- Physical facilities: 5.4%
- It was too small: 3.6%
- Not enough social opportunities: 3.6%
- Felt Maine Law did not want me as much as the school I chose: 3.6%
- Lower percentage of ethnic diversity than I'd like to have in the classroom: 3.6%

*Indicate responses related to cost and affordability.

As is the case with prospective students, the topic of affordability (value for the price, financial aid, scholarships) tops the list of concerns. In addition, job opportunities at graduation, the culture of the law school, location, and academic reputation are important. Over a quarter of non-enrolling students expressed concern about getting jobs in a broad geographic area and nearly 50% wanted a school with a strong academic reputation, which is likely related to rankings. Both of these topics can be addressed in some ways by highlighting graduates who are working in states outside of New England (particularly outside of Maine) and by listing accolades related to academic programs.

V. Recruitment Plan

The Recruitment Plan described in this memo will be focused on the following:

- Definitions (Prospects, Inquiries, Applicants, Admitted and Confirmed Students)
- Creating a Prospect Pool
- Developing an Inquiry Pool
- Off-campus Recruitment
- On-campus Recruitment

Before beginning this discussion, I felt it helpful to provide definitions of each of these groups (e.g. Prospect, Inquiry, etc.) and the ways in which each student group moves through the Enrollment Funnel.

1. Definitions

Prospects (AKA Leads) are prospective students whose names have been purchased/collected from a variety of sources. For law school admissions, the Candidate Referral Service (CRS) is the primary source of these names (see below). Once the Prospective Student expresses interest in the Law School, she/he should be entered into the Inquiry Pool. This may include a subset of CRS names that are loaded directly into the Inquiry Pool based on attributes that make them highly desirable to the Maine School of Law.

Inquiries are students who have indicated an interest in the Law School. They often convert to applicants and enrolled students at the highest rates. Sources for Inquiries come from a variety of places: online inquiry form, emails; phone calls; letters; campus visits; response to a CRS campaign, recruitment travel (including college visits, LSAC Forums), etc.

Applicants are students who have submitted an application to the Law School.

Admitted students are those who have been offered admission by the Law School.

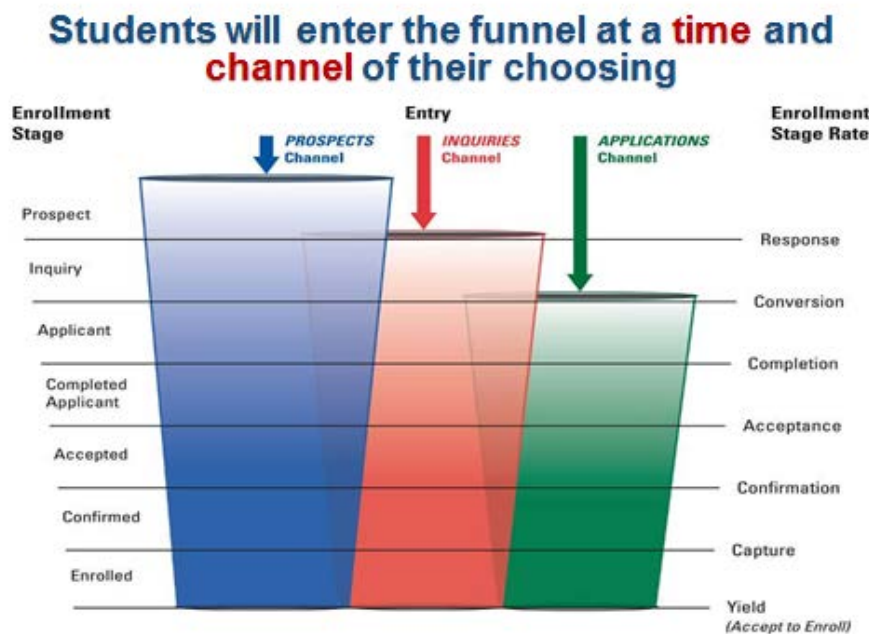
Confirmed students are those who have submitted a First Deposit and then a Second Deposit.

Enrolled students are those who arrive at the Law School to begin the semester. They are matriculating students.

2. The Enrollment Funnel

Noel Levitz (now Ruffalo Noel Levitz) created an Enrollment Funnel with Multiple Entry Channels that is relevant for the Law School. In years past, prospective law students were likely to enter the Enrollment Funnel by either responding to a Candidate Referral Service (CRS) communication or by inquiring directly. Today, many students use the Internet to search for Law Schools and remain anonymous – by choice – until the time at which they apply. It is

therefore, important to communicate regularly with students regardless of the way in which their name first came to the attention of the Admission Office. And, to ensure that prospective students receive all the information that is relevant to their search for a law school regardless of the point at which they enter the Enrollment Funnel. It is for this reason, an Admission Office creates a Communication Plan for each of these groups (Prospects, Inquiries, Applicants) as well as Confirmed students.



(Source: Cohen, Sarah. "Recruitment Strategies." *Strategic Enrollment Planning: A Dynamic Collaboration*. Ed. Hundrieser, Jim. Coralville, IA and Centennial, CO: Noel-Levitz, Inc., 2012, 14. Print.)

3. How do students first learn of Maine School of Law?

In the 2016 survey of enrolling and non-enrolling admitted students, we see how students first learned about Maine Law.

Enrolling Students

- Alumni/Faculty/Acquaintance: 69%
- Internet Search: 31%
- ABA Approved Law Schools: 18%
- Email from Maine Law Admissions: 8%
- US News & World Report: 5%
- Pre-law Advisor: 0%
- Social Media: 0%

Non-enrolling Students

- Internet Search: 49%
- Alumni/Faculty/Acquaintance: 20%
- Email from ME Law Admissions: 20%
- ABA Approved Law Schools: 14%
- US News & World Report: 14%
- Pre-law Advisor: 4%

Interestingly, nearly 70% of enrolling students and 20% of non-enrolling students first learned of Maine Law from alumni, faculty, or another acquaintance. This provides the Law School with a very important opportunity to message these groups in order to provide current and accurate information that might be conveyed to prospective students and to encourage these students to inquire. Clearly, the Internet (general search, USNWR, and ABA Approved Law Schools) is important to students as they search and emails from the Admission Office are important as well.

4. Creating a Prospect Pool

a. LSAC Candidate Referral Service (CRS)

The Prospect Pool is often the first way to contact prospective students to bring their awareness to the offerings of the Law School. For law schools, the primary source of Prospects is the Candidate Referral Service.

The Law School Admission Council (LSAC) offers the Candidate Referral Service (CRS) to its members. Through the CRS tool, an admission office can select names and contact information for prospective law school students based on some or all of the following criteria:

- LSAT score;
- Undergraduate Grade Point Average (UGPA);
- Age;
- Citizenship;
- Race or Ethnicity;
- Geographic Background;
- Undergraduate Institution; or
- Academic interest

Law Services currently does not charge for law schools to collect names of qualified students; thus, there can be an inclination to select all students regardless of their academic profile. However, I recommend selecting students who are likely to fall in the Law School's range of admissible students, understanding that the LSAT score may improve if a student retakes it. Maine Law School wants to invite qualified students to investigate the Law School and therefore should use a reasonable LSAT and/or Undergraduate GPA to select those students. Prospective students – particularly those currently enrolled in an undergraduate institution – are keenly aware of the schools that are communicating to other students. It is not helpful to the Law School's image, therefore, to communicate to students who are not within Maine's profile as it may suggest a lack of competitiveness at the School.

It is wise to consider setting parameters that fall slightly below the 25th percentiles and above the 75th percentile for the most recently enrolled 1L class (Maine School of Law Fall

2017: LSAT 149 -155; GPA median of 3.24). It may be strategically appropriate, at times to eliminate the GPA from consideration in qualifying the pool since many prospective students have graduated from college some time ago and admissions decisions on their files may be driven more by LSAT and personal qualities. The Law School's contact at LSAC will be able to advise regarding strategies to select a qualified Prospect Pool.

Prospective law school students are barraged with email communications from law schools, work environments (if employed), or college communities (if enrolled in school).

Prospective students rarely respond to a first communication from a law school; thus, the Law School needs to reach out to prospective students on multiple occasions in order to 1) provide them with compelling, relevant information about the Law School and 2) to prompt them to inquire.

Once a Prospective Student choose to inquire, the student then moves off the Prospect Communication Plan to the Inquiry Plan.

There may be some targeted groups for whom it is appropriate to move their names directly from the Prospect Pool to the Inquiry Pool given their priority to Maine School of Law. For example, it may be wise to treat the following prospective students as Inquiries:

- Maine residents
- Graduates of all colleges/universities in Maine (including current graduating seniors)
- Targeted student of color groups, which may be identified based on other criteria (e.g. testing, geography, etc.)
- Students interested in programs that are a specific strength for Maine Law (e.g. Refugee & Human Rights, Environmental Law, Information Privacy)

b. Alumni, Faculty, Acquaintance

There exists a tremendous opportunity to message these audiences in order that they effectively communicate the value of the Law School to prospective students. All names of prospective students provided by alumni, faculty, and friends of the Law School should be treated as Inquiries.

I recommend that there be an article about admission in each issue of the "Maine Law Magazine" as a way to effectively reach alumni. In the fall, a brief story can include information about welcoming the 1L class including relevant statistics (number of students, geography, gender, LSAT, undergraduate GPA, % on aid, average scholarship, etc.). Infographics can easily paint a picture of the class. Examples can be found at [Yale](#), [Columbia](#), [Villanova](#), and [Valparaiso](#). Additionally, a profile on a student from a distant location as well as a student from Maine or the New England states could be included. In the spring, an

article focusing on recent student experiences (Moot Court, externships, job placement, etc.) would provide alumni with current student success stories.

Articles in the Maine Law School magazine should continue to focus on alumni profiles in Maine, New England, and around the nation. Of special attention, should be statistics on recent alumni job placement. This will help alumni and faculty in their storytelling of alumni success around the state, region, and nation.

Dean Conway and Associate Dean Wilshusen should continue to educate the faculty about the challenges of recruiting a qualified class and speak particularly to the ways in which faculty can be involved in this endeavor. This piece of data – from the admitted student surveys – speaks volumes in terms of the role of the faculty in recruiting a 1L class. I recommend creating a one-page “Talking Points” sheet that provides key statistics and messages that faculty members can have on hand when speaking with prospective students. Something that is easy to pin on a bulletin board, keep in a portfolio, or in a jacket pocket is most effective. The goal is to ensure that all key communicators – faculty, administrators, student workers, alumni – are sharing the same information. This sheet should be updated annually.

5. Creating an Inquiry Pool

Once a student has indicated an interest in the Maine School of Law either by responding to an email from a CRS campaign or by contacting the Law School directly (Web inquiry form, phone call, letter, office walk-in, etc.), the student’s contact information should be entered into the CRM as an Inquiry.

At the time of my campus visit, the Law School did not have an online Inquiry Form but rather required that prospective students telephone the Admission Office in order to receive information. The creation of an online Inquiry Form is essential in order that prospective students can request information at any time of day or night. Information to collect should include:

- Degree/Program (JD or LLM);
- First and last names;
- Email;
- Phone (optional);
- Street address, city, state, zip;
- Program interest areas (e.g. Information Privacy);
- LSAC number (optional);
- Undergraduate institution;
- Year undergraduate degree was awarded.

For examples of online inquiry forms, see [Vermont Law School](#), [Vanderbilt](#) (includes LSAC number), and [UNH](#).

VI. Off-Campus Recruitment

The Associate Dean for Admissions is the primary person who recruits off campus. On some limited occasions Law School colleagues, alumni, or Student Admission Fellows will represent the Law School at key events. The Associate Dean should continue exercising her excellent judgment in determining the events that are worthwhile to attend based on budgetary and personnel resources.

The LSAC Forums hosted in nine cities in the U.S. and one in Canada provide prospective students with an opportunity to interact with over 150 law school representatives. Through ACES, the Admissions Office messages attendees to invite them to speak with a representative from Maine Law. Typically, Maine Law is represented at key forums – such as Boston, New York, Washington, DC – that have generated interest, applications, and enrollment. Each year an assessment is made to determine which Forums are best attended based on past results and impact on office coverage.

In addition, the Associate Dean attends fairs that are held based on past return on investment.

The Associate Dean partners with five other law schools to do panels throughout the Northeast. These sessions provide an opportunity to have substantive conversations with prospective students.

The Associate Dean has been working diligently to increase Maine Law's presence at the University of Maine schools. This can often be challenging as pre-law programs are not always well defined and pre-law advisors frequently change, which makes visiting the institution a challenge. The 3+3 program has been helpful in terms of providing an entrée to institutions and engaging in positive conversations.

All of these programs are of value as they provide the Admission Office – most always the Associate Dean – with an opportunity to interact directly with prospective students. The individual attention she provides and the personal connections she makes are very important in encouraging students to seriously consider Maine Law. The Associate Dean for Admissions is, however, limited in what she can practically cover based on the small size of her office staff and budget resources.

VII. On-Campus Recruitment

On-campus recruitment activities currently consist of Information Sessions and Open Houses.

The Information Sessions are offered twice monthly and provide an opportunity for prospective students to attend a session “Why Maine Law” that is hosted by the Dean of the Law School, a Professor involved with a clinic (e.g. Professor Deirdre Smith, Director of the Cumberland Legal Aid Clinic), and the Associate Dean for Admissions. Students participate in a student-led tour, an admission overview session, and a class led by a professor.

The dates and times for the Information Sessions should be posted on the website well in advance of the start of each semester. In addition, Prospects and Inquiries should be actively invited to attend.

The website also provides information on the Open House for prospective students. Again, an invitation to the Open House should be emailed to all Prospective Students and a printed invitation sent to Inquiries.

Students also have the opportunity to visit the Law School at times convenient for them and are able to have a personal visit scheduled. This is a testament to the School’s focus on serving the needs of each individual prospective student.

In the Spring, the Law School offers an Open House for admitted students. This event includes a student panel, mock class, and student-led tour. It is at this point that students are most interested in engaging with faculty and in receiving concrete job placement data.

Students attending an Information Session or Open House should be asked to complete a brief online survey at the conclusion of their visit to provide feedback that will be helpful in planning for future events.

VIII. Communication Plans

As mentioned earlier, each group (Prospects, Inquiries, Applicants, Admitted Students, and Confirmed Students) require a separate Communication Plan in order to provide them with appropriate information relevant to their decision-making process at each phase of the enrollment process.

1. Communicating with Prospects

Attached is an Excel Spreadsheet with a recommended Communication Plan for Prospective Students (e.g. CRS leads). Messaging is based on information gleaned from applicants – enrolling and non-enrolling – regarding their highest priorities. For example, the lead messaging will address financing a legal education is that topic is clearly a driver in the student decision making process. If we don't address that topic front and center, it is unlikely that a student will further explore the Law School and come to understand the many attributes that it offers.

2. Communicating with Inquiries

Once a student becomes an Inquiry either by responding to a CRS Campaign or by directly contacting the Admission Office, the student's name should be entered into the system as an Inquiry. An appropriate Communication Plan (Excel Spreadsheet) is attached for this group.

3. Communicating with Applicants

Not all applicants will be admitted to the Law School and, as a result, communications are minimal to that group. The exception would be students for whom their first contact is an application. They should be mailed an admission brochure. It is appropriate to provide all applicants with the following communications:

- a. Acknowledgment of receipt of their application, including an indication of when the student can expect an admission decision to be rendered.
- b. Information regarding materials that are needed to complete the student's application.
- c. An admission decision notification.

4. Communicating with Admitted Students

In addition to providing a timely admission decision notification, there are opportunities to message regarding financial aid and the quality of the law school experience. A Communication Plan for admitted students should include the following:

- a. Admission decision letter, including financial aid (e.g. scholarship notification)
- b. Financial Aid
 - As quickly as is possible, information should be sent from the University's Central Financial Aid Office regarding financing a legal education. Include a link to LSAC's

[“Paying for Law School: a Preliminary Guide”](#) that includes information on aid programs, student loans and repayment options, and budgeting in law school, among other topics.

- Admitted students often do not know how to compare the Net Price of one school to another. Associate Dean Wilshusen spends considerable time on the phone doing just that. I have created an Excel spreadsheet that she can use to easily help students compare Cost of Attendance, Scholarship Aid, and Net Price. The spreadsheet is designed for Law School Admission Office use and is not meant to be distributed to admitted students. The spreadsheet is appended to this report.
- c. Email Communication Plan consisting of three or four separate messages focusing on the following topics. This is an opportunity to emphasize that a small school is advantageous because students have access to many opportunities that they might not have should they go to a larger school.
 - Job Placement, including support services available through Career Services;
 - Clinical and Externship Opportunities;
 - Special academic opportunities based on a student’s interests (optional) or a message based on the academic opportunities in general and relationship with faculty; and
 - Portland
- d. Mail a copy of the most recent edition of “Maine Law Magazine”.
- e. Telephone calls to priority admits. These phone calls further emphasize the personal touch. Students selected for phone calls should be based on key consideration such as LSAT score, race/ethnicity, geography, undergraduate institution, etc. Associate Dean Wilshusen can deploy the Dean and faculty to phone selected students. In order to prepare for conversations, faculty should be provided with a brief bio of the admitted student along with key Talking Points.
- f. An invitation to the on-campus Admitted Student Open House.

5. Communicating with Deposited Students

At this point in the process, students have committed to Maine Law School and the goal is retain them so they do not cancel enrollment and go to another law school that admits them at a later date. For this group, building a sense of community is important. Relevant information to provide would include:

- a. Orientation information;
- b. Housing information; and
- c. Information about their classmates (e.g. an example to join a Facebook Group).

6. Matriculating Students (all three years)

The University’s financial aid office staff should continue to come to the Law School to meet with enrolled students to educate them about financing their education and managing costs.

Attention must be paid to loan repayment. All students should be provided with a copy of “The Road to Zero – A Strategic Approach to Student Loan Repayment”.

IX. Publications

1. Admission Recruitment Brochure

The Admission Office has a brochure “It’s time to reimagine what a law school can be,” which is provided to students who attend an off-campus recruitment event (e.g. Law School Forum), an on-campus event (e.g. an Information Session), or who visit the Law School independently. This attractive brochure provides a general overview of the Law School. Based on research from admitted students, the brochure should be redesigned to focus on key priorities for prospective students and should include and/or address the following:

- a. Financial Aid, specifically scholarship information
- b. Job Placement statistics and information on services provided by Law Career Services
- c. Experiential learning – add to material already included
- d. Internship information
- e. Moot Court
- f. Field Placement Programs
- g. Lecture series (e.g. Justice for Women, Law & Public Service)
- h. Support Services and why they matter
 1. Legal Writing
 2. Preparing for the Bar
- i. Shots of faculty in the classroom
- j. School statistics
 1. Size of School
 2. Faculty/Student Ratio
 3. States Represented
 4. Gender Ratio
 5. Etc.
- k. Traditional law – not every student will want a specialty area (e.g. Information Privacy)
- l. There is a significant focus on Maine, which is understandable; however, the booklet needs to make it clear that students who do not plan to practice in Maine will be well served by a Maine Law education.
- m. Personal stories are critical to the School’s “small” image. Further support this by profiles of alumni, faculty, and students – with an emphasis on recent alumni and their work. Alumni working outside the state of Maine should also be a focus.

As noted in the attached Communication Plan, this brochure should be mailed to all Inquiries.

2. Pathways Brochure

The “Pathways” one-page sheets should be expanded to include profiles of a greater number of alumni working in different capacities and should be emailed to students as specified in the Communication Plans for Prospects and Inquiries.

3. Clinical Programs and Externships

The “Clinical Programs & Externships” brochure should be mailed to all Inquiries per the Communication Plan.

4. Specialized Program Brochures

Specialized program brochures such as the “Information Privacy at Maine Law” booklet should be expanded to include job placement information and should be mailed to all Inquiries indicating an interest in Privacy Law.

X. The Web

The Web is a critical source of information for students who are considering law school. Therefore, it should be a high priority for Maine School of Law.

In addition to the information that is provided on the Law School's website, there is an opportunity to provide additional information that will be helpful to prospective students. This includes:

1. Affordability, Scholarships and Financial Aid

As stated earlier in this memo, the topics of Affordability, Scholarships and Financial Aid are of paramount importance to prospective students considering law school. Messaging about these topics must be front and center on the website. Currently, it is not possible to ascertain the percentage of students who receive a Maine School of Law Scholarship, the total amount of scholarship aid provided, or the average scholarship amount. Some staff members articulated a concern that in providing this information, it would raise expectations for students that they would get a scholarship – regardless of their academic ability – and that this would make for difficult conversations during the yield season. The reality is, however, that there will always be students who don't receive a scholarship or who do receive one but feel that it is not sufficient. These conversations are had regularly even when scholarship information is not displayed primarily on the Web.

Currently, between 68-74% of full-time 1L students are receiving Scholarships from Maine School of Law*; thus, Maine can compete with other law schools on this front. Competitors are very clear about their scholarship offerings and by not providing this information in a prominent way, Maine School of Law may be losing prospective students who make an incorrect assumption that scholarships are not available. (* Source – USNWR Academic Insights)

Examples of law schools that put scholarship information front and center are: [University of New Hampshire](#), [Boston University](#), and [Albany Law School](#).

In addition, more robust information regarding the financial aid application process should be provided on the Maine Law School site rather than directing students to the USM site. Information should be easily accessible rather than requiring an additional click.

2. Visiting campus

For students who want to visit the Law School, it is helpful to provide very specific information that makes it easier for them to visit campus:

- a. Airport information
- b. Directions to campus

- c. Local accommodations information
- d. Campus map

Examples of schools that provide this information are: [Vanderbilt](#), [University of Michigan](#), and [George Washington University](#).

Information related to on-campus events (e.g. Information Sessions) must be current. Dated information regarding campus visit schedules were found on the website in the month of June. Information must be kept current at all times. If fall schedules are not yet available, language can be provided to let prospective students know when to check back for an up-to-date calendar.

3. Travel Recruitment Schedule

Information related to off-campus recruitment events (e.g. Law Forums) must be current. If fall schedules are not yet available, language can be provided to let prospective students know when to check back for an up-to-date calendar. [Albany Law](#) provides a calendar regarding their recruitment schedule.

4. Admission Staff

Include contact information and photographs for admission staff. This speaks to the Law School's personal outreach to students beginning with the enrollment process. For examples, see [Suffolk](#), [Boston University](#), and [Harvard](#).

5. Student Ambassadors

Include information for Student Ambassadors. Showing a diversity of Student Ambassadors provides another way for prospective students to see themselves at Maine Law and reinforces the personal touch. For examples, see [Albany](#) and the [University of Notre Dame](#).

6. Alumni

A number of alumni are profiled on the web. It is recommended that the Law School lists the person's current job title and firm directly under the person's name. Currently, in many cases the title is buried or not clear in the text (e.g. Farid, Headen, Turcotte, Narbus, Poole, etc.). In addition, it would be wise to regularly update the content adding additional profiles from classes from the last five years as well as to fill in missing gaps (1990's). In addition, it would be helpful to make clear the ways in which students have access to the strong alumni network.

7. Pathways Sheet

Associate Dean Wilshusen has created a number of one-page profiles (Pathways) of recent graduates that showcase their life before, during, and after Maine Law. These are designed to help students imagine the way in which they can design a path (academic, externship, clinics, fellowships, etc.) to allow them to reach their career goals. These are very well done and should be expanded particularly to include strong academic areas for the Law School and transactional law so that students interested in a traditional law setting can imagine the pathway to success.

XI. Rankings

The most influential ranking in the world of law school admission is, without a doubt, the annual U.S. News & World Report Annual Ranking. Currently, Maine School of Law ranks #106 out of 194 ranked law schools.

As noted earlier in this report (pages 18 and 19), rankings do not play the most significant role in Maine Law School applicants' decisions about where to apply to school. When asked, "How important was each of the following factors in deciding to **APPLY** to Maine Law?" (level of importance: Highest, High, Moderate, Minor, or Did not influence my decision at all), both enrolling and non-enrolling students listed "standing in published law school rankings" as the lowest of all items ranked – 3.37 for enrolling students and 3.46 for non-enrolling students. When students were asked about the importance of various factors and their influence in their decision about where to enroll, there were striking differences between enrolling students who placed rankings at the bottom of their priorities when choosing Maine Law and non-enrolling students who indicated that two of the top three reasons had to do with academic reputation and employment opportunities both of which are part of the ranking methodologies.

Survey question for non-enrolling students: Why did you decide NOT to attend Maine Law?

- Received larger scholarship at other school: 67.9%
- I want a school with a better academic reputation: 48.2%
- Employment opportunities appear limited from a geographic standpoint: 28.6%

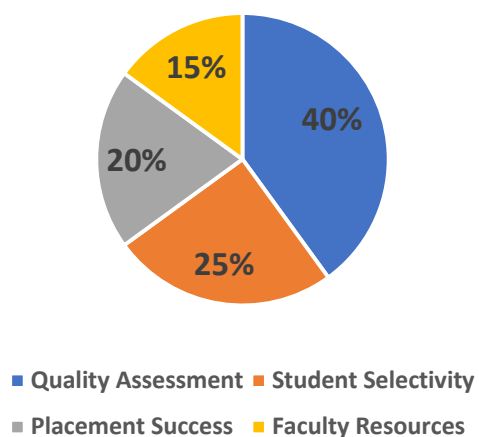
While data is not readily available about the importance of rankings to prospective law school students across the nation, there is a general consensus among law school and university leadership that rankings are a factor in this process. It is less likely that a rank difference of one or five (e.g. 101 to 106) will make a significant difference in a prospective law student's decision making; however, falling within certain categories is meaningful. For example, great attention is paid to the Top Fourteen (14 law schools that regularly claim the top spots in the USNWR rankings), top 50, top 75, and 100.

Given that the Maine Law School is ranked #106, it may be worthwhile to have USM's Office of Institutional Research conduct an analysis to better understand the School's position relative to 1) the five schools ranked above and below Maine; and 2) Maine and select institutions (e.g. 10 top competitors). And, to determine what factors, if any, might provide Maine Law with an opportunity to improve its position into the top 100 law schools. After such an evaluation is made, decisions would need to be made regarding the cost of investment to improve the rankings and the feasibility of doing so.

USNWR rankings are based on criteria and subcategories:

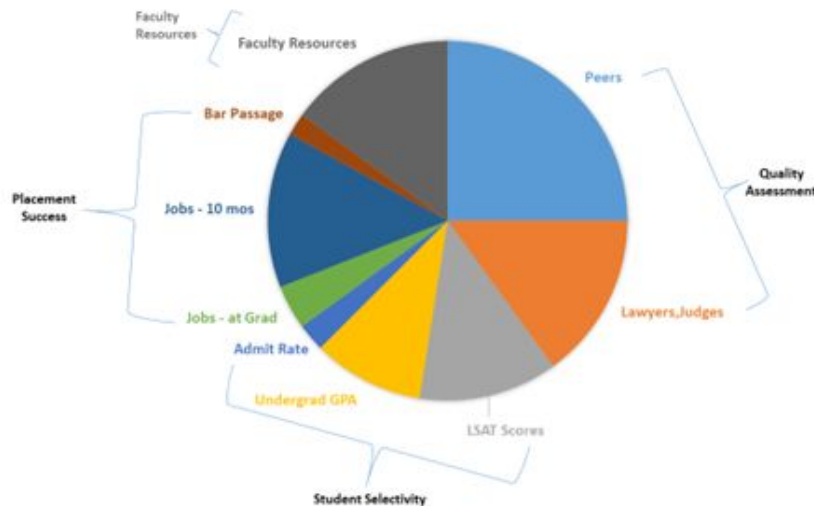
- a. Quality Assessment: 40%
 - i. Peers
 - ii. Lawyers/judges
- b. Student Selectivity: 25%
 - i. Median LSAT
 - ii. Admit Rate
 - iii. Undergraduate Median GPA
- c. Placement Success: 20%
 - i. Employment (at Graduation, and at 10 months after Graduation)
 - ii. Bar Passage Rate in Jurisdiction
- d. Faculty Resources: 15%
 - i. Expenditures Per Student
 - ii. Spending on Other Items per Student
 - iii. Student/Faculty Ratio
 - iv. Volumes & Titles in Library

USNWR Ranking Criteria



Within each criteria (e.g. Quality Assessment), there are a number of subcategories, each of which is weighted differently. They contribute to the totality of the Overall Rank as seen in the pie chart on page 36.

Contribution to Overall Rank



To better understand each part of the rankings and the way they contribute to the overall ranking, it is helpful to take a closer look at each of the four criteria: Quality Assessment; Student Selectivity; Placement Success; and Faculty Resources.

Quality Assessment (40% of Rank) is based on two separate surveys to:

- 1) Deans and three faculty members at each law school. They are asked to rate law schools from 1 to 5 (marginal to outstanding). The average rating is weighted by 0.25 in the overall ranking; and
- 2) Lawyers, recruiters & judges (names are provided by law schools) who rate schools on the same scale. The three most recent years' surveys were averaged and weighted by 0.15.

Student Selectivity (25% of Rank) is a measure that combines the following 2017 data for all full-time and part-time entering J.D. students: median LSAT scores (50%); median Undergraduate Grade Point Average (40%); and Acceptance Rate (10%).

Placement Success (20% of Rank) is a category that looks specifically at employment. Success is determined by calculating:

- 1) Employment rates for 2016 graduates at a) graduation (20%) and b) 10 months after graduation (70%)
 - 2) As well as Bar Passage Rate (10%)
- Note – Placement measure was calculated by assigning various weights to the # of grads employed in up to 43 different types and durations of jobs as defined by the ABA. Full weight was given to grads with a FT job not funded by their school lasting at least a year for which bar

passage was an advantage; less weight went to FT long-term jobs that were professional or nonprofessional and didn't require bar passage, to pursuit of an advanced degree, and to positions whose start dates were deferred. Least weight applied to jobs funded by the law school or university even if FT, at least yearlong, and required bar passage or for which a J.D. was a benefit. Other types of school-funded jobs were discounted more. Bar passage relates to first-time takers in summer and winter 2016 in the state where the largest number of 2016 grads first took the test.

The Faculty Resources (15% of Rank) category measures resources based on average fiscal year 2016 and 2017 expenditures per student for:

- 3) Instruction, library and supporting services (65%) and
- 4) On all other items, including financial aid (10%).

Institutional Research could create a comparison spreadsheet to assist senior leadership in understanding the strengths and weaknesses of Maine Law School in comparison to peers and competitors, to recognize opportunities for improvement, and to monitor trends.

USNWR provides for an annual fee the [Academic Insights](#) Tool that allows institutions to easily collect historical data on their school as well as competitors. It is a powerful tool to be used for benchmarking and decision making. Attached is an example of information that can be gleaned from Academic Insights. I recommend that USM and Maine Law invest in this tool.

XII. Additional Thoughts

While visiting the Maine School of Law, I made additional observations that I thought appropriate for sharing.

1. Tuition

Maine School of Law has not increased tuition for the past five years. A discussion should be had about the advantages and disadvantages of this approach moving forward. This discussion should involve leadership at the Law School and Central Administration of USM. If the Law School chooses to freeze tuition, it may want to consider providing 1L students with a guarantee that tuition will not increase for the 3-year JD program. Currently, the Law School is not benefitting from the price freeze as students are not aware that their costs will not increase and that their scholarship will hold its present day value as a result. This approach allows the Law School to increase tuition for the next entering 1L JD class.

2. Competitors

The Law School should create a list of competitors based on a) cross applicants; b) cross admits; and c) schools chosen by admitted students who do not enroll. Currently, staff reference a wide range of schools as competitors. Having one shared list will more easily allow the Law School to conduct analysis and comparisons when needed.

3. The LLM Program

Thought should be given to the role of the LLM program in the Law School (e.g. enhance the traditional JD student experience, generate revenue, both), the desired size of the LLM program, and the optimal number of LLM students in 1L class.

4. Graduate Record Exam (GRE)

Twenty-two* of the nation's law schools currently accept the GRE in place of the LSAT. The move appears to be driven by an interest in enrolling students with a strong background in science, technology, engineering, and math. The Law School may want to consider the GRE as an alternative to the LSAT, particularly as a way to attract local working adults who are in the STEM fields. [Related article](#). (*Law schools include University of Arizona, Columbia, Harvard, Northwestern, Georgetown, Washington University in St. Louis, Cornell, and NYU among others.)

5. 3+3 Baccalaureate/J.D. Program

The relatively new 3+3 Program for undergraduates studying in select Maine institutions to earn both a bachelor's degree and a Juris Doctor in six years has the potential to enroll a small number of highly qualified students. However, care needs to be given to the transition of these students at age 21 given the law school's average age is 27. Additionally, a scholarship strategy will need to be designed for these students.

6. Career Services

Students are highly interested in job placement:

- Percentage of students employed in jobs requiring a JD;
- The types of jobs held by recent alumni, including where those jobs are located;
- Services provided to support students in their job search; and
- Bar passage rate, while important, is secondary to the job placement. Students assume that if graduates are employed in a job requiring a JD then they have passed the Bar.

The work of the Career Services Office is increasingly important. With the impending retirement of the Director of that office there is an opportunity to hire a highly-accomplished Director who will be aggressive in providing students with a top-notch program that will prepare them for opportunities while in law school and for their job search.

7. Financial Aid

The Law School would benefit from creation of a Law School Financial Aid Modeling Committee to include the following members:

- Vice President for Enrollment Management & Student Services
- Director of Financial Aid
- Dean of the Law School
- Associate Dean for Law School Admission
- Assistant Dean for Finance and Administration, Law School

The purpose of this Committee would be to focus on enrollment goals (size, quality, composition), Net Tuition Revenue, and the calendar as it relates to financial aid awards.

Given the importance of affordability, scholarships, and Net Price, it is worth repeating that information regarding scholarships and financial aid needs to be front and center on all admission communications – the admission brochure, email communications, web, etc. One of the advantages that Maine Law has is that scholarships are automatically renewed year to year rather than being dependent on the student maintaining a prescribed GPA, such as a 3.0. This policy provides students with certainty regarding financing their education. That message, clearly stated in the admission decision letter, should also be clearly stated on the website and in recruitment materials.

The Law School should confer with USM's Financial Aid Office to determine the appropriate Cost of Living figure for Law Students. Currently, that amount is the same as undergraduate students, which does not seem sufficient for law students who are managing year-round off-campus costs. It would be prudent to review the way in which other law schools approach setting Cost of Living figures for law students before setting an appropriate figure for Maine School of Law.

The topic of student debt is of enormous concern to law school students. Attention should be given to having Financial Aid staff regularly communicate with enrolled law school students about managing costs in order to keep debt levels down and about loan repayment options.

8. Yellow Arrows, LLC

Yellow Arrows is a consulting firm that assists the Law School Admission Office with strategic modeling designed to inform admission and scholarship strategy. This is a strong partnership that is advantageous to Maine School of Law.

As the Law School thinks about next year's Scholarship Matrix, I would suggest considering awarding aid upfront to students who are given Fellowships, which are unfunded. If these students ultimately receive financial aid based on the Scholarship Matrix Model, then it may be advantageous to provide the Scholarship at the same time that the Fellowship is awarded.

9. Blaze Partners

Blaze Partners is an independent creative (PR) agency based in Portland. Blaze partners with a committee at the Maine Law (Associate Dean for Admissions, Law Webmaster, and the Assistant Dean for Finance & Administration) to create and refine messaging regarding the Law School and to get the message out to the Maine community. Given the Law School's reliance on the state of Maine for enrollment and funding, it is beneficial to have a strong working relationship with a local PR firm that understands the Law School and the contributions that it makes to the State of Maine. Blaze also assists the Law School with a social media strategy. While social media does not factor into the ways in which students first learn of Maine School of Law, it is a tool that can be used to strengthen their interest in and relationship to the Law School. How much time is devoted to social media will be reliant upon available resources.

10. A Constituent Relationship Management Tool (CRM)

A CRM is an approach to managing a school's interaction with prospective and current law school students. Currently the Law School works with Law Services ACES to manage email campaigns to prospective students. ACES has limitations; however, Law Services is in the process of upgrading it for the 2019-20 academic year. What those upgrades will entail is not yet known. If they are robust, the Law School may find that their needs for a CRM will be met through ACES; however, if that is not the case, the Law School should investigate partnering with USM on the use of TargetX, a robust CRM.

11. Support to Achieve Enrollment Objectives

As is the case in many law schools, the Maine School of Law Admission Office is comprised of a very small full-time staff (2 members) as well as student employees. The work that has been outlined here is substantial and they will require resources from USM in order to achieve them. Partnerships can be forged or strengthened with the offices of Enrollment Management &

Student Affairs, Institutional Research, Information Technology, and Financial Aid to achieve these goals.

XIII. Attachments

1. Communication Plan for Prospects and Inquiries
2. Academic Insights Report – University of Maine School of Law and selected competitors as identified by the Office of Admission
3. Comparing Financial Aid Awards Excel Spreadsheet

UNIVERSITY OF MAINE SYSTEM

MEMORANDUM REGARDING LAW SCHOOL TRANSITION

This Memorandum describes the University of Maine School of Law's ("Law School") transition from administration within the University of Southern Maine to the University of Maine System for consideration and approval by the UMS Board of Trustees.

Pursuant to University of Maine System Board of Trustees Policy 309:

[T]he System ... will want to ... conduct a significant university reorganization in order to continue effectively and efficiently to meet its mission ... Since reorganization ... of operating units will have implications for the mission and budget of the institution, these actions require prior Board approval.

Chancellor review and Board approval is required for all of the following when there are budget or mission implications for the individual university or System:

All university reorganizations involving major university units such as ... schools ...

Reorganization ... of ... schools ...

To better position the State of Maine's only Law School as an asset to the entire System and align professional degree pathways from all System universities, as well as to decouple the Law School's budget and appropriation from a single System university, University of Southern Maine President Glenn Cummings and UMS Chancellor Dannel P. Malloy propose the following be approved by the UMS Board of Trustees at the earliest date:

1. The UMS Vice Chancellor for Finance and Administration and USM Chief Business Officer will develop a transition for the Law School's budget and appropriation to be removed from USM financial administration and administered thereafter as a business unit within the University of Maine System by FY2022. The total appropriation and USM budget allocation to the Law School for FY2020 will remain as budgeted (\$856,808/\$425,000=\$1,281,808) and for FY2021 as planned (\$856,808/\$425,000=\$1,281,808), except that in FY2021 USM will provide \$212,000 of the \$425,000, with UMS covering the remaining portion.
2. The Law School Dean will report to the UMS Chancellor, who has discretion to invite the Dean's participation in the UMS Presidents Council.
3. The Law School Chief Business Officer will interact and network with System CBOs in coordination with the UMS Vice Chancellor for Finance and Administration.
4. The Chancellor and Law School Dean will determine appropriate steps to obtain acquiescence from the ABA Section of Legal Education and Admission to the Bar.
5. Given its physical location in Portland on the USM campus, UMS and USM will coordinate the continued sharing of appropriate services and facilities between USM and the Law School.


Dr. Glenn Cummings, President
University of Southern Maine


Dannel P. Malloy, Chancellor
University of Maine System



Curriculum/Policy Change Proposal

TO: Dean Brenda McAleer DATE: March 28, 2019

FROM: Dr. Matthew Dube

Listed below is an academic change which requires your approval before appearing in the UMA Catalog.

CHECK ONE (Please see reverse for description of Class A, Class B and Minor changes):

- ☒ This is a Class A change.
☐ This is a Class B change.
☐ This is a minor change which requires approval of the College and Provost only.

DESCRIPTION OF CHANGE:

We are proposing a new Bachelor of Science in Data Science degree

NOTE: If the change impacts course charter (e.g. course description, learning outcomes, methods of evaluation), please attach both current and new charters.

EFFECTIVE DATE OF CHANGE: Fall 2019

RATIONALE FOR CHANGE:

The field of data science is growing in importance and relevance to the business and social science fields. This degree proposal includes core CIS courses and a choice of a Business or Social Science track.

SIGNATURES OF APPROVAL:

<u></u>	<u>3-28-2019</u>
Coordinator	Approval Date
<u></u>	<u>3-28-19</u>
Dean of the College	College Approval Date
<u></u>	<u>5/10/19</u>
Curriculum Committee Chair	Committee Approval Date
<u></u>	<u>5/15/19</u>
Faculty Senate Secretary	Senate Approval Date
<u></u>	<u>5/16/19</u>
Provost	Date
<u></u>	<u>5.21.19</u>
President	Date



Data Science Baccalaureate Degree Proposal



Data Science Baccalaureate Degree Proposal

I. Full Program Title: Bachelor of Science in Data Science

II. Program Objectives

A. Narrative Description of Program Rationale

The Bachelor of Science in Data Science is designed to be consistent with UMA's Computer Information Systems program which is a very pragmatic business leaning program that focuses on developing skills and utilizing tools that can be quickly applied in the workplace.

Data science is becoming a key core competency for many disciplines outside the IT arena. The ability for students, and faculty to create, manipulate, and analyze large quantities of data and information are skills needed today in almost every (if not all) academic disciplines. Given the wide range of students, this will serve traditional undergraduates looking to augment work in their majors as well as non-traditional students who may be looking to add new skills while they work. All required coursework would be online, reaching a student pool beyond the traditional student possible.

B. General Program Goals.

The goals of the Bachelor of Science in Data Science at the University of Maine at Augusta are to:

1. provide quality baccalaureate level education in the field of Data Science
2. enhance knowledge, technical skills and tools that can be immediately applied in the workforce
3. develop a pathway to graduate education in the STEM field(s)
4. fill the demand for data-driven decision making in all sectors and industries

C. Specific Student Outcomes

Upon successful completion of the program, the student will be able to:

1. develop quantitative and qualitative analysis skills
2. demonstrate effective data collection and preparation techniques
3. interpret and communicate findings
4. apply problem-solving, analytical, critical thinking and decision making skills in the workplace
5. demonstrate knowledge in the areas of data management and social responsibility

III. Evidence of Program Need

A. Existence of Educational, Economic and Social Needs

There is a growing demand nationally and statewide for data-driven decision making in the workplace. Maine falls below the nation in its capacity to fill this need. Over 400 data science business analytics at the bachelors, masters and doctoral levels exist around the country <http://datascience.community/colleges>. Note: there are none listed in Maine.

The market research conducted on behalf of the System by Ruffalo Noel Levitz showed substantial growth at both the national and regional levels (633% over a five year period). This research underscores the need for analytics as an emerging workforce need in the State.

A study by *CareerCast.com* states, “data scientist jobs have the best growth potential over the next seven years, as they are one of the toughest jobs to fill.” The study further claims, “A quick search for data scientist jobs in the United States on *LinkedIn* reveals over 13,700 open positions. Additionally, a job trends tool by *Indeed*, which showcases the demand for data scientists reveals that both data science job listings and job seeker interest are showing no signs of slowing down.”

A market demand study report for the Maine Space Entrepreneur and Innovation Complex Steering Committee recommends establishing a Data Analytics Research Center to expand Maine’s commercial outlets for innovators and students in Information Sciences and Data Analytics by brining academic and commercial stakeholders in applied information sciences, and investing in access to a breadth of leading-edge data from multiple domains.

B. For 2 year Programs

Not applicable

C. Existing Similar Programs

There is an increasing pressure throughout New England to integrate data analytics into multiple disciplines. In 2018, the University of New England announced the development of a Bachelor of Science in Data Science program to increase students skills in data mining, statistical and machine learning, predictive modeling and data visualization. Similarly, Husson University currently offers a Bachelor of Science in Data Analytics with concentrations in biostatistics, computational analytics and business analytics.

UMA's BS in Data Science curriculum will consist of new and existing courses, with the core courses in mathematics and computer science, with concentration/track areas such as Business, Social Science and Health. The alignment with Computer Science and Data Science is very tight, so approximately 70% of the courses are already created and running in support of the CIS and Cyber Security degrees. It is hoped that the graduates from the BS in Data Science or students with certificates or minors in Data Science (primarily designed by faculty at UMF) would be well positioned to enter into the Masters of Data Science currently being developed at USM or at UM.

D. Enrollment Projections for Five Years

UMA sees the enrollment opportunity as strong and in line with other computer science /computer technology/computer information systems/cyber security programs. It is worth noting that significant math requirements may be a negative factor, but the support needs from other programs, industry demand, and research potential, should offset this concern.

IV. Program Content

The Bachelor of Science in Data Science curriculum was developed alignment with Computer Science, Cyber Security and Data Science certificates, minors and degrees. The curriculum provides a pathway to obtain a Master's Degree in Data Science which is currently being developed by USM and UM.

A. Outline of Required Courses

Bachelor of Science in Data Science (120 credit hours)

Program Core	55 credit hours
Mathematics	13 credit hours
Other Program Requirements	28 credit hours
Communications (3)	
English (6)	
Fine Arts (3)	
Humanities (6)	
Lab Science (4)	
Social Science (6)	
Business Analytics Track	24 credit hours
Social Science Track	24 credit hours

B. Development of New Courses

The following courses have been cross-listed with other courses and/or developed for the Bachelor of Science in Data Science:

CIS 150	Introduction to Data Science
CIS/DSC 352	Data Visualization
CIS/DSC 355	Introduction to Sensors
CIS 360	Geographic Information Systems
CIS/DSC/MAT 370	Statistical Quality Control
CIS/DSC 449	R Programming, Package Development and Applications
CIS/DSC/MAT 450	Data Mining
CIS/DSC 461	Spatio-Temporal Information Sciences
CIS/DSC 475	Advanced Health Informatics

The BS Data Science check sheet, course proposals and curriculum changes are found in Appendix A.

C. Research Activity in Program Design

Within the curriculum development, UM is creating data science modules for middle and high school students. This effort will be led by UM and the 4-H STEM Ambassadors in consultation with the other institutions in the proposal. It has been shown that students begin to make decisions on academic fields of interest as early as the 8th grade. Introducing the opportunities to these growth areas are key for a vibrant Maine economy. The 4-H STEM ambassadors have been providing STEM education activities and learning opportunities to K-12 students throughout the State of Maine for many years, and expanding into this new

area of data science, without losing its support of other STEM disciplines, is essential. Revising and expanding their inventory of ten educational kits starting with their Maine Lakes Kit which will develop new learning activities that include statistical analyses and data visualization of Maine Lake/water quality.

The curricula at the top 5 “best” data science programs in the country were reviewed as this curriculum was being designed. This proposed curriculum allows us to move forward while positioning ourselves for adding a Machine Learning course in two years.

D. Nature of Independent Study, Clinical Experience, and/or Field Practicums Employed in Curriculum Design

Students in the BS Data Science program are required to complete an approved internship in one of three areas: Computer Information Systems, Business or Social Science or an independent experience as appropriate to the concentration.

To properly support the Data Science effort within all institutions of the UMS, there must be infrastructure created to support this data science effort both academically and for research for both faculty and students across the UMS. Large scale data sets needed by Data Science courses will need a place that is accessible as well as providing high performance. A centralized location that will support the storage, manipulation and analysis which can be accessed remotely is critical to this effort. Students will be able to practice manipulating data in this central location rather than manipulating employers’ data on their servers.

E. Impact of Program on Existing Programs on the Campus

The BS Data Science degree will be offered as a part of a collaboration between two of UMS institutions, namely UMA and UMF. It is believed there will be an increased enrollment in STEM related disciplines. The curriculum will consist of a combination of new and existing courses, with the core courses in statistics, computer science, and professional writing to be offered in face-to-face settings in fall and spring semesters and online in winter and summer terms. The 1- and 2-credit technology modules will be offered entirely online in the winter and summer terms initially, potentially offering them in fall and spring based on demand in the future.

Work is continuing with UMF to align this program with UMF’s actuarial degree and their advanced statistics expertise.

V. Program Resources

A. Personnel

UMA currently employs four full-time faculty in the CIS/Cyber department and is currently searching for a fifth faculty member to join the department. UMF has assigned three full-time faculty to work on their data science support efforts, via the PIF grant. USM has assigned a full-time faculty member to participate in the curriculum development and course review for the Masters in Data Science, which is also supported with a PIF grant.

1. Vita of Faculty

Faculty teaching in Computer Information Systems and Cyber Security will teach in the BS Data Science program. Vitae of these faculty can be found in Appendix B.

2. Specific effect on existing programs of faculty assignments to new program

There is minimal effect on current full-time faculty at UMA. Since many courses are cross-listed, any additional courses taught by UMA faculty will be an overload to current teaching assignments in CIS and Cyber.

B. Current Library Acquisitions Available for New Programs

The Katz Library and Nottage Library serves students, faculty and staff on the Augusta and Bangor campuses as well as UMA centers and sites statewide. University of Maine System resources are also available as well as state and local public libraries. No additional resources required.

C. New Equipment Necessary for New Programs and Plan for its Acquisition and Implementation.

The equipment acquired in the PIF award, specifically in the area of large scale data storage are being acquired this spring 2019 semester, and once implemented will be a UMS resource available to all institutions. Many of the fundamental industry identified components (e.g. R and Python) are open source and are currently being used by UMA and UMF faculty. Courses will not require additional equipment in the immediate future, but data storage demands by the system in all disciplines will only continue to increase.

D. Additional Space Requirements

UMA and UMF have adequate facilities for any face-to-face course offerings. UMA will offer this Bachelor of Science in Data Science online. UMA has been investing in curriculum development in the form of course development to both keep the CIS curriculum up to date, but also to prepare to support this new degree. Existing courses in the proposed degree, and courses recently developed in support of both CIS and Data Science, are available online or at a distance.

E. Extent of Cooperation with other Programs, Both on the Initiating Campus and Other Campuses.

The Advanced Computing Group has an NSF-funded Cyberinfrastructure Engineer position that is filled by Larry Whitsel who has a PhD in Computer Science. The role of the Cyberinfrastructure Engineer is to assist faculty and students with using advanced computing resources. After the proposed storage system is commissioned and deployed, the ACG will provide no-cost training sessions on the effective use of the storage system. The training sessions will be a combination of in-person and at-a-distance. These training sessions will be recorded and made available for future reference, both for new users and as a refresher for existing users. The ACG assumes all responsibility for operation and maintenance of the proposed infrastructure. The ACG will also provide individual support, where appropriate, to assist with difficulties as they arise.

To properly support the Data Science effort within all institutions of the UMS, there must be infrastructure created to support this data science effort both academically and for research for both faculty and students across the UMS. The Data Science program will incorporate courses from across disciplines and across campuses to take advantage of existing assets and capacity, minimizing the need for wasteful replication and, hopefully, achieving a whole greater than the sum of its parts. The minors and certificate programs will pull mathematics, technology, and writing courses from existing offerings while technology modules will address the needs identified by students, programs, and employers.

See letters of support in Appendix C.

VI. Total Financial Consideration**A. Estimate of Anticipated Cost and Anticipated Income of the Program for Five Years.**

BS in Data Science: Projected Program Enrollments, Revenue and Expenses					
	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Revenue					
New full-time majors/yr	6	20	20	30	30
Returning full-time majors/yr	0	4	18	30	46
Out of state / International	0	2	4	6	8
Total New Students CoHort	6	22	24	36	38
Total Students in Major	6	26	42	66	84
Total UMA Credit Hours/yr	180	786	1270	1969	2518
Total UMA Revenue (@ \$233/CrHr)	\$41,940	\$183,837	\$297,355	\$460,907	\$589,583
Expenses					
New Data Science Faculty Salary w/Benefits	\$0	\$107,240	\$199,160	\$199,160	\$199,160
Part-Time Instructor w/Benefits	0	0	6,377	\$6,377	\$6,377
Academic Coordinator w/Benefits	\$5,561	\$5,561	\$5,561	\$5,561	\$5,561
Travel	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Equipment	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Supplies and Materials	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Total Expenses	\$19,561	\$126,801	\$225,098	\$225,098	\$225,098
NET UMA Revenue	\$22,379	\$57,036	\$72,257	\$235,809	\$364,485

B. Detailed Information on First-Year Costs, Including:**1. New personnel requirements (including employee benefits):**

No new personnel will be required for the first year. A full-time tenure track position will be added by year 2. In year 3, we will add a fixed length position for which we will hire a faculty member with the expertise to teach machine learning.

2. First year revenue and identity of source

The first year net revenue is projected at \$22,379 from tuition and fees for full and part-time student enrollment.

3. How operational costs are to be absorbed into the current campus operating budget over a 5-year period

Annual increases in revenue will cover operational costs over a 5-year period.

4. What additional funding is required to support the program (identify the source).

The proposed system-wide Data Science program will require growing the existing ACG Ceph cluster by an additional 400 TB of usable storage in order to support the large data sets necessary for true Big Data education and research.

This will require four storage nodes at a cost of \$25,000 each.

5. Lifetime of outside or independent funding and plan for how and when program becomes part of E&G budget.

No projected outside funding is available for this program. It will become a part of UMA's E & G budget immediately.

VII. Program Evaluation.

All UMA programs are required to submit an annual report to the Vice President of Academic Affairs, outlining course offerings, enrollments, number of matriculated students, and number of graduates. All courses each semester are subject to student evaluations. In addition, at UMA all programs periodically prepare a program review which is then reviewed by external experts.

A. Post audit of an approved new program must be made after two years.

B. The results of the audit must be reported to the Vice Chancellor for Academic Affairs.



AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Darling Marine Center Waterfront Infrastructure Improvement, UM
2. **INITIATED BY:** James H. Page, Chancellor
3. **BOARD INFORMATION:** **BOARD ACTION:** X
4. **BACKGROUND:**

The University of Maine System acting through the University of Maine requests authorization to expend up to \$3 million for the Darling Marine Center (DMC) Waterfront Infrastructure Improvement project. Resources for this project include funding from a State of Maine Marine Bond, Campus Reserves and a pending and matching federal Economic Development Agency grant.

This request is pursuant to Board policy 701 which requires Trustee approval for projects with a total budget of over \$500,000. In this case, the request is to approve and to forward this matter to the Consent Agenda of the Board of Trustees.

This waterfront infrastructure project represents a revitalization of existing facilities. The Darling Marine Center is a University of Maine marine research and education facility located in Walpole, Maine, on the eastern side of the Damariscotta River. The infrastructure supports coastal and offshore marine research and education; buoy and ocean sensor operations critical for ecosystem monitoring and Maine's marine economy; applied research and development in collaboration with the marine aquaculture and fisheries industries, and citizen science.

This project has been identified by the DMC Strategic Plan and the Phase I DMC Master Plan by Harriman as essential to continuing the DMC's and University of Maine's mission. The proposed project will also have a statewide impact as the DMC's applied research on commercially valuable marine species and its partnerships with marine businesses and management agencies, support local economies throughout the state.

The overall project is intended to improve shoreline infrastructure by revitalizing existing structures, utilities and features that support marine research activities as follows:

A. Pier Replacement: \$1.7 million

The purpose of the pier replacement is to replace the existing pier, originally constructed in the 1960s, to restore full service in support of the Center. The replacement pier will be a concrete structure, approximately 94 feet by 19 feet. It will replace the existing and currently closed pier. The existing abutment and caissons will be rehabilitated and re-

used, such that the new pier will be located in the same location and avoid new or adverse impacts to submerged areas. The preliminary design includes a jib crane, pedestrian gangway(s), and multiple concrete floats to optimize available dock area and water access. The existing pier is a concrete and steel structure with a gangway and floats that provides vehicle and pedestrian access to the water for vessel loading and research activities. The existing pier has reached the end of its lifespan and its replacement is essential to maintaining marine research through support of vessel operations, diving, and other water-dependent activities. This work accounts for an estimated \$1.7 million of the total project.

B. Flowing Seawater Laboratory Renovation: \$1.05 million

This portion of the project will partially renovate the flowing seawater laboratory to improve its use and efficiency. This lab allows for marine research using actual seawater pumped from the estuary. This is unique among land grant universities and provides critical research opportunities for Maine researchers, students and industry partners. The new layout will more effectively distribute seawater throughout the facility and allow for multiple trials critical to the health of economically important fished and farmed seafood species to be performed simultaneously through the use of various-sized tanks. The flowing seawater lab was most recently renovated more than 25 years ago and the original building is more than 40 years old. This work is estimated at \$1.05 million.

C. Upgrades to Flowing Seawater Infrastructure: \$250,000

These upgrades will consist of upgrading the pump system that provides flowing seawater to the laboratory building to a more efficient and modern pump station. This work is budgeted to cost approximately \$250,000.

No new square footage is involved in this project. The facilities at the Center have not been tracked by Sightlines so current estimated net asset value is unavailable. The maintenance, utility and operation costs once these improvements are completed are not expected to change materially and will continue to be covered through the DMC's budget. Pending award of the Federal grant, design is expected to begin immediately following award with construction beginning as early as August 2017 and completion of all phases by the end of calendar year 2018.

The Finance, Facilities and Technology Committee approved this recommendation to be forwarded to the Consent Agenda for Board of Trustee approval at the July 17, 2017 Board meeting.

5. TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the University of Maine to expend up to \$3,000,000 including \$650,000 in Marine Bond, \$850,000 in Campus reserves, and \$1,500,000 in Federal grant funding for the Darling Marine Center Waterfront Infrastructure Improvement project, dependent upon final approval of the pending federal grant application.

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UNIVERSITY OF MAINE SYSTEM
Board of Trustees
AGENDA CALENDAR

A working calendar for developing agendas and submitting various reports to the Board has been designed in order to allow maximum planning in organizing presentations and reference materials. The calendar identifies the timetable for submission of items and reports which recur every six to 24 months as well as special reports with specific time lines. It does not include general items which are ordinarily on each Board meeting agenda; e.g., reports and consent agenda. The following agenda is subject to change consistent with scheduling, reporting, and other factors that the Chancellor deems necessary to consider such matters.

The Calendar will be updated and included in the Board Meeting materials on a regular basis.

- JANUARY:** Academic Affairs
 Academic Year Calendar
 Honorary Degree Nominations
 Fiscal Matters
 State Research Report
- MARCH:** Academic Affairs
 Tenure Nominations
 Tenure Report
 Governance/Administration
 Board Calendar
 Establishment of Nominating Committee
 Student Affairs
 Spring Enrollment Update
 Fiscal Matters
 Multi-Year Financial Analysis
- MAY:** Fiscal Matters
 Budgets and Student Charges
 Governance/Administration
 Election of Board Officers
 Confirmation of Board of Visitors
- JULY:** Governance/Administration
 Appointment of Standing Committees
 Human Resources
 Annual Report on Named Chairs and Professorships
- SEPTEMBER:** Fiscal Matters
 Appropriation Request
 Multi-Year Financial Analysis
- NOVEMBER:** Academic Affairs
 Awarding of Academic Degrees
 Fiscal Matters
 Review of Annual Financial Report
 Student Affairs
 Official Fall Enrollment Update

Annual Real Estate and Lease Report, UMS

Executive Summary

Board Policies 801 and 802 require an annual report on acquisitions and dispositions of real property to be prepared for the Board of Trustees. This summary and attachment comprise the report for FY2019.

Real Estate Transactions:

Dispositions:

In summary, two dispositions by transfer of land previously approved by Board action occurred within the fiscal year and one disposition occurred which did not require Board consideration. These three transfers resulted in a disposition of a combined 1.66 acres of land and 8,542 gross square feet of facility space from the University of Maine at Presque Isle (UMPI), the University of Southern Maine (USM) and the University of Maine at Fort Kent (UMFK) campuses.

UMPI was approved to dispose of the property consisting of approximately 1 acre of land and three duplex housing units located at 17, 19, 21, 23, 25, and 27 Northern Road in Presque Isle by friendly abrogation of an agreement with the federal government and transfer of the property to the Aroostook Band of Micmacs. This disposition is a part of the University's Space Reduction Initiative.

The University of Southern Maine (USM) disposed of two small parcels as authorized by Trustees in connection with the pending construction of a traffic roundabout and roadway reconfiguration being undertaken by city and state transportation officials. During this reporting period, USM disposed of 0.13 acres by transfer to the City of Portland as an initial step in the project. The land involved no facilities.

UMFK disposed of 44 North Perley Brook Road in Fort Kent by public sale to a private party. Because of the value of the sale, the transaction was within management's authority pursuant to Board policy and did not require Trustee consideration. This disposition is a part of the University's Space Reduction Initiative.

Acquisitions:

The University of Maine at Farmington (UMF) and the University of Maine acquired real property in FY2019. UMF acquired through purchase a 10,384-square-foot building and 3.18 acres at 274 Front Street in Farmington to replace the Sweatt-Winter Childcare Center on campus. As part of the authorization by Trustees to purchase this property, UMF is disposing of facilities at 110/112 Maguire Street and 228 Main Street by demolition.

As approved by the Board previously, the University of Maine acquired through gift a 750 gross square foot camp building from Baxter State Park's Scientific Forest Management Area. This building was gifted, and relocated to land nearby the park under an existing lease with Katahdin Forest Management.

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Lease transactions:

In summary, the cost and revenue associated with real property leases across the University of Maine System both increased during the period, with revenue increases outpacing cost increases.

As a lessee, the University is engaged in agreements for uses such as office space, forestland, academic and research locations, University College centers, recreational fields, parking facilities, and utility purposes. Changes in leasing activity and continually improved tracking of activity produced an increase in reported annual costs for base rent of approximately \$39,500 or approximately 3 percent to an estimated cost of approximately \$1.2 million in FY2019.

As a lessor, the University is engaged in agreements covering uses such as research, early education and childcare centers, banking and financial services, office spaces, and cell tower locations. Compared with the prior year, the University's total revenue increased by 17 percent or approximately \$109,800 to a total of approximately \$742,300 in FY2019.

This report does not reflect Board actions not yet implemented, and does not contain work in process.

Overall, the University of Maine System continues to look for ways to decrease its footprint while increasing its use of space efficiency, as well as exploring opportunities for revenue through leases to third parties for under-utilized spaces at market rates.

EXECUTIVE SUMMARY
REAL ESTATE AND LEASE ACTIVITY REPORT

REAL ESTATE ACQUIRED FROM JULY 1, 2018 TO JUNE 30, 2019

	Acquired	Acreage	Sq. Ft	Value
UMF	1	3.18	10,384	\$849,000
UM	1	0	750	<\$4,000
TOTALS	2	3.18	11,134	\$853,000.00

REAL ESTATE DISPOSITION FROM JULY 1, 2018 TO JUNE 30, 2019

	Disposition	Acreage	Sq. Ft	Value
UMPI	1	1.0	6,712	\$240,000
UMFK	1	0.34	1,830	\$33,700
USM	1	0.13	0	\$39,284
TOTALS	3	1.47	8,542	\$312,984.00

Leased from Others (UMS is Lessee)

	Leases		Acreage		Square Feet		Annual Cost	
	Previous	Current	Previous	Current	Previous	Current	Previous	Current
UMA	9	10	0	0	52,107	67,637	\$553,477.00	\$543,502.76
UMF	2	2	0.46	0.46	0	0	\$1.00	\$1.00
UMFK	1	1	2.3	2.3	0	0	-	-
UMaine	22	26	2688	2788.84	105,042	169,045	\$443,152.00	\$515,805.00
UMM	0	0	0	0	0	0	-	-
UMPI	0	0	0	0	0	0	-	-
USM	5	5	0	0	18,577	18,577	\$170,223.00	\$147,010.12
UMS	1	1	0	0	657	657	\$10,800.00	\$10,800.00
Totals	40	45	2,690.76	2791.6	176,383	255,916	\$1,177,653.00	\$1,217,118.88

Leased to Others (UMS is Lessor)

	Leases		Acreage		Square Feet		Annual Cost	
	Previous	Current	Previous	Current	Previous	Current	Previous	Current
UMA	3	3	0	0	6,544	7,027	\$17,325.00	\$17,394.30
UMF	2	3	0.1	0.1	6,009	7,836	\$19,800.00	\$26,200.00
UMFK	1	0	0	0	794	0	\$12,544.00	-
UMaine	32	35	31.38	27.50	21,355	33,193	\$182,263.00	\$393,062.36
UMM	2	3	0	0	2,610	2,735	\$28,301.00	\$26,041.00
UMPI	5	5	84.43	84.53	3,380	1,847	\$29,199.00	\$21,999.00
USM	19	22	1.91	0.74	29,481	27,315	\$343,011.00	\$301,159.18
UMS	0	0	0	0	0	0	-	-
Totals	64	71	117.82	112.87	70,173	79,953	\$632,443.00	\$742,261.54

Capital Project Status Report

Executive Summary

Overview:

Attached is the Capital Project Status Report for the September 15-16, 2019 meeting of the Board of Trustees. The report reflects a total of 21 projects; no projects have been removed or added since the previous report.

Two projects will be removed from the following report due to completion. They are the University of Maine's Barrows Hall ESRB Lab Renovations project (5100424) and the University of Maine at Machias' project Compressed Natural Gas Heating Conversion (4100028).

Bond Project Status Report:

The special portion of this report calling out only bond projects now reflects twenty-three (23) projects in progress. These projects are currently estimated to account for almost \$30 million of the \$49 million in voter approved general obligation bond funding and approximately \$2 million of that has been expended. Supplemental funding is being leveraged for some of these projects and the total estimated project value across all funds currently stands at more than \$33 million, including the bond funding.

Sixteen (16) of these bond projects do not have budgets that meet the threshold for Board of Trustees consideration, and are therefore not present on the Capital Projects Status Report. Two of the projects, UMA's Augusta Welcome Center (1100077) and USM's Nursing Simulation Lab (6100327) currently have approved budgets below the Board of Trustees threshold, as noted, but, as planning progresses, those full budgets will exceed to Trustee threshold and they will be brought forward for timely Trustee consideration. These projects are not currently on the Capital Projects Status Report as both projects are currently in Design and Pre-Design phases and are set up with limited budgets to cover this phase of the work.

Future reports will be updated to reflect additional active Bond projects as the information becomes available.

Engineering Education & Design Center update to Project Milestones:

In the March 5, 2018 special meeting of the Board of Trustees to approve the naming of the Engineering Education and Design Center (EEDC) facility, a project milestone document was provided. An update to that document is attached to this report (Tab 6.3).

The March 2018 document reflected an aggressive approval schedule with an anticipated full project budget approval being sought in the summer of 2019 before construction bidding was expected to take place. It has since been determined a best approach to await the pricing effort and Guaranteed Maximum Price (GMP) of the CM@ Risk contractor as well as to allow additional time for fund raising prior to this request for authorization for the total project budget.

Similarly, the anticipated timeline for request of the anticipated revenue bond financing resolution has shifted. The timing of the request for this and other projects will be

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reviewed in the fall of 2019 to determine the most advantageous timing and sequencing of this request.

The anticipated total project budget remains as previously identified up to \$80 million. Additional milestone details have been added.

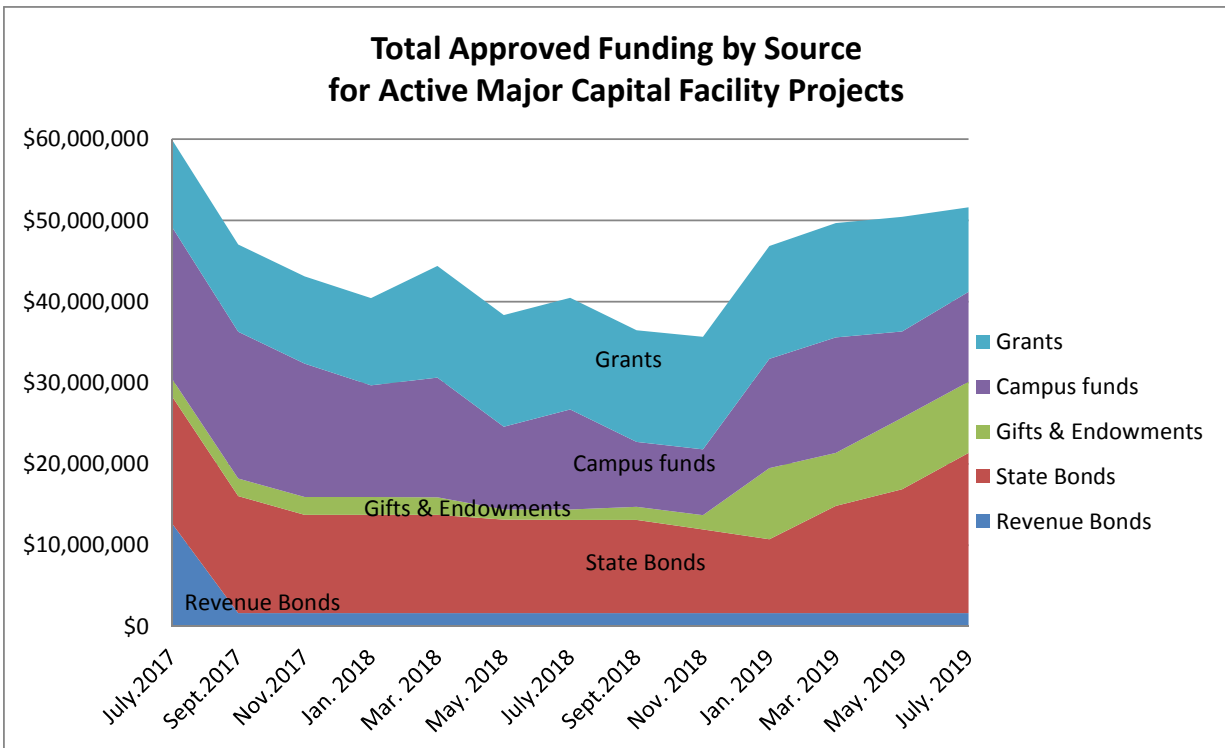
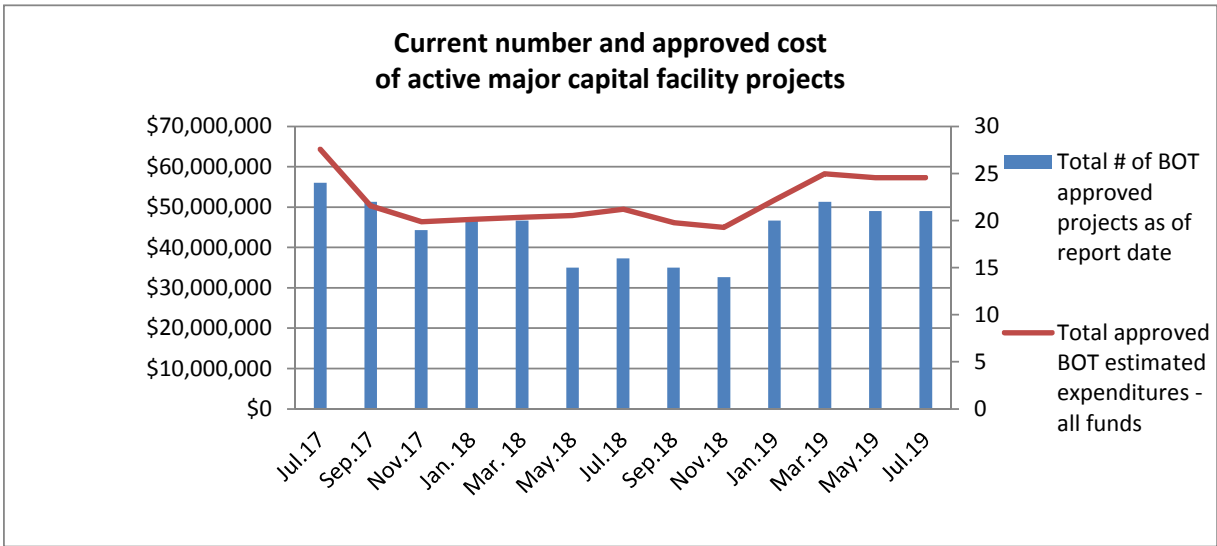
The project, interim milestone updates notwithstanding, remains on track for completion in the summer of 2022. This is unchanged.

USM Portland Housing Update:

As a result of the a public request for qualifications process earlier this year five firms were deemed most qualified to deliver the proposed USM Portland campus housing project and were shortlisted to advance in the solicitation process . A request for proposals was issued to the shortlisted group of firms in early August. The proposals are due in September and will be followed by an in depth review, interviews and negotiations. Board of Trustee approval will be sought prior to commitments and agreements being executed any final selected firm(s).

USM Portland Parking:

As USM continues to pursue various projects on its Portland campus, it will soon be before the City of Portland regulatory bodies in connection with proposals to replace parking that will be disrupted during anticipated construction of a new residential facility in Portland. The Board should be aware of these public proceedings and potential public discussion. The University will follow the usual Board protocol in obtaining approval from Trustees for this project and its budget before advertising it for bids. The University has engaged Woodard & Curran to design the expanded parking lot, determine the estimated project cost, and assist in obtaining necessary City, State and environmental permits, but it is premature to request that approval of Trustee's at this time. Although this is not a comprehensive solution to the parking challenges that have been discussed with Trustees, and which USM is working to address, it is an important step forward in that process.



9/05/2019

Board of Trustees Meeting - REPORTS

Capital Project Status Report
Board Approved Projects
August 2019 - Board of Trustees
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Current Est. Completion	Original Approved Estimate	Current Approved Estimate	% Expended of Current Approved Estimate	Prior Actions, Information & Notes
UM								
Advanced Structures and Composites Center Expansion/ASCC Equip W2-Thermoplastics Lab/ASCC Equip W2 Tow Carriage (5100316, 5100414, 5100432)	2010 State Bond (49%), Grants (45%), Gifts (6%), Campus E&G Funds (0%)	Project 5100316 is Complete, Project 5100414 Design in Progress, Project 5100432 is Construction in Progress	2014	2019	\$6,400,000	\$10,400,000	91%	Board Approved \$6.4M in November, 2012. Board approved \$1.6M in March 2014. Board approved increase of \$871,000 in March 2015. BOT approved additional \$1.5M in May 2016 for equipment project.
Cooperative Extension Diagnostic & Research Lab (5100387)	2014 State Bond (84%), Campus E&G Funds (11%), Grants (5%)	Substantially Complete	2016	2019	\$9,000,000	\$9,600,000	99%	BOT approved \$9M in July, 2015. Board approved increase of \$400,000 in July 2017. Chancellor approved additional increase of \$200,000 in February, 2019.
Aquatic Animal Health Facility (5100440)	Grants (81%), Campus E&G Funds (19%)	Substantially Complete	2017	2019	\$2,300,000	\$2,870,000	99%	Board approved \$2.3M in January, 2017. Board approved increase of \$500,000 in November, 2017. Chancellor approved additional increase of \$70,000 in February 2019.
*** Barrows Hall ESRB Lab Renovations (5100424)	Campus E&G Funds (100%)	Complete	2017	2018	\$1,900,000	\$1,900,000	86%	Board approved \$1.9M in March, 2017
Darling Marine Center Waterfront Infrastructure (5100459, 5100460, 5100461)	Grants (100%)	Design in Progress	2017	2021	\$3,000,000	\$3,000,000	12%	Board approved \$3M in July, 2017.
Engineering Education and Design Center (5100458, 5100493)	Gifts (26%), Campus E&G Funds (74%)	Design in Progress	2024	2024	\$1,000,000	\$9,000,000	39%	Board approved \$1M in September, 2017. Board approved additional \$8M in May, 2018. Initial occupancy of this facility is expected in 2022; final completion in 2024.
Wells Commons Generator (5100433)	Campus Auxiliary Funds (100%)	Substantially Complete	2019	2019	\$525,000	\$525,000	61%	Board approved \$525,000 January, 2018.
CCAR EDA Hatchery Building Roof Replacement (5100456)	Campus E&G Funds (100%)	Construction in Progress	2019	2019	\$562,000	\$562,000	4%	Board approved \$562,000 in June, 2018.
Hilltop Commons Servery Updates (5100489)	Campus Auxiliary Funds (100%)	Construction in Progress	2019	2019	\$925,000	\$925,000	11%	Board approved \$925,000 January, 2019.
York Hall Kitchen Hood Replacement (5100490)	Campus Auxiliary Funds (100%)	Construction in Progress	2019	2019	\$550,000	\$950,000	8%	Board approved \$550,000 January, 2019. Board approved additional \$400K in May, 2019.
UM Energy Solutions (5200466)	Campus E&G Funds (100%)	Pre-Design in Progress	2023	2023	\$5,700,000	\$5,700,000	10%	Board approved \$5.7M March, 2019.
UMF								
Dearborn Gym HW Upgrades (2100087)	2018 State Bond (100%)	Construction in Progress	2019	2019	\$600,000	\$850,000	28%	Board approved \$600K in March, 2019. Board approved additional \$250K in May, 2019.
UMM								
*** Compressed Natural Gas Heating Conversion (4100028)	Revenue Bonds (100%)	Complete	2014	2019	\$1,800,000	\$1,800,000	84%	Board approved \$1.8M in July 2014.

Capital Project Status Report
Board Approved Projects
August 2019 - Board of Trustees
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Current Est. Completion	Original Approved Estimate	Current Approved Estimate	% Expended of Current Approved Estimate	Prior Actions, Information & Notes
USM								
USM Center for the Arts (6100300)	Gifts (100%)	Pre-Design in Progress	2022	2022	\$1,000,000	\$1,000,000	0%	Board approved \$1M in January, 2018.
Corthell Hall HVAC Upgrades (6100295)	Campus E&G Funds (100%)	Substantially Complete	2018	2019	\$550,000	\$550,000	94%	Board approved \$550,000 in May, 2018.
Woodward Hall Renovation (6100301)	2018 State Bond (68%), Campus E&G Funds (32%)	Construction in Progress	2019	2019	\$1,800,000	\$1,800,000	27%	Board approved \$1.8M in January, 2019.
Ricci Lecture Hall Renovation (6100308)	2018 State Bond (39%), Gifts (39), Campus E&G Funds (22%)	Construction in Progress	2019	2019	\$500,000	\$680,000	28%	Board approved \$500,000 in January, 2019. Board approved additional \$180K in May, 2019.
Brooks Student Center Generator & Switchgear Installation (6100315)	Campus E&G Funds (100%)	Construction in Progress	2019	2019	\$675,000	\$675,000	21%	Board approved \$675,000 in January, 2019.
Schematic Design of the Career and Student Success Center (6100325)	2018 State Bond (0%)	Pre-Design in Progress	2020	2020	\$1,000,000	\$1,000,000	0%	Board approved \$1M in January, 2019.
Bailey Hall Fire Protection and Electrical Upgrades (6100316, 6100323)	2018 State Bond (0%), Campus E&G Funds (100%)	Project 6100316 is Design in Progress, Project 6100323 is Construction in Progress	2019	2020	\$2,580,000	\$2,580,000	13%	Board approved \$2.58M in January, 2019.
UMPI								
UMPI Greenhouse (7100010)	Bond (9%), MEIF (69%), Gifts (22%)	Construction in Progress	2018	2019	\$850,000	\$935,000	41%	Board approved \$850K in September, 2018. Board approved additional \$85,000 in January, 2019.
Explanatory Notes: * Project is new as of this report. ** Details of this project include updates since the last report. *** This project has been completed since the last report and is not expected to appear on the next report.	Funding source(s) reflects primary source(s) for project.	Calendar Year unless otherwise noted.					Percentage expended reflects total expended as of July 31, 2019 as a percentage of the current approved project estimate.	

Board of Trustees Meeting - REPORTS

Bond Project Status Report
Active Bond Projects
August 2019 - Board of Trustees
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID), Project Manager	Status	Original Estimated Completion	Current Est. Completion	Funding Source(s) & each source's share of expenditures to date	Estimated Bond Funding for Project	Bond Funding Expended	Total Estimated Project Cost	Prior Actions, Information & Notes
UMA								
Augusta Campus Welcome Center (1100077) Project Manager: Sheri Stevens/Walter Shannon	Design in Progress	2021	2021	Bond (0%), Campus E&G Funds (0%)	\$1,155,000	\$0	\$3,000,000	Approved budget of \$400,000 as it remains in study/design phase.
Augusta Campus Fire Alarms (1100078) Project Manager: Sheri Stevens/Walter Shannon	Design in Progress	2020	2020	Bond (100%)	\$400,000	\$14,300	\$400,000	
Bangor Campus Fire Alarms (1100540) Project Manager: Sheri Stevens/Walter Shannon	Design in Progress	2020	2020	Bond (100%)	\$330,000	\$11,700	\$330,000	
Handley Hall A/C Replacement (1200029) Project Manager: Sheri Stevens/Keenan Farwell	Design in Progress	2020	2020	Bond (77%), Campus E&G Funds (23%)	\$450,000	\$18,215	\$450,000	
Total Bond for Campus					\$2,335,000	\$44,215	\$4,180,000	
UMF								
Dearborn Gym Hot Water Upgrades (2100087) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$850,000	\$239,995	\$850,000	Board approved \$600K in March, 2019. Board approved additional \$250K in May, 2019.
274 Front St Acquisition (2100089) Project Manager: Keenan Farwell	Complete	2019	2019	Bond (100%)	\$855,000	\$850,820	\$855,000	Board approved \$855K in January, 2019.
Scott Hall Renovations (2100092) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$200,000	\$166,874	\$200,000	
Dakin Hall Shower Renovations (2100093) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$200,000	\$40,987	\$200,000	
Lockwood Hall Shower Renovations (2100094) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$200,000	\$7,625	\$200,000	
Stone Hall Shower Renovations (2100095) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$200,000	\$18,424	\$200,000	
UMF Campus Paving (2100097) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (100%)	\$200,000	\$1,266	\$200,000	
* 274 Front St Renovation (2100096) Project Manager: Keenan Farwell	Pre-Design in Progress	2020	2020	Bond (100%)	\$450,000	\$4,176	\$450,000	
* FRC Floor Renovation (2100098) Project Manager: Keenan Farwell	Construction in Progress	2019	2019	Bond (0%)	\$125,000	\$0	\$125,000	
* Exterior Painting Merrill Hall (2200096) Project Manager: Keenan Farwell	Pre-Design in Progress	2020	2020	Bond (0%)	\$40,000	\$0	\$40,000	
Total Bond for Campus					\$3,320,000	\$1,330,167	\$3,320,000	

Board of Trustees Meeting - REPORTS

Bond Project Status Report
Active Bond Projects
August 2019 - Board of Trustees
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID), Project Manager	Status	Original Estimated Completion	Current Est. Completion	Funding Source(s) & each source's share of expenditures to date	Estimated Bond Funding for Project	Bond Funding Expended	Total Estimated Project Cost	Prior Actions, Information & Notes
UMM								
** UMM Science Building Roof Replacement (4100042) Project Manager: Art Bottie	Construction in Progress	2020	2019	Bond (100%)	\$375,000	\$14,268	\$375,000	
UMM Dorward Hall Roof Replacement (4100043) Project Manager: Art Bottie	Bidding	2020	2020	Bond (100%)	\$250,000	\$33	\$250,000	
UMM Sennett Roof Replacement (4100044) Project Manager: Art Bottie	Design in Progress	2020	2020	Bond (0%)	\$150,000	\$0	\$150,000	
UMM Reynolds Center Roof Repair (4200044) Project Manager: Art Bottie	Bidding	2020	2020	Bond (0%)	\$65,000	\$0	\$65,000	
Total Bond for Campus					\$840,000	\$14,301	\$840,000	
USM								
Woodward Hall Renovations (6100301) Project Manager: Dave Carney	Construction in Progress	2019	2019	Bond (68%), Campus E&G Funds (32%)	\$1,500,000	\$330,065	\$1,800,000	Board approved \$1.8M in January, 2019.
Ricci Lecture Hall Renovations (6100308) Project Manager: Carol Potter	Construction in Progress	2019	2019	Bond (39%), Gifts (39%), Campus E&G Funds (22%)	\$150,000	\$74,567	\$680,000	Board approved \$500,000 in January, 2019. Board approved additional \$180K in May, 2019.
Schematic Design of the Career and Student Success Center (6100325) Project Manager: Dave Carney	Pre-Design in Progress	2020	2020	Bond (0%)	\$19,000,000	\$0	\$19,000,000	Board approved \$1M in January, 2019. The total project cost remains under development and subject to change.
Bailey Hall Fire Protection and Electrical Upgrades (6100316, 6100323) Project Manager: Carol Potter	Project 6100316 is Design in Progress, Project 3100323 is Construction in Progress	2019	2020	Bond (0.36%), Campus E&G Funds (99.64%)	\$1,460,000	\$1,233	\$2,580,000	Board approved \$2.58M in January, 2019.
USM Nursing Simulation Lab Science (6100327) Project Manager: Joe Gallant	Design in Progress	2021	2020	Bond (100%)	\$1,500,000	\$12,459	\$1,500,000	Approved budget of \$450,000 as it remains in study/design phase.
Total Bond for Campus					\$23,610,000	\$418,324	\$25,560,000	
Totals:					\$30,105,000	\$1,807,007	\$33,900,000	
Explanatory Notes: * Project is new as of this report. ** Details of this project include updates since the last report. *** This project has been completed since the last report and is not expected to appear on the next report.	Funding source(s) reflects primary source(s) for project.	Calendar Year unless otherwise noted.						Percentage expended reflects total expended as of July 31, 2019 as a percentage of the current approved project estimate.



Engineering Education & Design Center Project Milestones

Major selected milestones of past 24 months:

- **July 2017**
Preliminary study indicates a projected cost of \$80M
State of Maine debt service approved by legislature and signed into law by Governor
- **October 2017**
Design solicitation advertised
- **September 2017**
BOT approves preliminary \$1 million in expenditures focused on initial design
Design contract awarded
- **January 2018**
Formal building committee approved and established by President Hunter and Chancellor Page
- **February 2018**
Visioning and programming sessions with campus and stakeholder communities
- **April 2018**
Final site selection of EEDC determined
- **May 2018**
BOT approves additional \$8 million in expenditures for full design, initial relocation and related costs of the project
- **August through October 2018**
Schematic design completed
Construction cost estimate and estimate reconciliation completed
- **November 2018**
Schematic Design approved
Design Development phase commenced
- **January 2019**
BOT approves new building for temporary relocation of Machine Tool Lab
- **March through May 2019**
Design development completed
Construction cost estimate and estimate reconciliation completed
Design Development approved
Construction Documents commenced
Construction of new Machine Tool Lab building commenced

FACILITIES MANAGEMENT & GENERAL SERVICES:
CAPITAL PLANNING & PROJECT MANAGEMENT



Upcoming selected major milestones:

- **Fall 2019**
System wide review of cash flow for multiple projects to determine timing of bond resolution and issuance
- **December 2019**
Anticipated completion of New Machine Tool Lab building
- **January 2020**
Anticipated completion of Construction Documents design phase
- **February through March 2020**
Construction bidding
Decommissioning and demolition of Machine Tool Lab
- **April/May 2020**
Anticipated request for Trustee consideration of full project budget Authorization
Anticipated approval of GMP (Guaranteed Maximum Price)
Anticipated construction start
- **Summer 2022**
Anticipated construction completion date

Academic and Student Affairs Committee of the Board – 2019-2020 Work Plan****2019****Materials Due****August 26 ASA**

9am-12Noon

(for Sept BOT)

Strategic Drivers of Innovation and Academic Sustainability:

Update: Academic Partnerships

Update: Directed Programming (Physical Therapy)

Update: Programs for Examination

Update: Multi-campus Collaboration

Program Proposal: BS Data Science (UMA)**USM Name Change**

Micro Credential Development at UMS: Overview of Report and Recommendations

Enterprise Risk Management: Update and Discussion

Review and Discussion of ASA Work plan

Faculty Representative Discussion Topic

Student Representative Discussion Topic

8/14/19

September BOT

(Sept. 15-16)

ASA Work plan 2019-2020

Program Proposal: BS Data Science (UMA)**USM Name Change****October 28 ASA**

9am-12Noon

(for Nov BOT)

Fall Enrollment Report

Awarding of Academic Degrees (annual)

Academic Calendar: AY 21-22, AY 22-23

Update: Accreditation

UMS Data Governance: Overview

Enrollment Discussion Topic: UMS Career Development (Overview)

Strategic Drivers of Innovation and Academic Sustainability:

Update: Academic Partnerships

Update: Program Innovation Fund

Update: UMS Micro-Credential Initiative

Faculty Representative Discussion Topic

Student Representative Discussion Topic

10/16/19

November BOT

(Nov. 17-18)

Fall Enrollment Report

Awarding of Academic Degrees (consent agenda)

Academic Calendar: AY 21-22, AY 22-23 (information item)

2020**Materials Due**

January 6 ASA 9am-12Noon <u>(for Jan BOT)</u>	Strategic Drivers of Innovation and Academic Sustainability: Update: Academic Partnerships Update: UMS Adult Credential and Degree Completion Initiative Update: Accreditation Enrollment Discussion Topic: Marketing – UMS and Campus Student Representatives Discussion Topic Faculty Representatives Discussion Topic	12/18/19
January BOT (Jan. 26-27)	TBD	
February 24 ASA 9am-12Noon (for Mar BOT)	Strategic Drivers of Innovation and Academic Sustainability: Update: Academic Partnership Spring Enrollment Report Update: Accreditation UMS Academic Integrity Policy (first read) Student Representatives Discussion Topic Faculty Representatives Discussion Topic	2/13/2020
12:15-1:45pm <u>(with HR/LR)</u>	Review and recommendations: tenure nominations (Joint with HR/LR Committee)**	
March BOT (March 15-16)	Tenure Recommendations Spring Enrollment Report	
April 27 ASA 9am-12Noon (for May BOT)	Strategic Drivers of Innovation and Academic Sustainability: Update: Academic Partnership Update: Programs for Examination Discussion Topic: Campus Student Success Initiatives Update: Accreditation UMS Academic Integrity Policy (second read) Student Representatives Discussion Topic Faculty Representatives Discussion Topic	4/16/20
May BOT (May 17-18)	TBD	

June 22 ASA	Strategic Drivers of Innovation and Academic Sustainability:	6/11/20
9am-12Noon	Update: Accreditation	
(tent.)	Student Representatives Discussion Topic	
<u>(for July BOT)</u>	Faculty Representatives Discussion Topic	

WE WOULD LIKE TO DISCUSS A JUNE/JULY HIATUS FOR ASA DUE TO DIFFICULT SCHEDULING

July BOT	TBD
(July 20)	

**This work plan is draft and will be updated based on topics to be added by the VCAA and CSAO. Other topics will be added as needed or required for decision making. Work plan will be updated as the Faculty and Student Representatives present their individual items. Items in red are action items.

University of Maine System
Board of Trustees

**Audit Committee
Work Plan FY2020**

Late October Meeting Agenda:

1. UM Department of Athletics Agreed-Upon Procedures Report
2. Presentation of the Annual Financial Report (audited financial statements)
3. External auditor report including required communications letter, executive summary of financial statement audit results, and discussion of emerging accounting issues
4. Enterprise Risk Management update

May Meeting Agenda:

1. Review Single Audit Report
2. External auditor summary of federal compliance Single Audit results
3. External auditor discussion of required communications, audit planning for the next fiscal year, and emerging accounting issues
4. UM Department of Athletics Agreed-Upon Procedures Report

Other meetings and agenda items scheduled as needed.

University of Maine System
Board of Trustees

**Finance, Facilities & Technology Committee
Work Plan FY2020**

Standing Agenda

1. Finance, Facilities or Technology items requiring Committee and/or Board approval
2. Updates from staff on finance, facilities and technology informational items
3. Capital Projects Status Report for all projects requiring Committee and/or Board approval
4. Major Technology Projects Status Report for all projects requiring Committee and/or Board approval
5. Review KPI's starting with August committee meeting. Once all numbers are flowing {(by Dec.) start tune of reporting based on BOT feedback

Ad Hoc Agenda

- Request for Appropriation (Sept. meeting)
- **Joint Meeting of the Audit Committee and the Finance/Facilities/Technology Committee** (late October/early November meeting)
 - External Auditor Report including Required Communications Letter and Summary of Audit Results
 - Presentation of the Annual Financial Report (Audited Financial Statements)
 - Update on Internal Audit
- Annual State of IT Report (February meeting)
- Sightlines Annual Report on the status of the facilities portfolio (February meeting)
- First reading of the Annual Operating, Capital Budget and Tuition Charges (March meeting)
- Approval of Annual Operating Budget, Capital Budget and Tuition Charges (May meeting)
- Multi-Year Financial & Structural Gap Analysis (May meeting)
- Review of 5-year Capital Plan (May meeting)

Informational Reports to the Board

Every Board Meeting

Financial Update and KPI update

September Meeting

Annual Report on Acquisition & Disposition of Real Property

November meeting

Annual Report on Gifts, Fund Raising and Endowments
Current Fiscal YTD Forecast to Budget

January Meeting

Maine Economic Improvement Fund Report
Student Financial Aid Report
State of IT Report
Sightlines Report

March Meeting

Student Charges Report
Current Fiscal YTD Forecast to Budget

May Meeting

Multi-Year Financial Analysis
5-year Capital Plan
Current Fiscal YTD Forecast to Budget

Committee Meeting Schedule

The Committee meets six times during the year in advance of the Board of Trustees meetings.

In March, the Committee schedules a full day meeting to review, in depth, the Annual Operating Budget and Tuition Charges for the upcoming fiscal year.

Additional meetings may be scheduled as required.

University of Maine System
Board of Trustees

Human Resources/Labor Relations Committee
Fiscal Year 2020 Work Plan

Standing Agenda:

1. Collective Bargaining Update (may occur in HR/LR Committee or in Executive Session of the Board of Trustees) – Chief Human Resources Officer
2. Human Resources and Labor Relations items requiring Committee and/or Board approval

Ad Hoc Agenda:

Note: Items in red require a vote of the Committee

- **Approval of Collective Bargaining Agreements (as tentative agreements are reached)**
- Collective bargaining goals and relationship for FY 20 (review as needed)
- Review Employee Health Plan Task Force Scorecard (September)
- Evaluation of Board Chair (March)
- Comprehensive Presidential Review results (as needed)
- Review progress of Human Resources Strategic Plan (January, July)
- **Policy and compensation changes for non-represented employees (as needed)**
- Update on significant HR initiatives (as needed)
- Briefing on compliance and regulatory issues (as needed)
- Chancellor's Review Committee, chaired by Human Resources/Labor Relations Committee Chair, as needed

Informational Reports:

- Report of Management Group appointments (July, November, March)
- Workforce Profile and Turnover reports (May)

Meeting Schedule:

Meetings are scheduled prior to Board of Trustees meeting as needed depending on agenda items.

09/05/2019



FY20 INVESTMENT COMMITTEE WORK PLAN

Every meeting includes:

- Portfolio and Manager Performance Reviews for:
 - Pension (closed defined benefit plan)
 - Managed Investment Pool (including endowment, the OPEB Trust, and 3rd party participants)
 - Operating Cash
- Defined Contribution Plan Update

Any of the meetings may include:

- Investment manager presentations as warranted
 - Reasons may include performance reviews, changes in personnel or organizational structure, interview managers for investment consideration, and educational sessions
- Asset allocation and scenario analysis including possible restriction of investment options
- Updating of investment guidelines
- Discussions regarding gift fees
- Oversight of the defined contribution retirement plan including sole recordkeeper relationship, plan economics, employee retirement readiness, employee engagement
- Review of consistent top performers, not currently part of the portfolio, for possible investment
- Request for Proposal Process for investment advisory services

Meetings typically are held during the following months. Anticipated agenda items for FY20 include:

AUGUST:

- Review of portfolio structure and investment managers

DECEMBER:

- Approve endowment spending rate for FY21

TO BE DETERMINED

- RFP for investment advisory services - interviews

FEBRUARY:

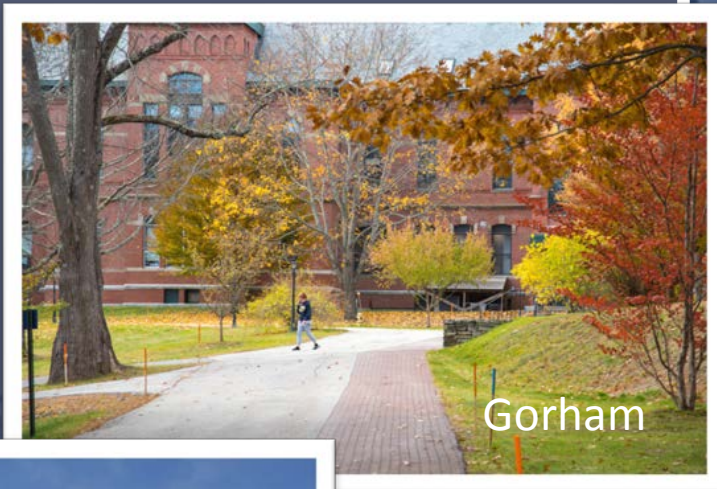
- Review estimated endowment distributions for FY21
- Asset allocation study and recommendations

MAY/JUNE:

- Update Investment Policy Statements

Other meetings will be scheduled as needed.

Name Change: Market Research Presentation



Reasons for a Name Change

- Not clear we are a public university
 - New name would align us with the University of Maine System
 - And our Law School
- Name Confusion
 - Southern Maine Community College
 - University of Southern Mississippi (usm.edu)

But major reason is this:



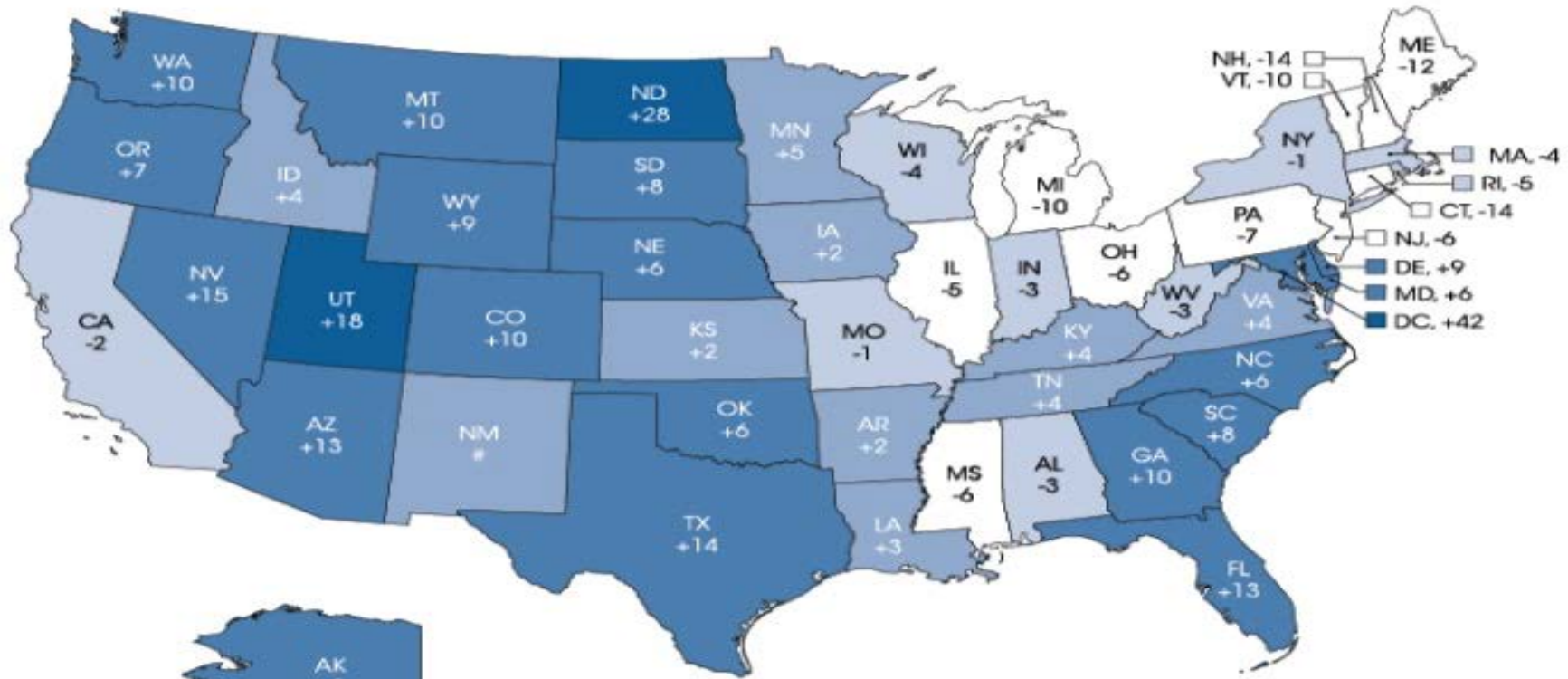
Major Reason for Name Change

Because of alarming population trends in Maine, recruiting more out-of-state students is crucial to

- our university and
- Maine's economy and employers.

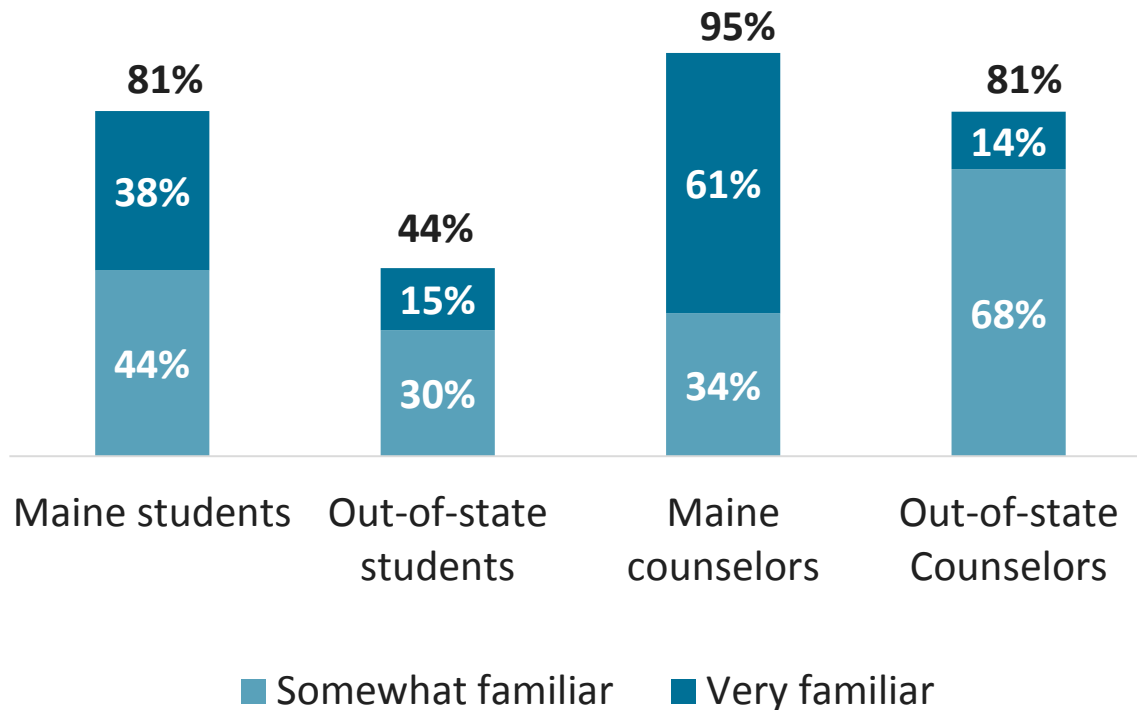


**Figure 3. Projected percentage change in public elementary and secondary school enrollment, by state:
Between fall 2014 and fall 2026**



High In-State, Low Out-of-State Familiarity with USM

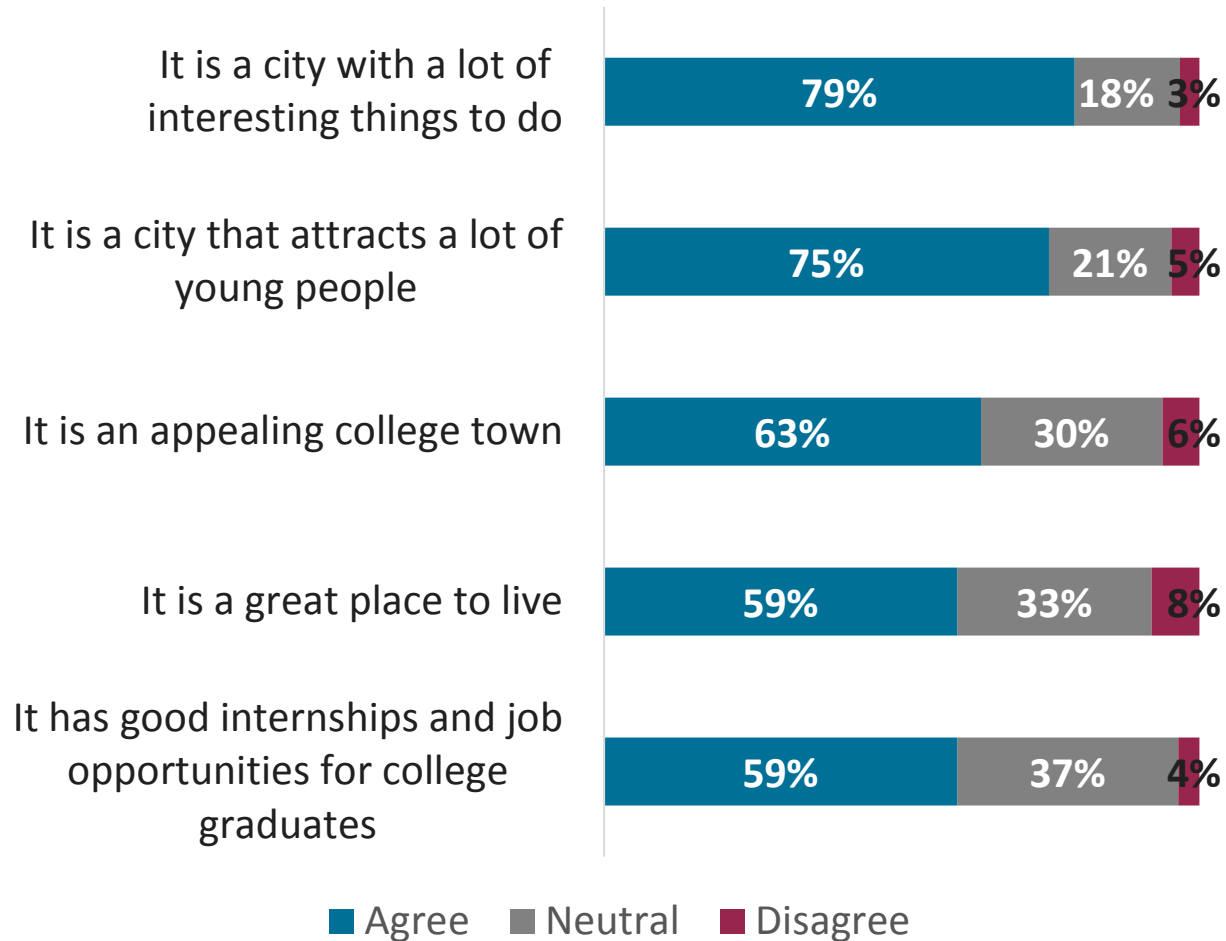
How familiar are you with the University of Southern Maine (USM)? (Prospective Students and School Counselors)



While awareness of the University of Southern Maine in Maine is high, it declines quickly outside the state of Maine.

Positive Perceptions of Portland

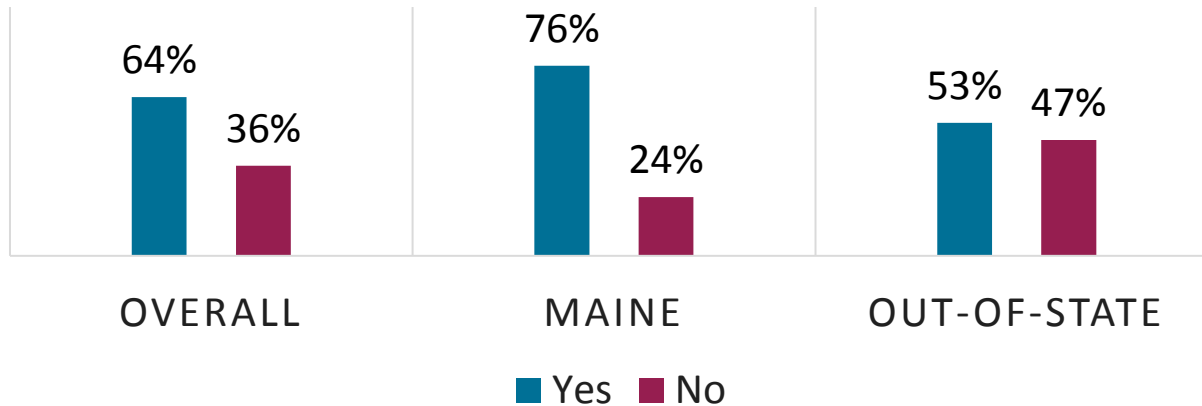
How much do you agree or disagree with the following statements about Portland, Maine: (Prospective Students)



Portland is a popular city among both Mainers – who like the activity and opportunities it offers – and those out-of-state, who have a more general opinion of the city.

Low Knowledge of USM's Location

*Do you know where the University of Southern Maine is located?
(Prospective Students)*



Where is that? (Prospective Students)

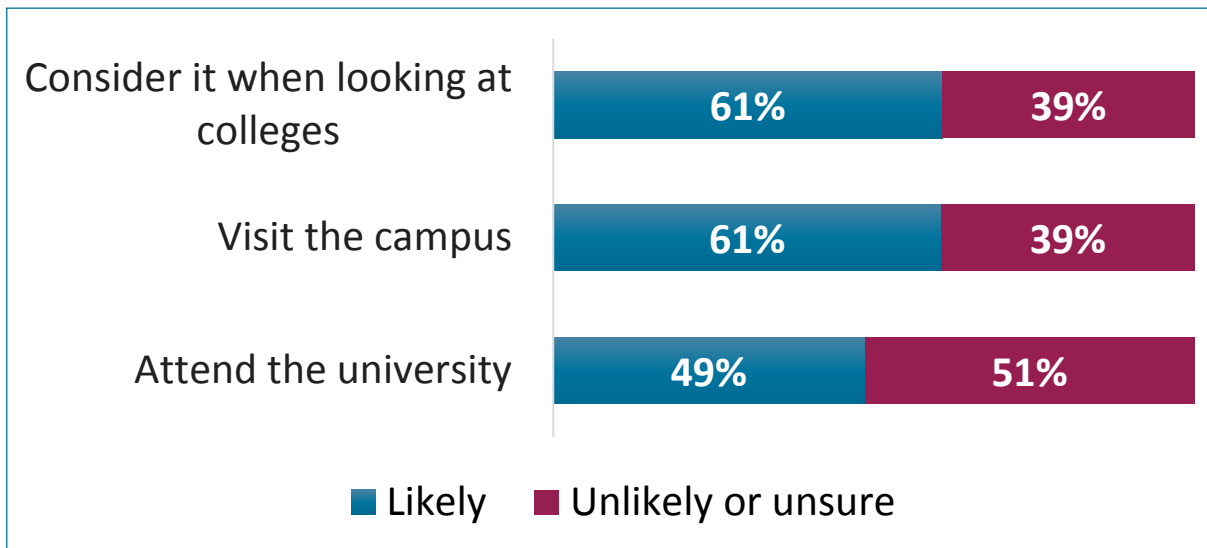
	Overall	Maine	Out-of-State
Portland	48%	65%	27%
Maine	23%	4%	45%
Gorham	14%	21%	5%
Southern Maine	11%	5%	18%
South Portland	6%	9%	2%
Lewiston	2%	4%	1%
Augusta	1%	2%	-
Orono	1%	2%	-
Other	6%	2%	11%

Most out-of-state students do not know where the University of Southern Maine is located (other than Maine).

High knowledge within southern Maine quickly disperses, even within northern Maine.

Impact of Name Change on Prospective Students

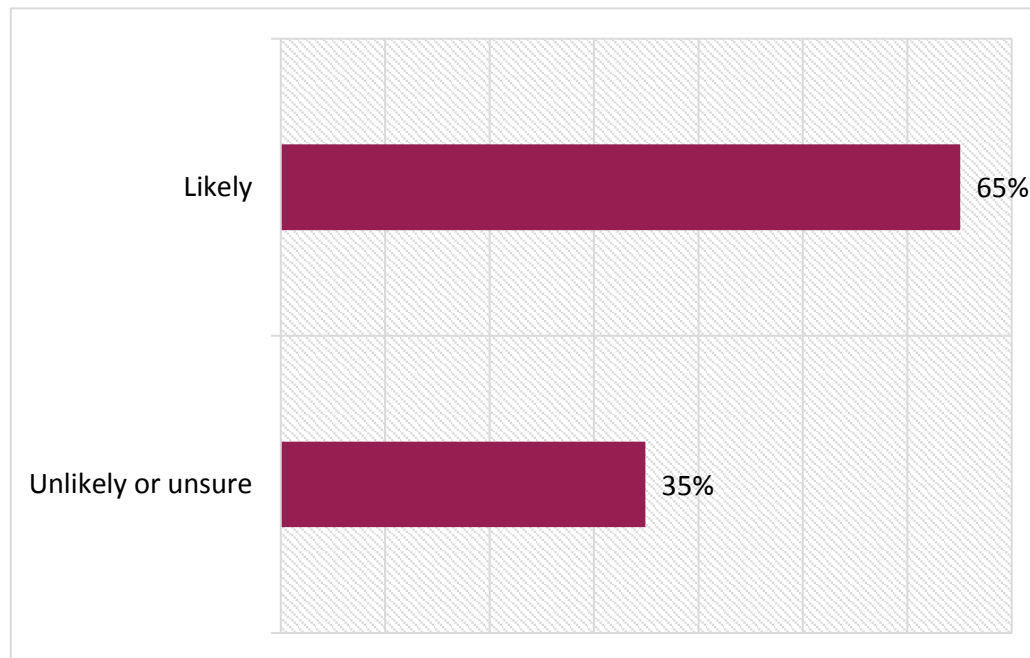
***Thinking about the University of Maine -
Portland, how likely would you be to:***



Association with Portland, both in general and with a name change, helps to drive interest in and likelihood to visit the university.

Name Change Also Helps Our Sister Campuses

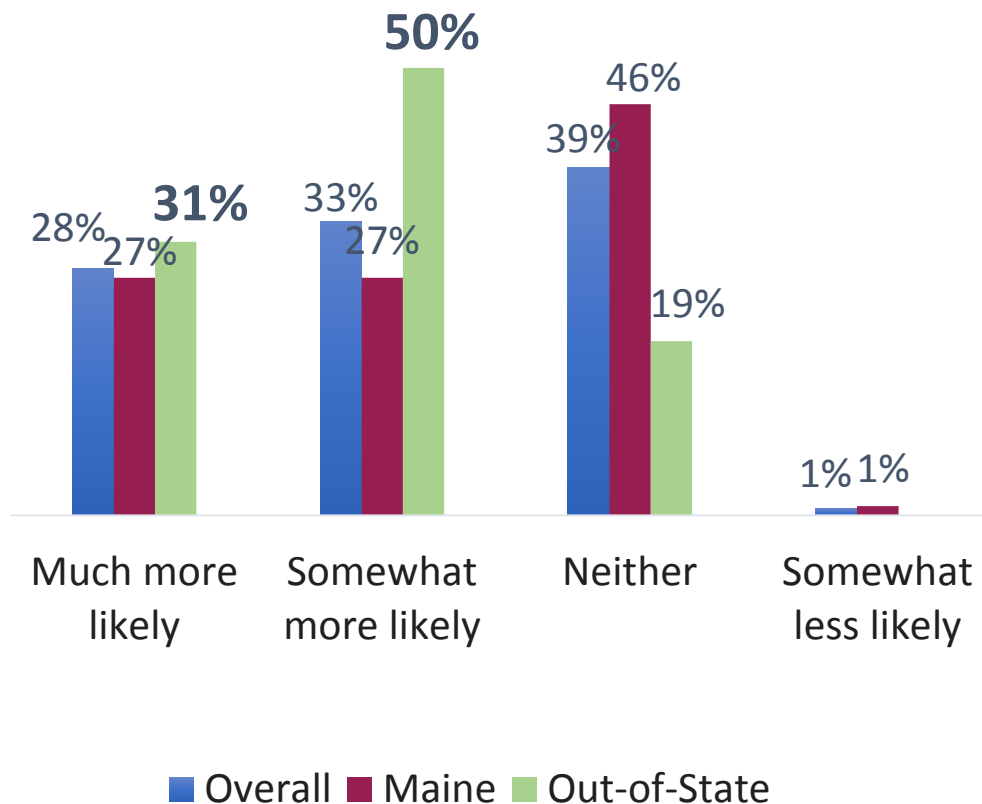
If you were impressed by the University of Maine at Portland after learning more about it and/or visiting the campus, would you be more likely to consider other public universities in Maine?



Nearly two-thirds (65%) of prospective students said they would be likely to consider other public universities in Maine.

Likelihood of School Counselors to Recommend University of Southern Maine

Does knowing that the University of Southern Maine is in Portland make you more or less likely to recommend that students consider it when looking at colleges?



Summary

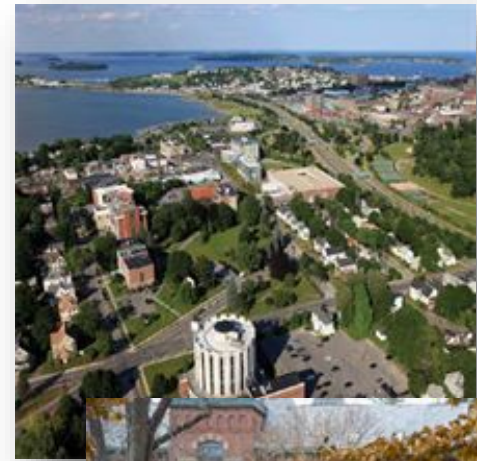
81% of out-of-state counselors said they are more likely to recommend University of Southern Maine knowing that it is in Portland compared to only 53% of in-state counselors.

Bottom Line:

Knowing that the University is located in Portland helps increase recommendations among in-state and out-of-state school counselors.

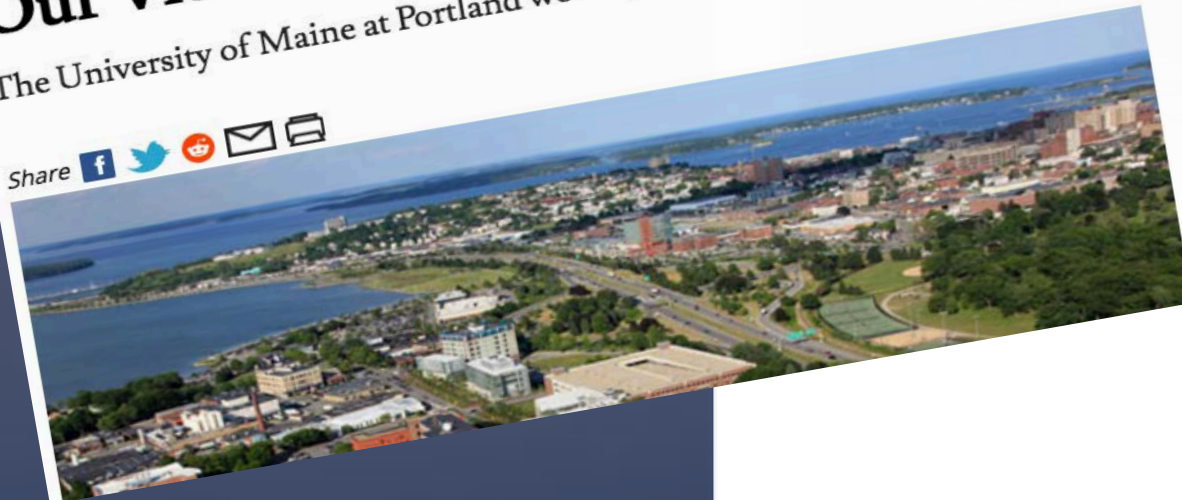
Name Change Endorsements

- Portland Regional Chamber of Commerce (unanimous vote)
- USM Alumni Board (voted 10-1)
- USM Foundation (voted 18-0)
- USM Board of Visitors (voted 19-0)
- Portland Press Herald



Our View: Time for USM to change its name
The University of Maine at Portland would get on the radar of more out-of-state students.

Share     



BRO
MEETIN
EDITOR
LETTER

CEOs & Business Leaders Say Name Change Good for Economy

Michael Bourque, MEMIC

Jon Ayers, Idexx

Rich Petersen, MaineHealth

Jeff Sanders, MaineMed

Deanna Sherman, Dead River

Steve Smith, LL Bean

Michael Simonds, Unum

John Chandler, BerryDunn

Dayton Benway, Baker Newman Noyes

Chris Joyce, Texas Instruments

Bill Tracy, Auburn Savings

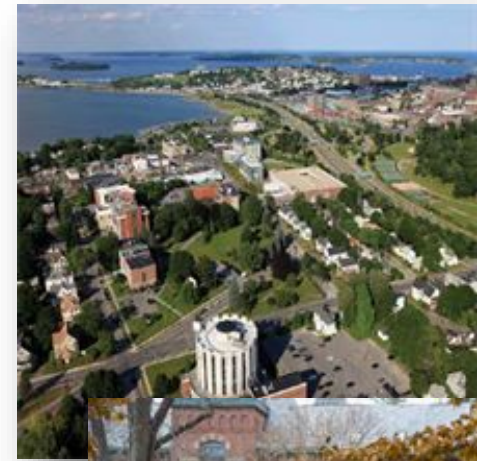
Bill Burke, Sea Dogs

Ellen Belknap, SMRT

Leeann Leahy, VIA

Jo-an Lantz, Geiger

Bill Williamson, Bank of America



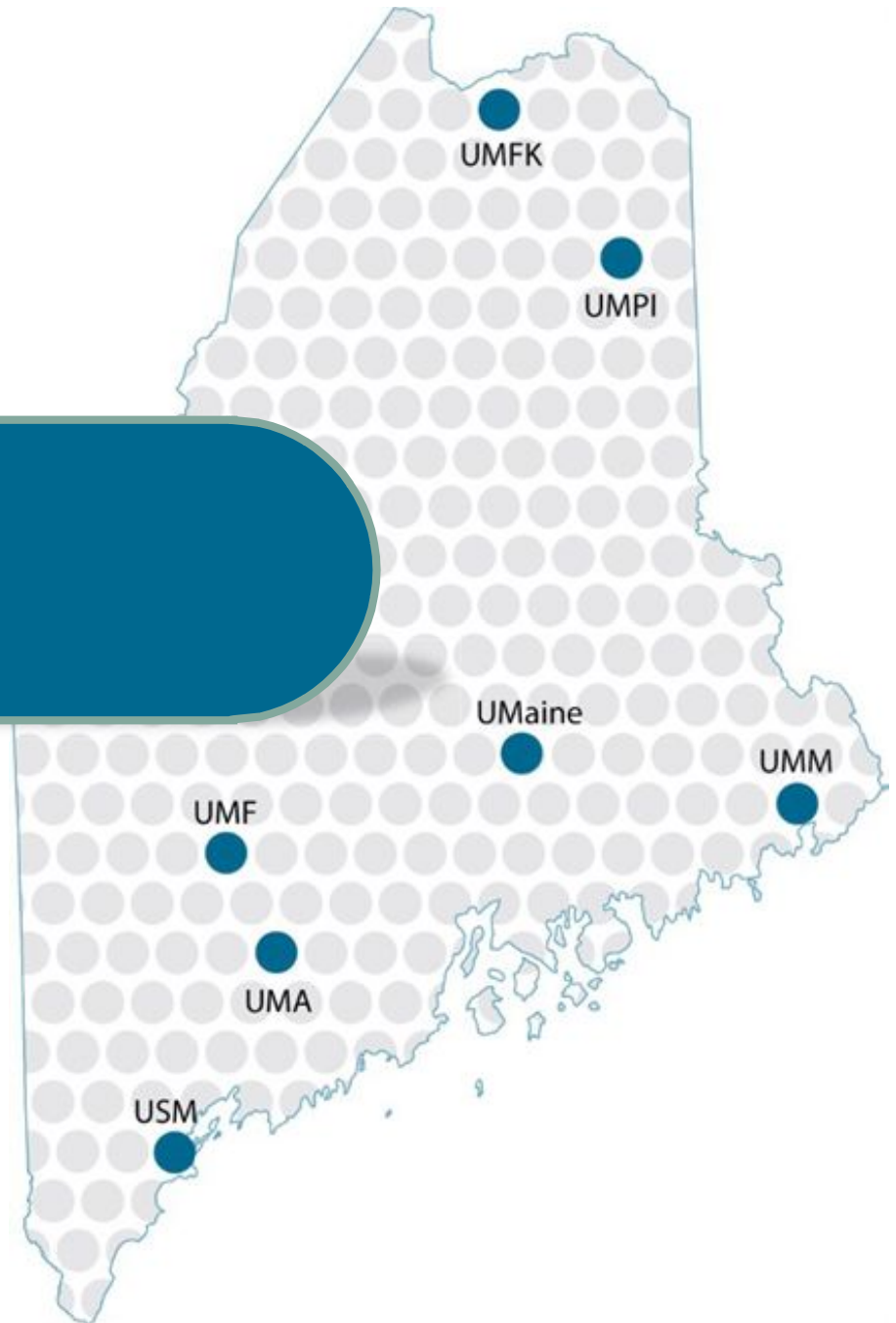
**UNIVERSITY OF MAINE
PORTLAND**

GORHAM • LEWISTON • ONLINE



UMS Data

Moving from Data and Reporting
to
Visualization and Understanding





Excellent Standardized Reports

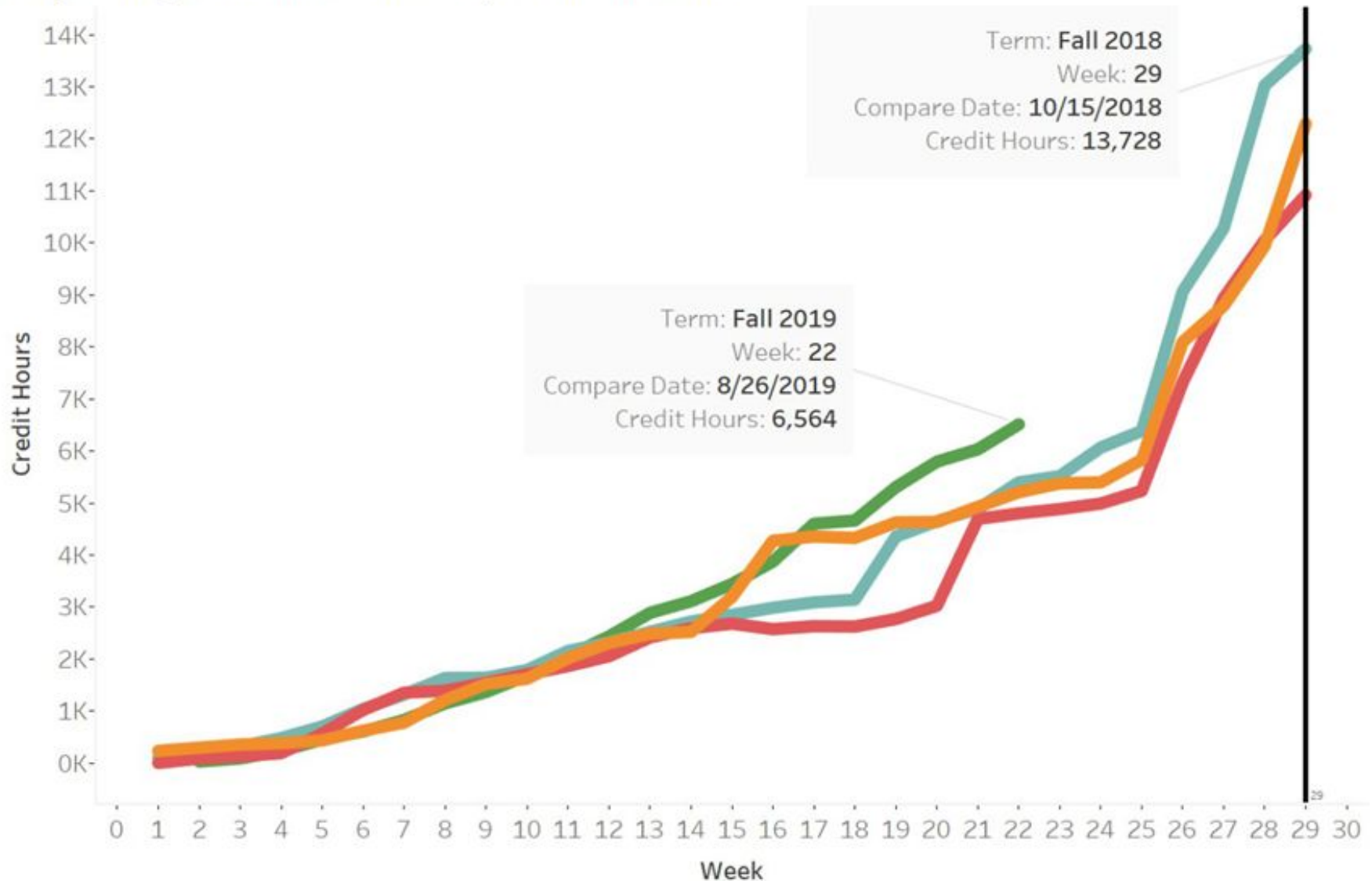
Early College and Undergraduate Credit Hours 8/26/2019 vs. Fall 2018 Census

		UM	UMA	UMF	UMFK	UMM	UMPI	USM	TOTAL
Early College	Current (08/26/2019)	947	2,362	72	920	395	327	1,541	6,564
	Fall 2018 Census	840	2,701	332	2,861	332	3,575	3,087	13,728
Difference	#	107	-339	-260	-1,941	63	-3,248	-1,546	-7,164
	%	12.7%	-12.6%	-78.3%	-67.8%	19.0%	-90.9%	-50.1%	-52.2%
Undergraduate without Early College	Current (08/26/2019)	125,988	31,128	23,345	9,951	5,187	9,609	68,646	273,854
	Fall 2018 Census	128,424	30,943	24,111	11,455	6,108	10,418	67,863	279,322
Difference	#	-2,436	185	-766	-1,504	-921	-809	783	-5,469
	%	-1.9%	0.6%	-3.2%	-13.1%	-15.1%	-7.8%	1.2%	-2.0%
Undergraduate Total	Current (08/26/2019)	126,935	33,490	23,417	10,871	5,582	9,936	70,187	280,418
	Fall 2018 Census	129,264	33,644	24,443	14,316	6,440	13,993	70,950	293,050
Difference	#	-2,329	-154	-1,026	-3,445	-858	-4,057	-764	-12,633
	%	-1.8%	-0.5%	-4.2%	-24.1%	-13.3%	-29.0%	-1.1%	-4.3%
% of Undergraduate Total that is Early College	Current (08/26/2019)	0.7%	7.1%	0.3%	8.5%	7.1%	3.3%	2.2%	2.3%
	Fall 2018 Census	0.6%	8.0%	1.4%	20.0%	5.2%	25.5%	4.4%	4.7%
	Difference	0.1%	-1.0%	-1.1%	-11.5%	1.9%	-22.3%	-2.2%	-2.3%



Visualization of Enrollment Build

Early College Enrollment Build up of Credit Hours



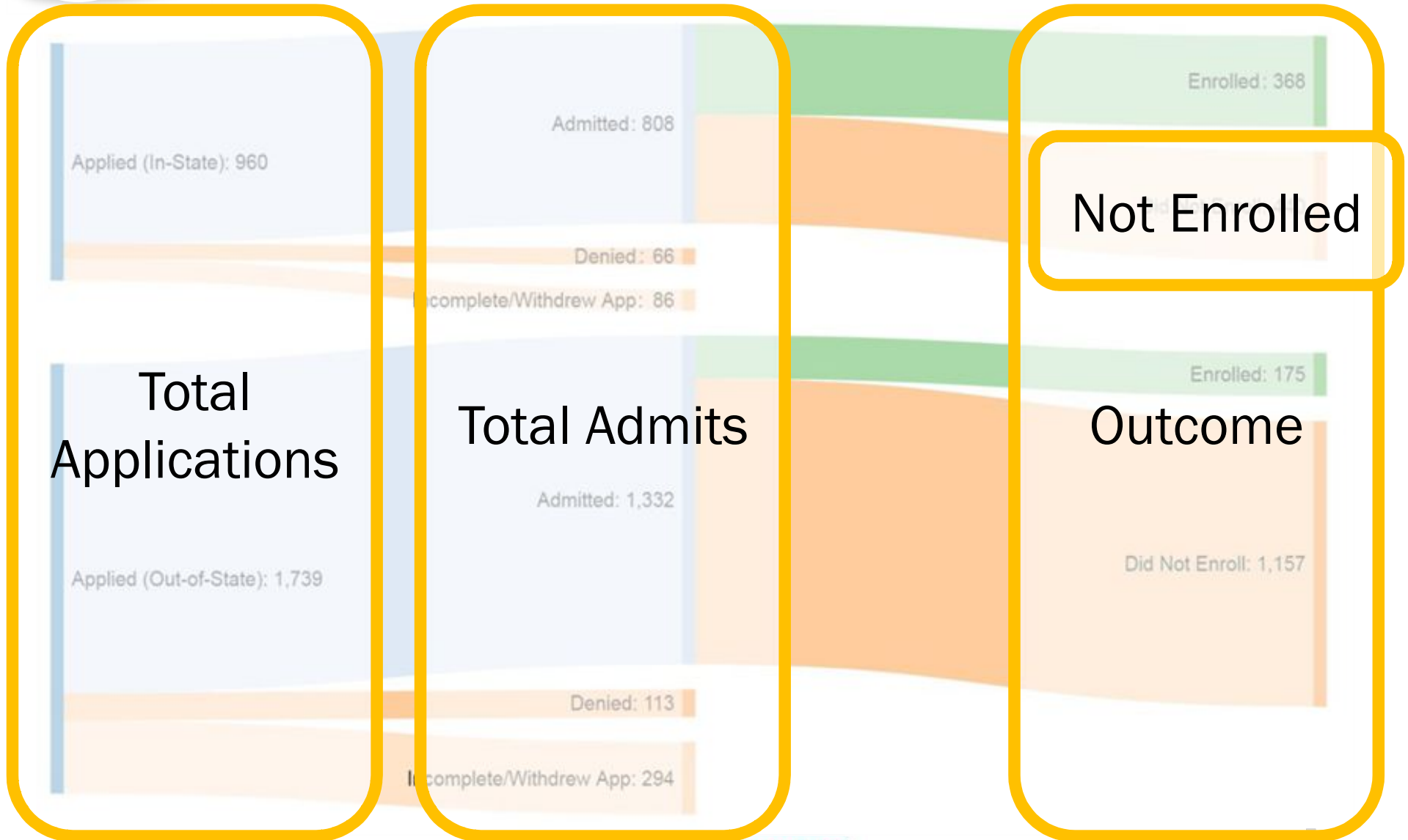


Excellent Standardized Reports

Institution	Program	Fall '16					Fall '17					Fall '18				
		Applied	Admitted	Enrolled (% of Admitted)			Applied	Admitted	Enrolled (% of Admitted)			Applied	Admitted	Enrolled (% of Admitted)		
UM	Accounting	254	184	72%	21	11%	214	157	73%	19	12%	188	141	75%	23	16%
	Finance	181	141	78%	26	18%	183	158	86%	25	16%	146	118	81%	26	22%
	Management	207	138	67%	40	29%	172	136	79%	34	25%	138	102	74%	17	17%
	Marketing	296	226	76%	37	16%	256	197	77%	34	17%	238	193	81%	36	19%
	Pre-Business	586	392	67%	74	19%	845	621	73%	162	26%	1151	935	81%	167	18%
	UM First-Year Total	1,524	1081	71%	198	18%	1,670	1269	76%	274	22%	1,861	1,489	80%	269	18%
UMA	Accounting	15	13	87%	10	77%	15	6	40%	3	50%	23	13	57%	4	31%
	Business Administration	73	32	44%	23	72%	76	46	61%	22	48%	72	37	51%	19	51%
	Management	23	15	65%	11	73%	38	28	74%	16	57%	46	34	74%	19	56%
	UMA First-Year Total	111	60	54%	44	73%	129	80	62%	41	51%	141	84	60%	42	50%
UMF	Actuarial Science	9	9	100%	9	100%	33	24	73%	6	25%	36	27	75%	8	30%
	Business Economics	115	79	69%	13	16%	97	63	65%	11	17%	117	73	62%	13	18%
	Business Psychology	41	32	78%	11	34%	33	26	79%	3	12%	39	30	77%	6	20%
	UMF First-Year Total	165	120	73%	33	28%	163	113	69%	20	18%	192	130	68%	27	21%
UMFK	Business Management - Healthcare (Online)	0	0	N/A	0	N/A	0	0	N/A	0	N/A	2	1	50%	0	0%
	Business Management	71	46	65%	21	46%	91	76	84%	19	25%	144	108	75%	16	15%
	Business Management - Accounting	0	0	N/A	0	N/A	1	0	0%	0	N/A	1	1	####	0	0%
	UMFK First-Year Total	71	46	65%	21	46%	92	76	83%	19	25%	147	110	75%	16	15%
UMM	Bus & Entrepreneurial Studies	158	150	95%	7	5%	29	24	83%	6	25%	84	71	85%	9	13%
	UMM First-Year Total	158	150	95%	7	5%	29	24	83%	6	25%	84	71	85%	9	13%
UMPI	Business Administration	191	135	71%	17	13%	195	141	72%	19	13%	141	104	74%	25	24%
	UMPI First-Year Total	191	135	71%	17	13%	195	141	72%	19	13%	141	104	74%	25	24%
USM	Accounting	100	71	71%	17	24%	67	54	81%	11	20%	78	63	81%	20	32%
	Business Management	197	144	73%	35	24%	319	247	77%	58	23%	353	282	80%	66	23%
	Finance	57	46	81%	8	17%	32	29	91%	6	21%	38	31	82%	7	23%
	Marketing	71	48	68%	9	19%	54	43	80%	7	16%	56	43	77%	12	28%
	Sport Management	91	65	71%	13	20%	82	59	72%	14	24%	63	51	81%	15	29%
	USM First-Year Total	516	374	72%	82	22%	554	432	78%	96	22%	588	470	80%	120	26%
Unduplicated Headcount of Applicants		2,353	1,782	76%	401	23%	2,550	1,956	77%	475	24%	2,699	2,140	79%	508	24%
System Total - First-Year		2,736	1,966	72%	401	20%	2,832	2,135	75%	475	22%	3,154	2,458	78%	508	21%



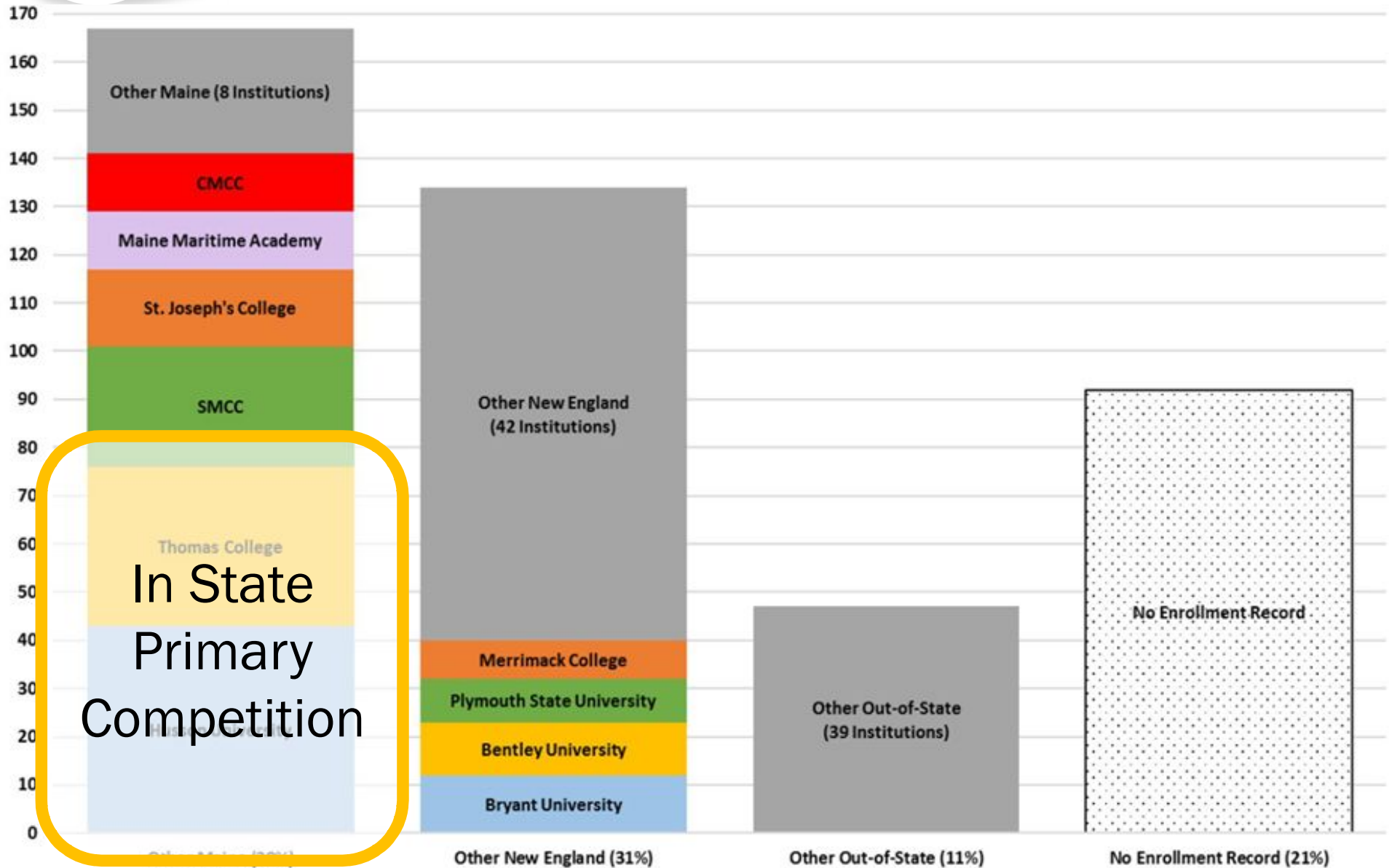
UMS Business Applications



UNIVERSITY OF MAINE SYSTEM

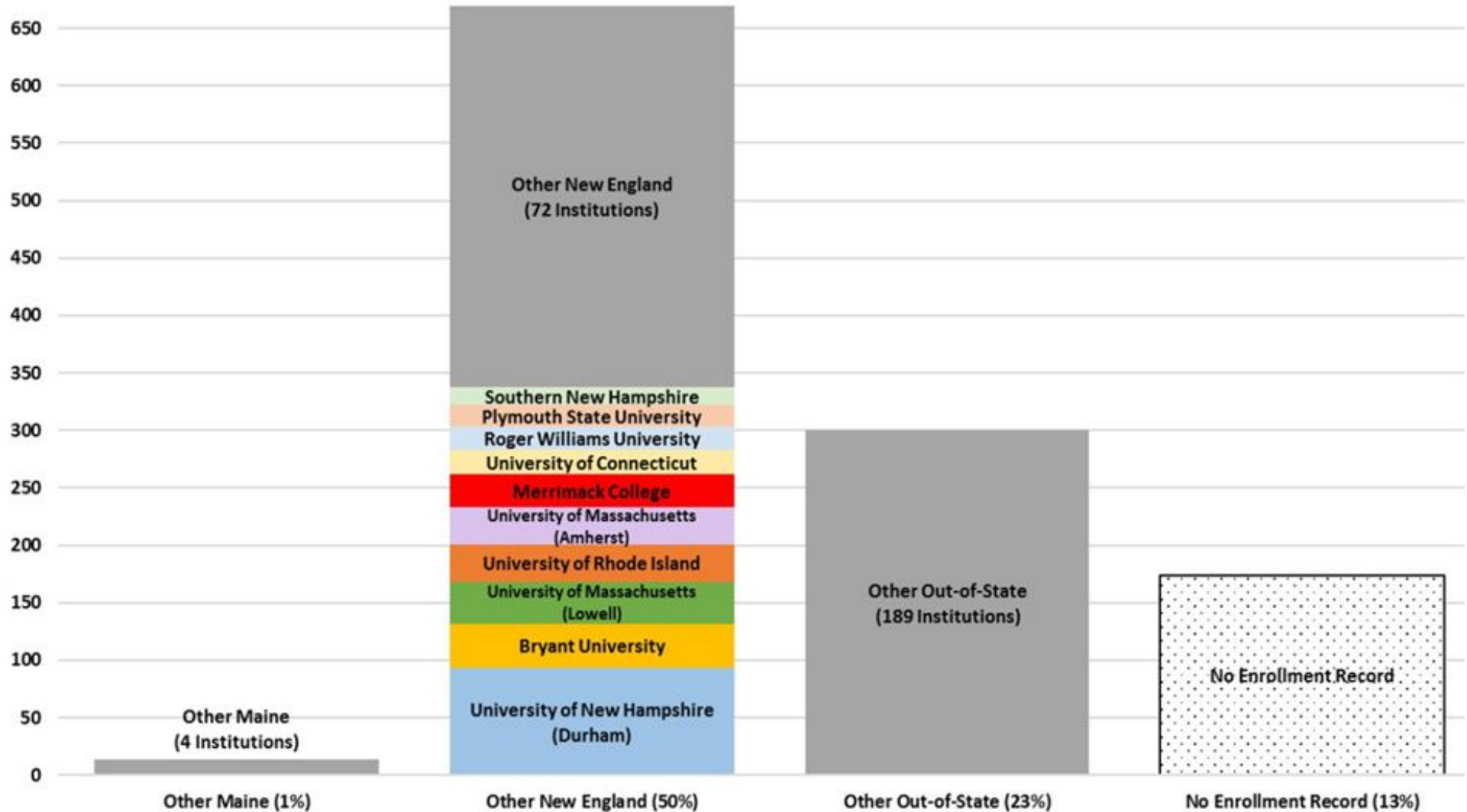


UMS Business In-State Outcome





UMS Business Out-State Outcome





Thank you



Unified Accreditation for the University of Maine System



UMS Board of Trustees, September 16, 2019

Dannel P. Malloy, UMS Chancellor



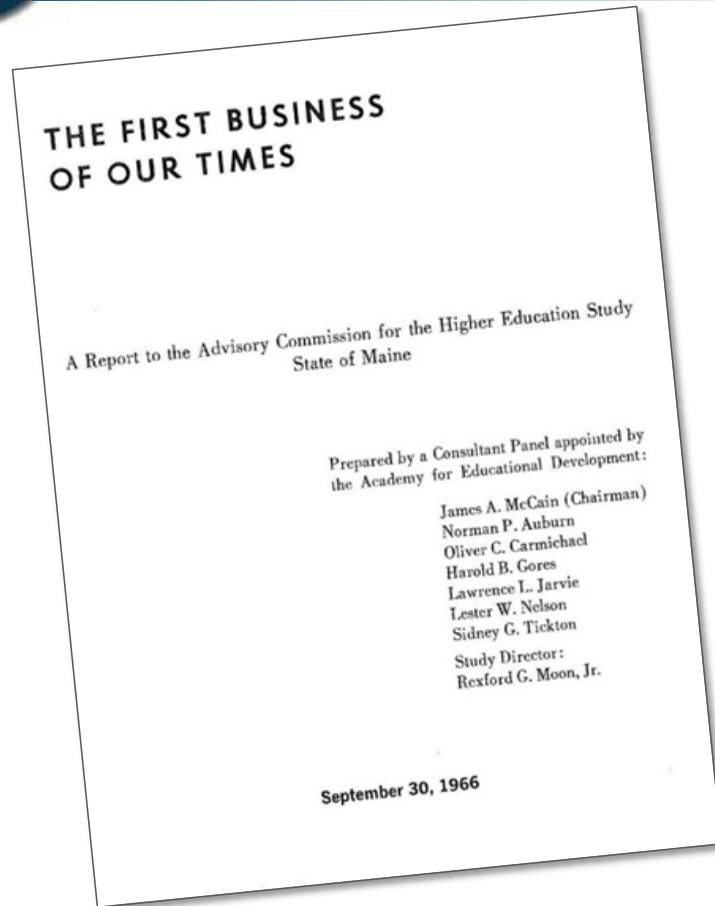
Unified Accreditation ~ Order of Presentation

- Introduction and Historical Context – *James Thelen*
- The Academic Challenge – *Karen Kimball*
- The Small Campus Imperative – *Raymond Rice*
- How We Envision Campus Engagement – *Kim-Marie Jenkins*
- Discussion/Q&A - *All*





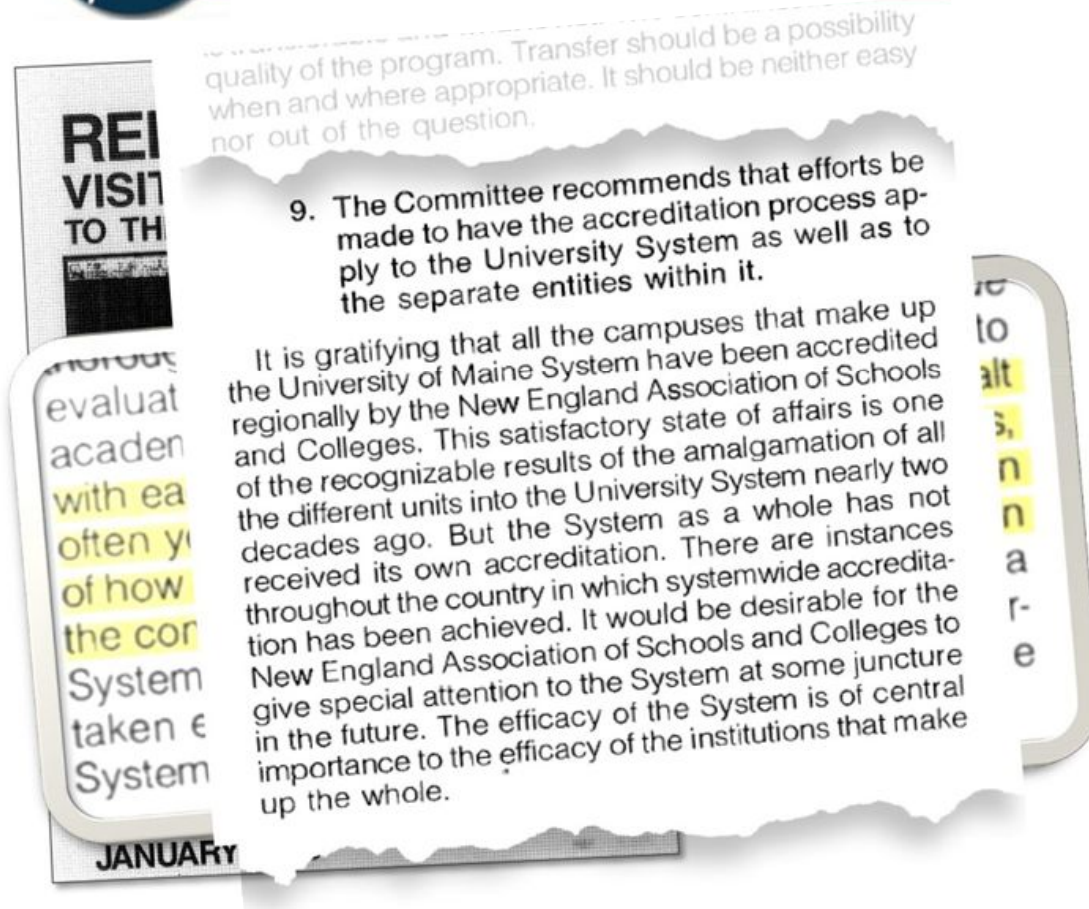
Purpose of the University of Maine System



- Coordinate academic programs, avoid duplication
- Share responsibility for specialized programs
- Share facilities (libraries, labs)
- Offer programs cooperatively and jointly between universities
- Ensure seamless credit transfer
- Flexibility in programs and student movement within System
- 1970 University of Maine naming convention to enhance concept of single university



1985 Visiting Committee Report



- Review mission, governance, and program priorities
- Endorses formation and continuation of System
- Calls out separate accreditation as not addressing statewide needs
- System-level accreditation recommended



1986 UMS Board and Committee Minutes

9. The VICOM has recommended that "efforts be made to have the accreditation process apply to the University System as well as to the separate entities within it." The Board of Trustees hereby adopts the recommendation and states: The University of Maine will seek accreditation for the System in an appropriate time frame.

Comments: The Board of Trustees applauds the VICOM for bringing such a novel and intriguing concept to the attention of the University. There are currently no university systems in New England accredited as such, making this an excellent opportunity to pioneer in the pursuit of excellence.

Board Action ☒

Board Information ☐

Board of Trustees
February 24, 1986
Page 6

9. Miss Kirk introduced the item regarding accreditation for the University System as well as the institutions within it. The Educational Policy Committee called the concept a novel and intriguing one and applauded the VICOM for bringing it up. As there are currently no systems in New England accredited as such, this would provide an excellent opportunity to pioneer. On motion of Miss Kirk, which was seconded, it was

VOTED: that the Board of Trustees states that the University of Maine will seek accreditation for the System in an appropriate time frame.

- UMS Board Educational Policy Committee review
- BOT "applauds" recommendation
- "Excellent opportunity to pioneer in the pursuit of excellence"
- BOT authorizes accreditation for the System



Fast Forward Three Decades



Founded in 1885

NEW ENGLAND ASSOCIATION OF SCHOOLS & COLLEGES, INC.
COMMISSION ON INSTITUTIONS OF HIGHER EDUCATION

July 10, 2015

PATRICIA MAGUIRE MESERVEY, Chair (2017)
Salem State University

DAVID P. ANGEL Vice Chair (2018)
Clark University

JEFFERY R. GODLEY (2016)
Groton, CT

JAY

Keel

WILF

Capl

LINDA

Bosto

KASSA

Concc

THOMA

Thoma

THOMAS

Vermont

MARY EL

Three Riv

PETER J. L

University

DAVID L. L

Norwalk Cl

HAROLD D.

Trustee Met

LYNN C. PAS

Mount Holyoke College

G. TIMOTHY ROWMAN (2018)

Dear Chancellor Page:

I write to inform you that at its meeting on June 2, 2015, the Commission on Institutions of Higher Education considered the information submitted by the University of Maine System and voted the following:

that the Commission is open in principle to accrediting what are now the seven Universities in the University of Maine System as a single institution if the institution meets the Commission's Standards for Accreditation;

the seven Universities in the University of Maine System as a single institution if the institution meets the Commission's Standards for Accreditation;



One University for all of Maine

OBJECTIVE

Seven mission-differentiated, mutually dependent campuses operating as one fully integrated university singularly focused on student success and responsive service to the State of Maine.

Strategic Outcomes

Challenges

- Structural budget gap

Opportunities

- Tuition Freeze
- Academic Transformation

One University



Fast Forward Three Decades



National Center for Higher Education Management Systems

Date: April 27, 2017

To: Barbara Brittingham

From: Aims McGuinness

Re: Issues and questions with respect to the University of Maine System and its Universities

structures to ensure quality and accountability in the past may not be effective for the future. In this respect, it will be important for NEASC to continue to work collaboratively with the UMS to ensure that the proposed changes conform to the basic principles of the NEASC Standards. At the same time, this process may provide an opportunity for new thinking about institutional accreditation in a dramatically changing environment.

While recognizing the intent to move toward "one University," UMS remains a system of separate institutions each named in law and each separately accredited. The president of each university is the

- 2016 Chaffee Report
 - Led UMS APRIP ~ Academic Transformation work
 - Consider "system-level approach" to accreditation to support efforts
- 2017 McGuinness Review
 - NCHEMS Consultant
 - Reviewed CBO structure and academic collaboration for NECHE
 - "an opportunity for new thinking about institutional accreditation in a dramatically changing environment"



Declaration of Strategic Priorities

Action 1:

As deemed necessary to successfully execute the actions directed herein, UMS and campus leadership will accelerate the transition to One University organizationally, systemically, and culturally to facilitate resource allocation and investments across UMS that best achieve these outcomes.

Immediate Deliverable: As a summation of the above Action Item Deliverables, the Chancellor, as informed by UMS leadership, will make recommendations to the Board no later than May 2019 regarding budgetary, organizational, or structural changes that may be necessary to achieve the required deliverables, remain competitive, and meet critical State needs in a resource-limited environment.





Guiding Principles

- Realize the purpose/benefits of System formation
- Preserve academic and other operations that best serve students and State needs
- Relieve individual campuses of the burden of fully complying with all standards by themselves
- Academic Freedom/Shared Governance preserved





Guiding Principles

- Honor labor agreements and bargain in good faith
- Our universities will remain where they are and strategic initiatives will continue
- Maintain separate IPEDS reporting
- Transparency (Unified Accreditation website)





Guiding Principles

- Maintain current accreditations, including program and professional accreditations
- Maintain programs that serve state needs, as well as extracurricular and athletic programs where they are
- UMaine ~ land, sea, and space grant status, etc
- *Minimum three visits per semester*





The Academic Challenge

- Challenges to Academic Collaboration
- Benefits for Faculty under Unified Accreditation
- Faculty Role in Achieving Unified Accreditation





Small Campus Imperative

- Shared Administrative / Staff Positions
- Shared Academic Programming
- Program Revenue
- Faculty
- President/Provosts and “Organizational Governance”





Campus Engagement

- Goal
- Process
- Content





Unified Accreditation for the University of Maine System



UMS Board of Trustees, September 16, 2019

Dannel P. Malloy, UMS Chancellor