

UNIVERSITY OF MAINE SYSTEM  
Board of Trustees Meeting

September 28, 2020  
Zoom Meeting

**Board of Trustees Meeting**

**Present:** James Erwin, Chair; Kelly Martin, Vice Chair Pro tem; Trish Riley, Lisa Eames, James Donnelly, Pender Makin, Emily Cain, Sam Collins, Tim Doak, Trevor Hustus, David MacMahon, Sven Bartholomew, Michael Michaud, and Betsey Timm. **Chancellor:** Dannel Malloy. **University Presidents:** Glenn Cummings, Joan Ferrini-Mundy, Ray Rice, Edward Serna, Becky Wyke, and Deborah Hedeem. **Faculty & Student Representatives:** Clyde Mitchell, Lisa Leduc, Matthew Bampton, Kennedy Rubert-Nason, Harlan Onsrud, Ameya Karaparkur, Emma Jones, Eli Rubin, and Salvatore Cardinale. **System Staff:** Robert Placido, Ellen Doughty, Dan Demeritt, Chip Gavin, Carol Corcoran, Rosa Redonnett, Kay Kimball, Ryan Low, Kim Jenkins, Sam Warren, and James Thelen.

**Absent:** Mark Gardner.

**Monday, September 28, 2020**

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

**EXECUTIVE SESSION**

On a motion by Trustee Collins, which was seconded by Trustee Hustus, and approved by a roll call vote of all Trustees present, the Board of Trustees meeting went into Executive Session under the following provisions:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, employment and duties.

On a motion by Trustee Hustus, which was seconded by Trustee Bartholomew, and approved by a roll call vote of all Trustees present, the Board of Trustees concluded the Executive Session.

**PUBLIC SESSION**

Following the Executive Session Trustee Erwin, Chair, reconvened the public meeting and welcomed everyone. He stated that the meeting was being held by Zoom and was being live streamed to YouTube for the public. The Clerk performed a roll call of the Trustees present.

**CITIZEN COMMENT**

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

James Gallagher - Retiree Healthcare  
Kathryn Gaianguest - Retiree Healthcare  
Irene McMahan - Benefits  
Ennis Marshall - Green Team  
Cathleen McAnney - Promises not kept  
Senator Rebecca Millett - Retiree Healthcare  
Ronald Mosley - Retiree Healthcare  
State Representative Matthea Daughtry - Retiree Healthcare  
John Blease - Retiree Healthcare  
Jim McClymer – Retiree Healthcare

Chair Erwin thanked the people who called in for citizen's comment for taking the time to express their concerns and feedback to the Trustees. He stated that people that have sent emails and letters concerning this matter would be receiving communication from the Board within the next week. Chair Erwin explained that UMS only has just under 3000 people, retirees and spouses included, in their retiree base and with numbers that low, it is hard to negotiate reasonable rates with insurance companies. The reason UMS decided to transition to Aon was to make it possible to gain access to their reduced insurance rates due to their group buying power. Chair Erwin stated that retirees would be receiving additional support from UMS through the transition. He explained that communication on the matter thus far has not been sufficient and that it will be ramped up going forward.

### **CHAIR'S REPORT**

Chair Erwin acknowledged and thanked System and Campus Leadership for their magnificent work in administering the UMS Fall return plan amidst the COVID-19 pandemic. He congratulated them for developing a well thought out and detailed plan to ensure that UMS students could return to in person classes safely in the Fall. Chair Erwin thanked the UMS Faculty for being able to quickly adapt to a remote learning modality when it became clear that it was necessary to do so in March and for continuing to develop their online classes over the Summer, so that UMS was able to offer hybrid learning for the Fall semester. He also thanked UMS Chief Information Officer David Demers and the UMS IT team for their quick action and continued support to ensure remote learning and classroom technology were available to the System. Chair Erwin also acknowledged and thanked UMS students for complying with all of the pandemic precautions and doing their part to ensure that everyone remains safe while on campus. Other Trustees echoed Chair Erwin's remarks and applauded the System for the great work they have done to ensure that UMS students, faculty, and staff stay safe when returning to campus.

Chair Erwin thanked Vice Chancellor for Administration and Finance and Treasure Ryan Low, his finance team, and the System Presidents and Chief Business Officers for all of the great progress they have made to mitigate the FY2021 budget and enrollment shortfalls. He stated that he was looking forward to seeing the final results of their efforts at the October 28<sup>th</sup> Special Board meeting.

General Counsel and Chief of Staff (COS) James Thelen explained that UMS received a complaint in November of 2017 from U.S. Department of Education (DOE) Office of Civil Rights (OCR) that a number of pages on the maine.edu website were not meeting the primary industry standards of web accessibility. UMS entered into a resolution agreement with the DOE OCR in early 2018, which created a timeline in which UMS had to report back to the OCR and meet industry standards of web accessibility by early 2020. Last week COS Thelen received confirmation that the OCR had reviewed the report and the new maine.edu website and made the determination that the System website was now in compliance with web accessibility standards. He stated that UMS will remain vigilant in continuing the process of maintaining accessible content on the maine.edu website and that one of the most publicly accessed portions of the maine.edu website are the Board of Trustees web pages. COS Thelen thanked all of the System staff who worked on the website for their tremendous efforts to make sure that UMS satisfactorily resolved the complaint raised by the OCR. Chair Erwin thanked COS Thelen and the rest of the UMS team responsible for the website redesign for resolving the website accessibility issue.

Chair Erwin stated that UMM Faculty Representative to the Board Heather Ball, and UMFK Student Representative to the Board Abigail Pooler, have completed their terms in their respective roles. He thanked them for their dedication and leadership while serving as a representative to the Board and stated that they would be mailed a certificate of appreciation in acknowledgement of their service.

## **CHANCELLOR'S REPORT**

Chancellor Malloy stated that it was predicted that there would be a five to twenty percent drop off in freshman populations and in school populations as result of the COVID-19 pandemic; however, the current numbers for UMS are only about 1.3 percent below expectations. He explained that this lower percentage is due to a number of initiatives taken by UMS to mitigate the expected decline in students. One such initiative began before the pandemic in Fall of 2019, where a campaign was initiated to reach out to Maine families and educate them on the benefits of attending college at the UMS campuses. Additionally, UMS universities were among the first in the nation to return funds to families, with respect to room and board charges that were refunded when students were sent home in early Spring due to the pandemic. UMS universities were also among the first universities to disburse federal CARES Act funds to students, in a crucial time where many families were dealing with financial hardships. Chancellor Malloy stated that these moves were demonstrative of the commitment UMS has to its students and likely bolstered retention and enrollment for the Fall semester. UMS IT spent the Summer upgrading the technology in just over 160 classroom spaces, to make the transition to hybrid learning more accessible for the Fall 2020 semester. He also applauded UMS IT and the UMS Faculty for their cohesive work to transition to a remote learning modality, so that students were able to finish the Spring semester using online learning with retention rates that equaled or exceeded the previous year.

Chancellor Malloy is proud of the way that the State of Maine in its entirety has handled the pandemic crisis. He stated that both the State and UMS have focused on the science behind the pandemic and that has helped to guide both entities as plans were developed for a safe reopening. He provided a brief overview of the Fall Safe return testing plan, which was heavily influenced by the research from the UMS Scientific Advisory Board. Chancellor Malloy stated that out of the close to 17 thousand COVID-19 tests performed on UMS staff, students, and faculty so far, only 13 positive tests had been confirmed to date. UMS is now in Phase 3 testing, which is the phase in which 10 percent of the UMS population will randomly be tested every 10 days, excluding people who will not be on campus for any reason during the semester for various reasons. UMS is committed to amplify testing on campuses where the surrounding community has been identified by the Maine Center for Disease Control as having community transmission or is otherwise at greater risk for virus spread based on various data points. Chancellor Malloy stated that the UMS COVID-19 infection rate is actually lower than the State percentage. UMS will delay the start of the Spring semester by one week and will not have a Spring break and will continue straight through to graduation. There will be a similar if not more aggressive return-to-campus testing plan when students return for the Spring semester. Chancellor Malloy thanked the UMS campus presidents, faculty, and staff for the extraordinary work that they have done to ensure students remain safe and able to continue learning through this pandemic.

## **VICE CHANCELLOR FOR FINANCE, ADMINISTRATION, AND TREASURER'S REPORT**

Vice Chancellor for Finance and Administration & Treasurer Mr. Ryan Low provided the following update.

### **Retiree Healthcare Transition Update**

Vice Chancellor Low acknowledged the comments and concerns that were brought to the Board this morning through Citizen's Comment and through emails sent to the Board and System staff since the transition of retiree healthcare to Aon was announced. He stated that he appreciates the feedback that has been received and that the System can and will increase communication to address specific concerns and questions provided, within the next week. Vice Chancellor Low reiterated UMS's commitments to continue to provide retiree healthcare coverage, to index the Health Reimbursement Arrangement (HRA) to preserve buying power, and to increase the number of webinars for retirees to participate in, so they can

gain addition information on the transition. He explained that he would be updating the Trustees on this issue at future Committee and Board meetings as things progress. Chief Human Resources Officer (CHRO) Carol Corcoran reported on the communication and engagement between UMS and the retirees since the announcement of the transition in August. Since then, 8 webinars have been held, which had over 1000 participants. Additionally, over 500 people have called the UMS Employee Benefits Center and over 1400 phone calls have been made to Aon directly to gain additional information. CHRO Corcoran stated that she has found that once retirees have the opportunity to discuss the transition to Aon, they are able to see the merits of the program and the benefit of being able to choose the program that best fits their individual healthcare needs. The Trustees asked for clarification about the Request for Proposal (RFP) process and the contract with Aon, as to whether there was an incentive for Aon to steer retirees to one plan or another. CHRO Corcoran stated that Aon receives no remuneration from UMS for their services and that she is not aware of any incentives that Aon receives for steering retirees to specific plans. The Trustees asked for further clarification about whether the contract includes stipulations about full transparency needed concerning the fees paid to Aon from insurance companies, to ensure that retirees are not steered to specific plans based on Aon receiving additional incentive based on the number of people insured by specific companies. CHRO Corcoran and Vice Chancellor Low said that they would review the contract and report back to the Trustees. Additionally, Vice President of Finance and Controller Tracy Elliott stated that UMS learned through the RFP process, that it is federally mandated that the reimbursement for vendors is the same regardless of the amount of people who participate in the plan.

#### FY2020 Preliminary Year End Results

Vice Chancellor Low began by echoing Chair Erwin's remarks and thanking the UMS campuses for their extraordinary efforts to try to mitigate budget shortfalls for both FY2020 and FY2021. He provided a brief overview of the FY2020 preliminary year end budget results. He noted that most of the gap that was closed from March until now came from CARES Act funds, savings from vacancies and furloughs, and spending reductions. For FY2020, UM closed with a surplus of \$52,847; UMM closed with a surplus of \$489,507; UMA closed with a surplus of \$1,006,136; UMF closed with a gap of (\$408,304); UMFK closed with a surplus of \$956,455; UMPI closed with a gap of (\$320,073); USM closed with a surplus of \$268,963; and the Law School closed with a surplus of \$139,240. The UMS FY2020 E&G and Auxiliary budget is in a surplus of \$14,345,373; which is largely due to just under \$7.4 million from the employee benefit pool. The employee benefit pool funds are higher than normal due to the suspension of non-urgent medical and dental appointments during the pandemic. Additionally, those funds appear to be higher than anticipated because the State has yet to bill UMS for the unemployment claims from March to June.

#### Investment Update

The Managed Investment Pool has a current market value of \$363 million. It experienced a gain of 3.9% for the month of July, closing out FY2020 with a net of fees positive return of 1.1%. The Pension Plan has a current market value of \$25 million. It experienced a gain of 2.8% for the month of July, closing out FY2020 with a net of fees positive return of 5.4%. The Operating Fund has a current market value of \$257 million. It experienced a gain of 1.3% for the month of July. Preliminary August results indicate a return of 0.9%, providing net investment revenue of \$5.8 million for the first two months of the fiscal year. For FY2020 the Operating Fund returned 3.8%, yielding \$8.2 million in net investment revenue, which is approximately \$4.8 million over the FY2020 budgeted investment income.

#### FY2021 Budget Update

Vice Chancellor Low explained that the FY2021 budget was presented to the Board at the June 26, 2020 Special Board of Trustees meeting and at that time, UMS was still looking at an unresolved budget gap of

approximately \$5.4 million. As part of the approval conditions of the FY2021 budget, Vice Chancellor Low agreed to provide regular updates to the Board about the FY2021 budget process and progress. The campuses have been working to close their various budget variances and Vice Chancellor Low will present FY2021 budget revisions to the Trustees at the October 28, 2020 Special Board meeting. He anticipates presenting balanced budgets for the campuses that address issues such as State appropriation shortfalls, pandemic related costs, and enrollment fluctuations. He noted that the figures presented to the Trustees today were based on numbers from September 21, 2020 and are likely to change due to students dropping out for reasons surrounding the pandemic. All UMS campus are at or above their budgeted credit hours submitted in June, which is a great accomplishment when considering the uncertainty that the campuses faced due to the pandemic. Most UMS campuses are experiencing larger than usual attrition from residence halls and their will likely be continued melt over the coming weeks. Campuses will be looking for ways to reduce those costs to stay within budget for their Auxiliary revenue.

### **VICE CHANCELLOR FOR ACADEMIC AFFAIRS' UPDATE**

Vice Chancellor for Academic Affairs (VCAA) Dr. Robert Placido provided an update on the following Academic Affairs items:

#### **Academic Program Proposals and Enrollment**

VCAA Placido explained that the six new academic program proposals on the Consent Agenda today have been on hold awaiting approval of unified accreditation and will cost little to nothing to stand up. He stated that approval would help UMS organizationally by recognizing all of the educational programs that UMS has to offer. This will allow for full accounting of the programs and resources available and enable UMS to share these resources across the System.

VCAA Placido stated that as of yesterday, UMS's enrollment is only down by 0.3 percent by headcount. UMS is up in credit hours per student, out-of-state enrollment, and graduate student enrollment. Early predictions indicated that UMS enrollment could have been 4 percent down, without adding the additional losses due to the pandemic. COVID-19 has impacted other higher education institutions by negative 10 percent and nationally it has lowered enrollment more than negative 2 percent on average. UMPI's enrollment, along with graduate student enrollment at USM and UM are all up 10 percent. Additionally, UMFK's Academic Partnership Nursing program's enrollment has increased from 45 students last semester to over 120 students this semester.

#### **Great Colleges**

UMPI President Ray Rice and Director of Learning and Organizational Development Megan Clough discussed the designation of the University of Maine at Presque Isle as a Great Colleges to Work For, which was announced on September 14. The recognition was available as a special insert of the September 18th issue of the Chronicle of Higher Education. This is the first time the University of Maine System has had a specific institution achieve this recognition. Since the Board of Trustees approved the Great Colleges to Work For Program in 2014, the survey has been conducted every two years at each of the System campuses. The Great Colleges program is national and is sponsored by the Chronicle of Higher Education. It assesses the characteristics demonstrated by top higher education organizations, through the use of an institutional questionnaire and an employee job satisfaction survey. The UMS has utilized the Great Colleges program over the past six years, gaining valuable employee engagement data that has shaped strategic decisions System-wide and at individual campuses. This year UMPI was recognized on the 2020 Great Colleges Honor Roll, which is an impressive first showing and one piece of a larger effort underway at UMS. UMPI was one of four New England Honor Roll recipients and was recognized for eleven of the twelve categories, which is more than any other New England higher education institution. Great Colleges provides UMS with an intentional and robust method for gathering

employee feedback and allows the System to consider priorities and make informed decisions about future direction within the scope of limited resources.

Designing Engaging, High Quality, Distance and Online Learning

USM President Glenn Cummings, UMA President Rebecca Wyke, UMA Associate Professor of Information and Library Science Jodi Kosakowski, and USM Assistant Professor of Sport Management Emily Keller provided information on UMS initiatives to design engaging, high quality, distance and online learning. Dr. Kosakowski provided information about active and engaging online teaching and learning. At its best it is a concerted approach using the tools of technology to connect students to well-designed content and materials, with wider campus and available resources, as well as to develop strong communities of learners and connect students with their respective communities where they live. Her presentation highlighted the Information and Library Science program at UMA and their approach in a completely online program to forging those connections using technology. She also provided an overview of various teaching and learning techniques that demonstrate how technology can be used as an effective teaching and learning tool and showcased what successful online teaching and learning looks like through the lens of UMS students and their success. Dr. Keller provided an overview of learning theories, tools, and strategies used to enhance the online classroom experience and to promote student engagement and community. She discussed Universal Design Learning (UDL), active teaching technologies, and the use of small groups to build community. Student feedback was presented to show support for the teaching methods.

**ACTION ITEMS**

**Tenure at Time of Hire, Professor of Forest Resources - UM**

On a motion by Trustee Riley, which was seconded by Trustee Cain, and approved by a roll call vote of all Trustees present, the Board of Trustees approved tenure at the rank of Professor of Forest Resources at the University of Maine to Dr. John Volin to be effective at the time of hiring.

**Tenure at Time of Hire, Associate Professor of Computer Science – UMPI**

On a motion by Trustee Riley, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Board of Trustees approved tenure at the rank of Associate Professor of Computer Science at the University of Maine at Presque Isle to Dr. Rafiul Hassan to be effective at the time of hiring.

**Proposed Revisions to Board of Trustees Policy 205 Faculty and Student Representation to the Board of Trustees**

Chair Erwin provided information about a proposed amendment to Board of Trustee Policy 205 – Faculty and Student Representation to the Board of Trustees. It is proposed that Board Policy 205 be amended to reflect the addition of a faculty and student representative from the University of Maine School of Law. This proposed change was discussed at the June 22, 2020 Academic and Student Affairs Committee. The Committee agreed to proceed with the proposed policy change, the agenda item was then included as an information item at the July Board meeting. At the September 14, 2020 Academic and Student Affairs Committee meeting, the Committee agreed to forward the resolution to today’s meeting for approval. Dean of the Maine Law School Leigh Saufley thanked the Trustees for the opportunity to add faculty and student representation from the Law School to the Board.

On a motion by Trustee Hustus, which was seconded by Trustee Bartholomew, and approved by a roll call vote of all Trustees present, the Board of Trustees approves the proposed changes as outlined to Board of Trustee Policy 205 Faculty & Student Representation to the Board of Trustees.

**Proposed Revisions to Board of Trustees Policy 402 Sex Discrimination, Sexual Harassment, Sexual Assault, Relationship Violence, Stalking, Retaliation and Title IX Sexual Harassment**

General Counsel and Chief of Staff James Thelen provided a brief overview of the proposed Revisions to Board of Trustees Policy 402 - *Sex Discrimination, Sexual Harassment, Sexual Assault, Relationship Violence, Stalking, Retaliation and Title IX Sexual Harassment*. In early May 2020 the U.S. Department of Education released long-awaited final regulations governing campus sexual assault under Title IX, the federal law prohibiting sex discrimination at federally funded institutions. U.S. colleges and universities that accept federal funding, as all UMS universities do, were required to come into compliance with the new regulations, which have the force of law, by August 14, 2020. The new regulations, which have been the subject of national controversy and even litigation, required substantial changes to UMS Title IX investigations and conduct hearing policies and practices, including at present UMS Board Policy 402, to come into compliance. Additionally, UMS is in the process of reviewing and updating the Student Conduct Code on its normal 3-year cycle and the changes to the Title IX regulations will have a part in those revisions. UMS General Counsel, Title IX, and Student Affairs personnel reviewed the regulations and prepared necessary revisions to UMS Board Policy 402 to ensure UMS was in compliance with the Title IX regulations by August 14, 2020. The Board's Executive Committee approved adoption of the revisions to Board Policy 402 as proposed at its meeting on August 13, 2020 with the recommendation that the full Board of Trustees ratify the changes at its September 28, 2020 meeting.

COS Thelen stated that there is a tension between what universities are required to do to provide process to both complainants and respondents in Title IX sex assault cases that are sometimes in tension with a prosecutors obligations to prosecute sex crimes. UMS has been and commits to continue to work with Trustee Eames and other District Attorneys (DA) across the State to make sure there is an open line of communication on this matter and to better understand the tensions that exist. Trustee Eames thanked COS Thelen and the UMS Title IX Staff for working with her and the other State DAs to recognize the tensions and for their work on the revisions to Board Policy 402. She stated there are aspects to the policy, particularly as it relates to hearings, that she does not agree with because she believes victims are at risk of being revictimized by this process; however, she does understand that UMS is bound by the U.S. Department of Education regulations. Trustee Eames encouraged everyone involved in the hearing process to be sensitive to the possibility of this revictimization, especially in the case of sexual harassment. Coordinator of Title IX Services Liz Lavoie responded to Trustee Eames by stating that UMS is committed to supporting Title IX victims and will continue to support them throughout the process.

On a motion by Trustee Eames, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Board of Trustees ratified the Executive Committee's August 13, 2020 approval of the proposed revisions to Board Policy 402 to ensure UMS is in compliance with United States Department of Education Title IX regulations as of August 14, 2020.

**Confirmation of Faculty and Student Representatives to the Board of Trustees**

UM President Joan Ferrini-Mundy provided a brief introduction for the proposed UMM Faculty and Student Representatives to the Board of Trustees. The two candidates are Faculty Representative William Otto to be appointed for a two year term from September 2020 to September 2022 and Student Representative Emma Jones to be appointed for a two year term from September 2020 to September 2022.

On a motion by Trustee Cain, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the appointments of the Faculty and Student Representatives to the Board of Trustees as presented.

**Resolution for Karen “Kay” Kimball**

Chair Erwin presented a resolution for Dr. Karen “Kay” S. Kimball, who has served the University of Maine System since 1999. In July 2018 the Board of Trustees thanked and expressed appreciation for Dr. Kimball’s service at the University of Maine at Machias as an Assistant Professor; Vice President for Academic Affairs and Provost; and Head of Campus. Dr. Kimball’s leadership was instrumental in the development and execution of the primary partnership between the University of Maine and the University of Maine at Machias. The Board of Trustees is now acknowledging Dr. Kimball’s most recent position of Deputy Vice Chancellor for Academic Affairs for the University of Maine System, which she had held since August 13, 2018. Several Trustees and Chancellor Malloy thanked Dr. Kimball for her service and leadership through the transition and primary partnership at UMM and for supporting Academic Affairs in her role as Deputy Vice Chancellor. Dr. Kimball thanked everyone and stated that she has truly enjoyed her time at UMS and that it has been a wonderful opportunity to work with terrific colleagues who value the work that is done.

On a motion by Trustee Collins, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the following resolution:

Dr. Kimball will retire as of October 1, 2020 and will be truly missed.

Whereas, Karen “Kay” S. Kimball has served the University of Maine System since 1999;

Whereas, she served in her most recent position of Deputy Vice Chancellor for Academic Affairs from August 13, 2018 to her retirement on October 1, 2020;

Whereas, her leadership has been instrumental with the development of the Academic Integrity Policy and submission of multiple grants;

Whereas, the Chief Academic Officers Council has been successful in completing many projects in large part due to Dr. Kimball’s management and attention to detail;

Whereas, the University of Maine System Early College program has thrived due to her leadership and collaborative approach;

Whereas, Dr. Kimball is acknowledged for her stellar work with the UMS Unified Accreditation including a key contributor to the drafting process for the substantive change document for Unified Accreditation submitted to the New England Commission of Higher Education;

Whereas, she exemplifies the traits of a great leader and colleague. She is genuine, intelligent, hardworking, thoughtful, caring and inspirational. UMS has benefited from Dr. Kimball’s leadership and she will be truly missed;

Be it known to all that we, the University of Maine System Board of Trustees, offer our most sincere gratitude, thanks, and best wishes for retirement to Kay Kimball for her outstanding contributions to the quality of higher education in Maine.

Approved on the 28<sup>th</sup> day of September, 2020, by a grateful University of Maine System Board of Trustees, acting as stewards of Maine’s public universities and their 30,000 students, 5,000 employees and more than 200,000 living alumni.



**Building Name Removal, UM**

UM President Joan Ferrini-Mundy provided information on the UM request for authorization to to remove Clarence C. Little's name from the campus building bearing his name. President Ferrini-Mundy commissioned a task force earlier this year to recommend whether to remove Clarence C. Little's name. The task force submitted its report on June 23, 2020 and unanimously recommended Little's name be removed. President Ferrini-Mundy accepted the task force's report and concurred with its recommendation. A new task force has been formed to recommend a replacement name. This group's recommendation is expected in late September 2020. The full report was provided to the Trustees in the meeting materials. President Ferrini-Mundy highlighted some of the key points in the report including his profound role in the eugenics movement in the United States, which sanctioned the identification and forced sterilization of individuals with undesirable characteristics. Additionally, he was the lead expert in the tobacco industry's attempt to hide the link between smoking tobacco and cancer. Overall the report concluded that:

“C. C. Little's name should be removed from Little Hall because major areas of his professional life violate the ideals that are central to the educational mission of the University of Maine and its commitment to the public good. A new name for the building is a significant opportunity to better align the campus landscape with the values of the university, a process that should include public commemoration of Little's career as well as information about the renaming process.”

This agenda item was first presented at the September 2, 2020 Finance, Facilities, & Technology (FFT) Committee meeting, where the Committee agreed to forward this item to today's meeting; however, the Trustee Committee members also decided that this was part of a bigger issue concerning Board Policy and the overall UMS protocol for selecting building names. It was recommended that a Board Working Group collaborate with UMS to evaluate and revise the UMS naming of building protocols and that the resolution be amended to reflect the Trustees concerns. Several Trustees who are also members of the FFT Committee reminded the full Board that this item was thoroughly discussed at the last FFT Committee meeting and that the decision to move it forward was not taken lightly. Chair Erwin stated that Board Policy 803 needs to be revised to address the constant evolution of knowledge and understanding and allow for changes to be made to reflect that knowledge.

On a motion by Trustee Riley, which was seconded by Trustee Bartholomew, and approved by a roll call vote of all Trustees present, the Board of Trustees acting under Section 6 of Board Policy 803, approved the recommendations of the Finance, Facilities, and Technology Committee to (i) authorize the University of Maine System, acting through the University of Maine, to remove Clarence C. Little's name from the building on the University of Maine campus which bears his name and (ii) charge a Board Working Group to consider the factors relied upon by the C.C. Little Hall Name Task Force in its June 23, 2020 report and recommendation for this name change and determine whether these factors or others should be expressly incorporated into Board Policy 803 to guide the Board's consideration of future naming recommendations of this nature.

**Rename the Emera Astronomy Building to the Versant Power Astronomy Center, UM**

UM President Joan Ferrini-Mundy provided information about the UM request for authorization to rename the Emera Astronomy Building to the Versant Power Astronomy Center. A \$3.2 million gift from an anonymous donor initiated the astronomy center's construction in 2013. The anonymous donor disclaimed the original naming rights. Emera, Inc. donated \$1 million to name the Emera Astronomy Center for twenty years. The Board of Trustees' September 24, 2012 approval of the name "Emera Astronomy Center" thus was set to end on the twentieth anniversary of its approval (2032). Emera, Inc. assigned the naming rights in its sale of Emera Maine to Enmax Corp. for the balance of 12 years of its

initial term. Enmax launched rebranding in March 2020 of its Maine holdings and Emera Maine is now Versant Power. Versant Power has agreed to cover the cost of rebranding the Emera Astronomy Center as the Versant Power Astronomy Center. Enmax will donate \$25,000 to cover the hard and soft cost of signage, letterhead, etc. Versant Power will donate \$10,000 to sponsor the purchase of a new planetarium show in February 2021. Versant will also cover the cost of the design of the new logo and a marketing campaign for the planetarium. In addition, Versant Power has agreed to fulfill Emera Maine's pledge balance of \$22,000 to the Prof. Richard C. Hill Power Engineering Scholarships in FY2021 and also continue its annual \$19,000 sponsorship of Black Bear Athletics.

On a motion by Trustee Donnelly, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Board of Trustees authorized the University of Maine System, acting through the University of Maine, to rename the Emera Astronomy Building to the Versant Power Astronomy Center.

### **CONSENT AGENDA**

On a motion by Trustee Martin, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the items on the Consent Agenda were unanimously approved by the Board of Trustees as follows:

#### **Acceptance of Minutes**

April 27, 2020 – Academic & Student Affairs Committee  
April 27, 2020 – Human Resources & Labor Relations Committee  
April 29, 2020 – Finance, Facilities, Technology Committee  
May 14, 2020 – Investment Committee  
May 14, 2020 – Audit Committee  
May 18, 2020 – Board of Trustees Meeting

The Board of Trustees reviewed the following agenda items as forwarded by the Finance, Facilities, & Technology Committee to the Consent Agenda from its meeting on September 2, 2020:

#### **Optical Network Equipment Refresh for the Northern Ring, UMS**

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee and authorized the University of Maine System to expend up to \$1,350,000 to replace optical network equipment in northern and downeast Maine with funding from existing sources derived from fees collected from non-UMS entities connected to the optical network along with previously allocated capital project funds to upgrade network equipment for UMM, UMFK and UMPI.

The Board of Trustees reviewed the following agenda items as forwarded by the Academic & Student Affairs Committee to the Consent Agenda from its meeting on September 14, 2020:

#### **New Academic Program Proposal: Bachelors of Science in Elementary Education, USM**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and authorized the creation of a B.S. in Elementary Education at the University of Southern Maine.

#### **New Academic Program Proposal: Bachelors of Science in School Health Education: Physical Education Concentration, UMF**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs

Committee and authorized the creation of a B.S. in School Health Education: Physical Education Concentration at the University of Maine at Farmington.

**New Academic Program Proposal: Masters of Science in Education in Mathematics Education, UMF**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and authorized the creation of a M.S.Ed. in Mathematics Education at the University of Maine at Farmington.

**New Academic Program Proposal: Bachelors of Science in Elementary Education, UMA**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and authorized the creation of a B.S. in Elementary Education at the University of Maine at Augusta.

**New Academic Program Proposal: Bachelors of Science in Secondary Education, UMA**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and authorized the creation of a B.S. in Secondary Education at the University of Maine at Augusta.

**New Academic Program Proposal: Masters of Science in Data Science & Engineering, UM**

The Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and authorized the creation of a M.S. in Data Science and Engineering at the University of Maine.

The Board of Trustees reviewed the following agenda items as forwarded by the Human Resources & Labor Relations Committee to the Consent Agenda from its meeting on September 14, 2020:

**Exception to Board of Trustee Policy 406, Section 7 – Emeritus Status**

The Board of Trustees accepted the recommendation of the Human Resources & Labor Relations Committee and granted an exception to Board Policy 406, as allowed by subsection 7 of the Guidelines for Emeritus status, to authorize the Dean of the University of Maine School of Law to confer Emeritus status on Former Dean Donald Zillman and Professor Lois Lupica.

**DISCUSSION ITEMS**

**System Long Range Planning Team Update.**

Chair Erwin stated that a UMS Long Range Planning Team has been established. The members of the Team include the following Trustees Erwin, Gardner, Riley and Donnelly, along with System Staff members Chancellor Malloy, Vice Chancellor Low, Vice Chancellor Placido, and COS Thelen. In the months ahead the team will have a series of discussions about assisting UMS campuses and creating alignment around the goals and benefits of unified accreditation, while addressing the System's long term financial needs.

**Unified Accreditation Update and Board of Trustee Policy 308 – Accreditation Discussion**

Chancellor Dannell Malloy, Vice Chancellor Placido, and COS Thelen provided an update of recent unified accreditation planning and matters, including the review of a proposed update to Board Policy 308 to reflect the System's attainment of unified accreditation. Chancellor Malloy stated that there have been ongoing conversations among System leadership and campuses to understand how unified accreditation will be used and can be incorporated in long and short term planning. He stated that unified accreditation will be considered in every action the System and campuses take moving forward and will allow UMS to

cross boundaries that were not possible before, to ensure that UMS students receive the best education at the most economical prices possible.

COS Thelen stated that over the next two years all members of the System such as university leaders, System leaders, faculty, and staff will be working together to formulate and launch a plan to operate together as one accredited body, while improving program efficiencies, collaboration, and academic programming. Throughout the next two years, the New England Commission of Higher Education (NECHE) will be checking in with UMS to track and guide unified accreditation progress. The first of these check-ins will be the NECHE confirming visit in late next Spring, where a small NECHE team will visit with UMS key leaders to evaluate whether UMS has made good progress towards achieving the plans laid out in the substantive change application provided to NECHE in June. The next step is for the System to provide information about the development and role of the UMS Faculty Governance Council and to prepare a report to show the steps UMS is taking to develop the Self Study that will lead to the NECHE comprehensive evaluation visit, scheduled for Fall 2022.

COS Thelen stated that discussion among Trustees at the Board's September 14, 2020 Academic and Student Affairs Committee suggested that proposed Policy 308 include a direction to consider and, where appropriate, incorporate unified accreditation principles in all future System and university-specific work on mission, strategic planning, and academic program review and approval. He explained that System leadership will work with UMS Presidents, Trustees, faculty and student representatives, and other constituencies to revise the current proposed language to address the Trustees' above-noted request and present revised language at the Board's next Academic and Student Affairs Committee meeting, with the intention to seek Board approval at the Board's November 2020 meeting.

### **EXECUTIVE SESSION**

On a motion by Trustee Eames, which was seconded by Trustee Collins, and approved by a roll call vote of all Trustees present, the Board of Trustees meeting went into Executive Session under the following provisions:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, employment and duties.
- 1 MRSA Section 405 6-C to discuss or consider economic development only if premature disclosure of the information would prejudice the competitive or bargaining position of the System.
- 1 MRSA Section 405 6-E to consult with its attorney concerning legal rights and duties of the university.

On a motion by Trustee Hustus, which was seconded by Trustee Eames, and approved by a roll call vote of all Trustees present, the Board of Trustees concluded the Executive Session.

Additional information about the meeting can be found on the Board of Trustees website:  
<https://www.maine.edu/board-of-trustees/wp-content/uploads/sites/12/2020/09/MtgMat-BOT-Sept-2020-revised-092520.pdf>

### **DATE OF NEXT MEETING**

The next meeting of the Board of Trustees will be held on November 16, 2020, via Zoom.

Adjournment

Heather A. Massey for  
Ellen N. Doughty, Clerk