

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

July 26, 2021
Zoom Meeting

Board of Trustees Meeting

- Present:** Mark Gardner, Chair; Kelly Martin, James Erwin, Trish Riley, Lisa Eames, Roger Katz, Beth Dobson, Peggy Rotundo, Emily Cain, Tim Doak, David MacMahon, Sven Bartholomew, and Michael Michaud. **Chancellor:** Dannel Malloy. **University Presidents & Law School Dean:** Glenn Cummings, Leigh Saufley, Joan Ferrini-Mundy, Ray Rice, Edward Serna, Becky Wyke, and Deborah Hedeem. **Faculty & Student Representatives:** Kennedy Rubert-Nason, Lisa Leduc, Patrick Cheek, Matthew Bampton, and Ameya Karapurkar. **System Staff:** Robert Placido, Ryan Low, Ellen Doughty, Dan Demeritt, Jeff St. John, Chip Gavin, Laurel Hyle, Rosa Redonnett, Tracy Elliott, Kim Jenkins, and James Thelen.
- Absent:** Pender Makin, James Donnelly, and Irene Neal.

Monday, July 26, 2021

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

EXECUTIVE SESSION

On a motion by Trustee Dobson, which was seconded by Trustee Rotundo, 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, evaluations, employment and duties.
- 1 MRSA Section 405 6-C to discuss the condition, acquisition or disposition of real property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the UMS.
- 1 MRSA Section 405 6-D to discuss planning for negotiations and communications with AFUM, UMPSA, ACSUM, Police, PATFA, and Service and Maintenance Units.

On a motion by Trustee Martin, 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.

PUBLIC SESSION

Following the Executive Session Trustee Gardner, Chair, reconvened the public meeting and welcomed everyone. He stated that the meeting was being held via Zoom and being live streamed to YouTube for the public. He explained that Governor Mills has allowed UMS to hold virtual Board meetings under the condition that roll call votes are taken for each action item. 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:

Charlie Cooper – Fossil Fuel Divestment

Ennis Marshall – Fossil Fuel Divestment
Belu Katz – Fossil Fuel Divestment
Robert Glover – UMS Covid-19 Vaccine Policies
Jordan LaBouff – UMS Covid-19 Vaccine Policies
Troy Fullmer – UMS Covid-19 Vaccine Policies
Rachel Fullmer – UMS Covid-19 Vaccine Policies
Marcy Fullmer – UMS Covid-19 Vaccine Policies
James Cook – UMS Covid-19 Vaccine Policies

After all citizen comment was finished, Chair Gardner thanked individuals who spoke during Citizen Comment and explained that for those who spoke about divestment in fossil fuels, Trustee Martin, Chair of the Investment Committee, would provide a brief statement addressing this issue during the Chair's report.

CHAIR'S REPORT

Chair Gardner thanked the UMS staff, faculty, and students for all of their hard work and efforts, especially throughout the pandemic and as they are preparing for a as normal as possible Fall semester.

UMS Strategic Planning

Chair Gardner stated that the UMS Strategic Planning Resolution that will be presented later in the meeting is the start of an important process to update the UMS Strategic Plan, which has not been updated in many years. He stated that he is looking forward to the work ahead on this project and working to incorporate the campus strategic plans into the overall UMS strategic plan. He explained that the appointment of an Ad Hoc Strategic Planning Committee of six Trustees will occur at the September 2021 Board meeting.

Appointment of Standing Committees – FY2022

Chair Gardner thanked the Trustee Committee Chairs for agreeing to serve in a leadership role. The Committee Assignments have been confirmed for FY2022 and a list was included in the meeting materials.

Fossil Fuel Divestment

Trustee Kelly Martin, Chair of the Investment Committee provided a brief statement concerning UMS fossil fuel divestment. Trustee Martin stated that the Investment Committee has been paying close attention to the concerns raised during Citizen Comment at the Board meetings. The Investment Committee is holding working sessions to discuss these concerns and develop a set of guiding principles for the Committee and the full Board that allows the Trustees to uphold fiduciary responsibilities, while providing guidance on how to invest in light of the global issues.

CHANCELLOR'S REPORT

Covid Update

Chancellor Malloy stated that UMS' response to the pandemic is guided by science and civil authority. He explained that the past two full semesters were successful in keeping covid positivity rates low and lower than the State of Maine's overall positivity rates. These low numbers were made possible by regular asymptomatic covid testing, masking requirements, social distancing, and the extraordinary efforts of the UMS faculty, staff, and students. Chancellor Malloy stated that the statements made by the public during Citizen's Comment concerning a vaccine mandate have been heard. He explained that UMS has been clear that when the vaccine(s) become FDA approved, full vaccination will be required at UMS to keep students, faculty, and staff safe, as well as the broader communities surrounding each campus. He

explained that some exemptions will be allowed for fully online students and people with medical and/or religious exemptions. People who will continue to work and learn on a campus with these exemptions will have to submit to weekly covid testing and will be required to wear a mask indoors. Chancellor Malloy stated that based on a survey of 14 hospitals throughout the U.S., 99.2% deaths related to covid in a two week period occurred in unvaccinated individuals. He stated that a large portion of the UMS staff and faculty members are vaccinated as well as increasing numbers in the student population. UMS is watching the delta-variant uptick very closely and Chancellor Malloy is prepared to make changes based on current circumstances to any protocols as necessary to keep the UMS community safe. Chancellor Malloy thanked Governor Mills and the legislature for their guidance and support throughout the pandemic.

VICE CHANCELLOR FOR RESEARCH AND INNOVATION REPORT

Vice Chancellor for Research and Innovation (VCRI) Joan Ferrini-Mundy provided the following UMS Research and Innovation update.

Maine Economic Improvement Funds (MEIF) Small Campus Initiative (SCI)

VCRI Ferrini-Mundy explained that the Small Campus Initiative (SCI) was created by UMS in 2009 to provide Maine Economic Improvement Funds (MEIF) to the five smaller campuses of the University of Maine System and to Maine Maritime Academy. 3% of the total MEIF allocations are dedicated to SCI and \$520,500 is available in FY2021. The UM Office of Research Development (ORD) assists the UMS VCRI with managing the SCI application and merit review process and provides direct assistance to grantees in their pursuit of follow-on funding. VCRI Ferrini-Mundy provided a brief overview of the 2021 MEIF SCI funded projects from UMFK, UMPI, UMA, and UMM.

UMS Research Reinvestment Fund (RRF)

VCRI Ferrini-Mundy explained that the purpose of the Research Reinvestment Fund (RRF) is to strengthen UMS Research, Development, & Innovation activities critical to the future of Maine. 2021 RRF Competitive Grant Programs for UMS Researchers include Covid-19 Rapid Response Grants, Research Network Planning Grants, Interdisciplinary Undergraduate Research Collaboratives, and the Maine Innovation Research Technology Accelerator. VCRI Ferrini-Mundy provided an overview of the projects that are funded by each of these grants. She explained that special emphasis encouraged applicants to focus on Research Learning Experiences (RLE), State Economic Recovery, and continuing the UMS Rural Health Grand Challenge.

State and Federal Highlights

Governor Mills' plan to invest State's share of \$1.1 billion in American Rescue Plan Relief (LD 1733) required legislative approval and focuses on recovery from pandemic, long-term economic growth and infrastructure revitalization. The plan proposes \$35 million over two years for one-time UMS workforce development and research investments. Additionally, the plan provides UMS other opportunities for funding partnership such as forest products and aquaculture innovation and healthcare workforce development. The Talent, Research & Innovation for Maine (TRI-Maine) initiative invests \$35 million in UMS infrastructure that is most critical to Maine's companies and communities, with a focus on strengthening heritage industries and rural regions. Shovel-ready capital projects and high-impact paid internships/RLEs are selected for their ability to rapidly advance recommendations of both the 10-year State plan and the Economic Recovery Committee. The VCRI office solicited and received several dozen congressionally directed spending/community-funded project proposals from across UMS. The proposals advanced for congressional consideration are based on alignment with four key areas of criteria. Additionally, extramural funding led the UM Faculty to secure \$3.4 million in June, through two Health Resources and Services Administration (HRSA) awards to address state healthcare workforce needs.

VICE CHANCELLOR FOR ACADEMIC AFFAIRS' UPDATE

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

Faculty Spotlight

UMFK Assistant Professor of Chemistry Dr. Kennedy Rubert-Nason provided a presentation regarding transforming the global change experience through inclusive science engagement initiative. The synergistic goals of this initiative coincide with the UMFK Mission and the UMS Imperative for Change initiative. The program provides compassionate, inclusive learning experiences for future healthcare workers, Earth stewards, leaders and makers. It boosts resilience building by raising awareness, increasing science literacy, and promoting science-based solutions to global change threats. The program supports “green” jobs, confers technical skills, develops socio-emotional, multicultural, and leadership skills. It supports students’ immediate socio-emotional needs due to the pandemic. Transformative learning through inclusive engagement in science is foundational and based on advanced coursework in general chemistry, limnology, and biochemistry. It is interwoven with experiential learning through paid internships and independent and directed study courses that is grounded in social and learning theories. Current and planned program initiatives are geared to support student success and engagement; develop a computational tool to rapidly detect changes in forest health; predict how climate change impacts tree health; and support the local community. Dr. Rubert-Nason provided an overview of the ways in which this program is fusing Indigenous and Western knowledge systems in the tide of global change. Webinars address the intersectionality of Wabanaki and contemporary Western science perspectives on global change. Additional work to build relationships among Wabanaki cultural knowledge keepers, young environmental stewards, and faculty is also underway. Dr. Rubert-Nason provided an overview of the program initiatives to predict forest health from remotely-sensed hyperspectral images and understanding how climate change affects trees. He provided information on two new tools that the students in the program are able to use to receive hands-on training. The new tools are the Licor-6800 photosynthesis analyzer, which evaluates how environmental stress affects plant physiology and the Shimadzu LC-2030 HPLC, which separates and quantifies dissolved chemicals. Dr. Rubert-Nason explained how the students are helping the local community overcome a water quality challenge caused by frequent algal blooms due to phosphorus contamination. Additionally, he provided information on a collaborative proposal with UMFK, UM, and Colorado State University regarding citizen science technologies for STEM education in comparative forest ecology.

USM Programs for Examination (PFE)

USM Executive Vice President for Academic Affairs & Provost Jeannine Uzzi provided an overview of the USM Programs for Examination. USM’s program inventory includes 53 Undergraduate Majors, 26 Master’s Degrees, 5 Doctoral Programs, 29 Graduate Certificates and Certificates of Advanced Study and 10 Accelerated Pathways. Programs of distinction include Applied Digital Sciences, Public Health, Music and the Arts and Education. USM has identified Art and Design; Digital Sciences and Technology; Engineering; Music; Nursing and Interprofessional Education in Allied Health Fields; and Public Health and Policy as strategic growth areas. 16 programs have been identified to maintain their current level of engagement. USM is recommending that all Lewiston/Auburn College (LAC) programs move to the academic administration of other colleges. Additionally, USM will transform or transition the programs of Women & Gender Studies; English; Tourism & Hospitality; and Recreation & Leisure, in order to give them renewed life. USM is recommending to sunset the Natural and Applied Sciences program as well as the Master of Science in Gifted and Talented Education program.

Trustee Eames asked if anyone in the System is looking at programs that are in jeopardy of being eliminated to see if they are doing well at other campuses and if it makes sense to collaborate amongst the

campuses to save a program through the use of unified accreditation. VCAA Placido explained that this type of strategic academic programming has been in the works for almost three years and now with the use of unified accreditation and a unified program catalog, UMS is able to start looking at the programs with this perspective.

UMF Programs for Examination (PFE)

UMF Vice President of Academic Affairs and Provost Eric Brown provided an overview of the UMF Programs for Examination. UMF's program inventory includes 38 bachelor's degree programs, 5 undergraduate certificates, 12 graduate certificates, the Maine Mathematics Coaching Program, and 6 graduate programs. UMF's 2021 Strategic Plan is continuing to shape the program portfolio. They will expand online offerings, including growth in other markets such as Early College and Adult Learning. They will bolster experiential learning and reimagine and reframe liberal arts programs for the current workforce. Additionally, there is the potential conversion of the UMF core curriculum from 4 to 3 credits in discussion. In October 2020, UMF Academic Affairs undertook a self-study of curricular efficiency across all divisions, including graduate studies, for Academic Years (AY) 2021-22 and 2022-23. This was informed by a Gray Associates study and workshop that identified areas of inefficiency. Adjustments to the Spring 2021 schedule also followed a more selective approach to enrollment evaluation and program need. As a result, 18 class sections were cancelled this Spring resulting in a savings of \$64,010 to \$83,083 in part-time and overload salaries, depending on replacement costs. This represents as much as a 27% overall savings on the FY2021 Part-time/Overload (PT/OL) budget. As new cycling plans are implemented consistently for AY 21-22 and AY 22-23, outcomes include immediate reduction of approximately 28 course offerings for FY2022. This will directly impact the PT/OL budget by requiring fewer overloads and increasing coverage of courses previously assigned to part-time instructors. Replacement/overload costs are estimated to be \$5,000 per course, which would equate to \$140,000 in savings. UMF has identified International and Global Studies as an area of strategic growth due to steady enrollment and the potential to provide this type of international study to in-state students. An online version of the program was offered in Summer 2020 and is scheduled to be offered again in Summer 2021. This online course is marketed for UMF students, early-college students, and students across the system. Other initiatives include a collaborative Nursing program with UMA and increased Summer 2021 course offerings, including a group of highly focused one- and two-credit technical courses.

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

Vice Chancellor for Finance and Administration (VCFA) & Treasurer Ryan Low provided the following update.

Investment Update

The Managed Investment Pool has a current market value of \$440 million. It experienced a gain of 1.1% for the month of May, with a fiscal year to date return of 25.9%. The Pension Plan has a current market value of \$25 million. It experienced a gain of 1.1% for the month of May, with a fiscal year to date return of 14.8%. The Operating Fund has a current market value of \$291 million. It experienced a gain of 0.4% for the month of May, with a fiscal year to date return of 7.5%. Net investment revenue saw a gain of 0.2%, bringing it to \$22 million for the fiscal year to date, which is nearly \$19 million over the FY2021 investment income budget.

Budget Update

VCFA Low provided some preliminary data for the FY2021 year-end budget. He reminded the Board that UMS started FY2021 with a projected \$16 million gap. Over the course of the fiscal year the \$16 million gap continued to consistently grow, causing UMS to forecast a nearly \$30 million gap by fiscal year end. Thanks to the infusion of at least three federal resources, some State support, campus resources,

and budget reduction initiatives, UMS is potentially looking at closing the year end with a substantially smaller gap than previously forecasted \$30 million. Adjustments will continue for at least a few more weeks, so final numbers are not available just yet. VCFA Low stated that he will be providing additional details on the FY2021 year-end budget at the next Finance, Facilities, & Technology Committee and full Board of Trustee meetings. He explained that federal funding has been absolutely necessary to help UMS mitigate the budget gaps in FY2021 and FY2022. The federal funds provided have very specific covid pandemic related spending requirements. Some funds will go to upgrading for distance learning, covid testing costs, personal protective equipment (PPE), and capital expenditures to improve infrastructure related to making campus building more safe through the pandemic such as adding ventilation where needed. Other funds can be used, if UMS is able to show that there is lost revenue due to the pandemic. It is an intricate process to prove the lost revenue, but once funds are approved, UMS has much more flexibility in how these funds are spent. VCFA Low and his team are working with the campuses to collect the data required to prove lost revenue funds are needed. A single System-wide methodology to secure lost revenue funds is currently being developed.

ACTION ITEMS

UMS Strategic Planning Resolution

Chair Gardner explained that Board Policy 301 calls for strategic planning by both the System and individual universities on a five-year cycle. The Board last oversaw a comprehensive System-wide strategic planning process in 2004. The passage of time since the last UMS strategic plan, the changed strategic and demographic landscape facing UMS and higher education nationally, the advent of unified accreditation, and the continuing and increasingly urgent need for clear strategic priorities and associated strategies to guide the Board, System, and university leadership in decisions concerning the allocation of time, budgeted resources and capital expenditures, has lead the Chair to propose that the Board charge the Chancellor to lead the System, acting with appropriate consultation with the Board and through the UMS university presidents, Maine Law Dean, and System leadership, to create a new UMS strategic plan.

Chair Gardner asked Trustee Erwin and Trustee Riley, who are also members of the Long Range Planning team, if they had any additional comments they would like to provide. Trustee Erwin stated that forming a System-wide strategic plan is very important for the Chancellor to complete, especially with all of the challenges facing UMS at this time. He explained that even with these challenges, this is a great time of opportunity for the System to develop this strategic plan. Trustee Erwin stated that several factors make this an opportune time for the System to update the strategic plan including the emerging digital economy that Maine is poised to capitalize on; the UMS Harold Alfond Foundation Grant; the strong leadership at both the System and campus level; and the adoption of unified accreditation. Trustee Erwin explained that this will be a Chancellor/System lead initiative and that the Board would not be developing the System strategic plan. The Chancellor will work with internal and external key stakeholders that will benefit from the success of the System such as campus leadership, civic leaders, non-profits and employers from around the state. Trustee Erwin thanked Chancellor Malloy, Vice Chancellor James Thelen, Trustee Gardner, Trustee Donnelly, and Trustee Riley for working with him on the Long Range Planning Committee and helping to develop the resolution before the Board today. Trustee Riley stated that overall the strategic plan needs to identify what a high quality, affordable, public higher education institution for the future looks like and how UMS gets there. She explained that it will be imperative to look at UMS academic programming and determine where the programs of distinction are in order to bolster those initiatives, while at the same time looking for areas of collaboration and redundancy. Trustee Riley stated that the campuses will need to align their strategic plans with the System-wide strategic plan in order to provide a high quality education that meets global needs and expectations at the most affordable price possible.

Chancellor Malloy stated that the resolution before the Board today is an essential first step in taking on the very important and large task of developing a System-wide strategic plan. He explained that many people across the System and the State will have a hand in the successful completion of the plan. He stated that any strategic plan that is presented will need to be fully vetted with the UMS faculty, staff, and students, the State, and the business community that UMS serves. Chancellor Malloy explained that the work on the strategic plan will be playing out at the same time that System leadership and representatives from all System universities and Maine Law are fully engaged in the significant work of preparing a self-study assessment report for NECHE.

On a motion by Trustee Erwin, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Board of Trustees directed the Chancellor to prepare and submit for Board approval a new Strategic Plan for the University of Maine System that articulates a financially sustainable five-year vision for UMS, sets clear priorities with measurable outcomes, and identifies the primary strategies that will achieve those outcomes.

The following parameters should guide the Strategic Planning work pursuant to this Charge:

1. Strategic Planning process: As soon as reasonably practical after receiving this Charge, and if possible at the Board's regular September 2021 meeting, the Chancellor will present the Board with a recommended process and timeline for the preparation of a System strategic plan that fully satisfies all of the components of this Charge.
2. The Plan should be developed by the Chancellor in close collaboration with the University Presidents and Maine Law Dean, with broad input from stakeholders on all campuses, representative Maine employers and professional associations, and political and community leaders, in accordance with the higher education public policy of the State of Maine as set forth in statute, the University of Maine System Mission as set forth in Board Policy 301.1, Board Policy 301 and its associated APL X-A, and other relevant Board policies, such as those governing shared governance, academic freedom, and freedom of speech.
3. The Board acknowledges that individual universities have strategic plans at various stages of development or implementation, and that university strategic plans play a fundamental role in university-level budget building, priority-setting, and university presidential leadership and accountability. The Strategic Plan developed for the System should guide and incentivize the universities to act together in strategic coordination to refine, align and fulfill their individual missions in ways that support and advance the System's mission and strategic plan.
4. Strategic Plan content considerations: The draft Strategic Plan should include the following elements:
 - a. A Vision for UMS in five years
 - b. A reasonable number of measurable outcomes or goals that reflect the highest priorities for the University of Maine System during the period of the Strategic Plan.
 - c. Two to four major, System-wide strategies for each goal that build on existing university and System initiatives when possible
 - d. Updated Key Performance Indicators (as needed) that measure progress toward achievement of the goals, and provide objective means of accountability from the Board, Chancellor, and System and university leadership to the UMS Strategic Plan.
5. The Board's role will be as follows:

- a. To review the Chancellor's proposed process and timeline for Strategic Plan development and monitor progress Plan development by regular reports from UMS leaders to appropriate Board committees and to the Board as a whole at its regularly scheduled meetings
- b. To participate in the input-gathering stage of the Strategic Plan development process to ensure that the Board members' perspectives on vision and strategic priorities for governance of the System and achievement of its mission are primary considerations to be reflected in the Strategic Plan
- c. To receive for its consideration a summary of all stakeholder and public input on the draft Strategic Plan, and to conduct such additional meetings as deemed necessary to fully consider all such input and discuss the proposed Plan before acting to adopt the plan
- d. To review, consider for approval, and adopt the Strategic Plan at a regularly scheduled public meeting

The Board otherwise defers to the Chancellor regarding the process and the content of the draft Plan.

6. Consulting assistance: The Board strongly supports the engagement of such outside resources and deployment of such internal staff and resources as may be necessary to support, advise and assist the Chancellor with the planning process and development of the Plan.

The process and Plan development should take into account, but not be limited to, at least the following:

1. State of Maine Post-Secondary Education Policy as set forth in 20-A MRS § 10902
2. The University of Maine System Charter, in particular Board Policy 102, section 1-A.
3. Current data, projections, studies, trends, and other relevant information, at the regional, national, and global levels, including without limitation emerging best practices and business models, demographics, higher education enrollment, innovations and impacts in delivery models for higher education, affordability, and market demand for skills and knowledge in the information economy.
4. The State of Maine's 10-year Economic Plan and The Maine Economic Recovery Plan
5. The Board's 2016 Primary and Secondary Outcomes
6. The Board's 2018 Declaration of Strategic Priorities to Address Critical State Needs, and the reports prepared and actions already taken thereunder
7. The Guiding Principles and January 27, 2020 Board Resolution under which the System is pursuing the implementation of unified accreditation
8. NECHE's Standards for Accreditation and the current process underway across the System to prepare a self-study report for NECHE in connection with its planned Fall 2022 Comprehensive Evaluation of the System's unified accreditation, so that the Plan is informed by the self-study and consistent with the Standards for Accreditation and NECHE's areas of focus in subsequent reaccreditations
9. The UMS TRANSFORMS programs and initiatives funded by the October 2020 Harold Alfond Foundation grant:
 - a. The Maine College of Engineering, Computing and Information Science
 - b. The three Student Success and Retention initiatives: Research Learning Experience, Gateways to Success, and Pathways to Careers
 - c. The University of Maine Graduate & Professional Center
 - d. Division 1 Athletics, including gender equity and the use of UMaine athletic facilities for extracurricular student activities, student recruitment, high school and community events and competitions, and other competitive collegiate activities for other System universities

10. Strategic initiatives already underway, including by way of example only
 - a. The System's Imperative for Change and related commitments to social justice and Diversity, Equity, and Inclusion
 - b. The pursuit of the goals established by the July 15, 2019 Report of the Committee to Advise on the Future Direction of the Law School
 - c. Programs for examination
 - d. The unified catalog initiative
 - e. Repaving MaineStreet investments and expected outcomes
 - f. The System's five-year priority capital needs and commitment to funding depreciation
 - g. Multi-campus collaborations planned or underway with respect to courses, programs and administration
 - h. Initiatives to enhance research and external funding opportunities UMS-wide and to build a solid financial model for research at the System flagship research university
 - i. The vital partnership between the University of Maine System and the Maine employer community, with the mutual goals of sustained engagement to maintain the competitive marketplace relevance of the UMS academic program, strengthen the workforce competencies and employability of UMS graduates, and enhance talent acquisition and job advancement
11. Opportunities to improve access and efficiency through collaboration with other educational institutions, including in particular the Maine Community College System and Maine Maritime Academy, through shared use of facilities and other resources and in academic programming.
12. External stakeholder input (employer, community, political leadership, foundations, etc.)

Confirmation of Boards of Visitors Appointments

On a motion by Trustee Eames, which was seconded by Trustee Doak, and approved by a roll call vote of all Trustees present, the Board of Trustees confirmed the Boards of Visitors' appointments for 2021-2022, as presented.

Proposed Changes to Board of Trustee Policy 501 Student Conduct Code

UMS Associate Vice Chancellor (AVC) for Student Success and Credential Attainment, Rosa Redonnett and UMS Deputy General Counsel and Chief Compliance Officer Laurel Hyle provided an update on the Student Conduct Code. The UMS Student Conduct Code applies to the entire University of Maine System. As mandated by Board Policy 501, the Code is reviewed and updated every three years, and is ultimately approved by the Board of Trustees. The last regular review occurred during the spring of 2018, with Board approval at the March 19, 2018 Board meeting. In keeping with the University of Maine System Board Policy approval process, the recent updates to the Student Conduct Code received a first read at the May 3, 2021 Academic & Student Affairs (ASA) Committee meeting and the May 24, 2021 Board of Trustees Meeting. It was also reviewed a second time at the July 12, 2021 ASA Committee meeting, where the Committee agreed to forward it to today's meeting. This year's review includes fundamental changes to the Code. Some of the key updates to the Code include adding a student rights and responsibilities section, aligning academic misconduct violation definitions with Board Policy 314 - Academic Integrity, alternative resolution name change, adding an administrative resolution section, and adding an interim measures or action hearing to align with case law. Two potential hearing formats have been added. There is also two levels of appeal – the appeal panel and the presidential appeal. Revisions to the Code were also made based on stakeholder feedback.

The changes made to the Code since the last reading are mostly focused on formatting, grammar, and wording suggestions from the UMS Diversity, Equity, and Inclusion team. Deputy General Counsel and Chief Compliance Officer Hyle explained that outside counsel has reviewed the Code specifically related

to Title IX; the review of the code has also been taken into account - where UMS can have flexibility, and where UMS is required to adhere closely to the federal regulatory and legal landscape. The Student Conduct Code dovetails with Board of Trustee Policy 402. It is anticipated that there may be changes to Title IX under the new administration, which may require the UMS to update our practices. She explained that the plan is to have the current version of the Code approved by the Board at today's meeting, so that implementation is possible for the return of students this Fall. After implementation in Fall 2021, a small group will be formed to include General Counsel Staff, Trustees, and other key stakeholders to review the Code over the next year to review a variety of concerns, with a specific lens on due process and the intersection with Board Policy 402.

Trustee Erwin stated that with changes in federal level administration, it can be difficult to navigate through changes made to federal level policy, especially in the area of Board Policy 402 and Title IX. He commended the group that has been working on the Student Conduct Code for their hard work on staying compliant with federal policy, while at the same time making sure that UMS is doing its best to protect the rights of all of its students involved in these cases. He stated that he would like to be involved in the small group meetings that will be addressing these issues over the next year. Trustee Katz echoed Trustee Erwin's comments and stated that one of his biggest concerns is the challenges that the respondent faces in these matters. He stated that he is also interested in taking part in the ongoing discussions over the next year.

On a motion by Trustee Doak, which was seconded by Trustee Eames, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee, and approved the proposed changes to Board of Trustee Policy 501 - Student Conduct Code, to go into effect August 1, 2021.

Confirmation of Faculty & Student Representatives to the Board of Trustees

UMA President Rebecca Wyke and USM President Glenn Cummings provided a brief introduction for their proposed candidates for Faculty Representatives to the Board as follows:

Patrick Cheek, UMA, – appointed for a one year term – July 2021 to July 2022

Matthew Bampton, USM – reappointed for a one year term – July 2021 to July 2022

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

Adaptive Reuse of Coburn and Holmes Halls – Public Private Partnership Authorization, UM

UMS Vice Chancellor for Research and Innovation & President of the University of Maine (UM) Joan Ferrini-Mundy, and Vice President for Innovation and Economic Development Jake Ward provided information on the request to complete negotiations and enter into a Definitive Agreement for a public private partnership (P3) with Radnor Property Group LLC (Radnor or Developer) for the reuse of Coburn and Holmes Halls. Coburn and Holmes Halls are designed historic buildings at UM. Both buildings have been vacant since 2009 and are in need of significant investment in maintenance and accessibility upgrades. The deferred maintenance for both buildings is \$10 to \$12 million with \$100,000 annually to heat and minimally maintain the buildings. In October of 2019, UM/UMS engaged Brailsford & Dunlavey to analyze the market potential for private investment for the adaptive reuse of the buildings. Their initial assessment was finalized in May 2020. The Request for Qualification (RFQ) process was outlined and 4 developers were invited to response to the Request for Proposal (RFP). The UM/UMS core team evaluated and scored the 4 proposals and the team made the award to Radnor Property Group.

The terms of engagement with Radnor are Coburn and Holmes Halls will be leased to Radnor for 99 years for the construction and management of an 87 room boutique hotel. If Radnor opts to sell the asset, UM/UMS will have the right of first refusal for purchase. The asset will return to UM/UMS after 99 years in “first-class condition”. UM/UMS will have the option to buyout the Project at 75 years and the parties will work to identify additional buyout times that will be identified in the definitive agreements. Radnor brings a combined \$17.2 million in total investment (including tax credits) to the Project and if the Project is not awarded New Market Tax Credits, UM would have to fund the \$1.7 million. UM will guarantee if the Project does not achieve the underwritten net operating income, UM will fund the gap up to a cap for the first year of operation of \$450 thousand. The UM guarantee will cease after 25 years.

This arrangement has many benefits for UM. A private company will be running the business and investing in UM. The two beautiful, historic buildings will be converted into useful assets for the UM community. It will be the first on-campus hotel for any UMS campus. It will provide quality, on-campus accommodations for people visiting UM for work, athletics and entertainment purposes. There are multiple revenue streams for the Project: annual lease payment of \$30 thousand increased by 5% every 5 years, catering and event revenue for Auxiliary Services and upside revenue sharing if the projected net operating income is exceeded.

On a motion by Trustee Cain, which was seconded by Trustee Michaud, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee and authorized the University of Maine System acting through the University of Maine to continue due diligence toward a public private partnership through a 99-year ground lease and Definitive Agreement with Radnor Property Group, LLC for the building redevelopment of Coburn Hall and Holmes Hall, a 24,800 square foot addition to Holmes Hall, but subject before final approval to the normal capital spending thresholds established by Trustees and further subject to review of updated terms and conditions by the Committee at its September 15, 2021 meeting or other future meeting(s) as circumstances warrant.

Resolution for Rebecca M. Wyke

Chair Gardner stated Dr. Rebecca M. Wyke will complete her service as President of the University of Maine at Augusta at the end of the Summer and a resolution for Dr. Wyke is being presented to the Board today for adoption. She has served as the President of the University of Maine at Augusta since July 1, 2017. Dr. Wyke joined UMS as the Vice Chancellor for Finance and Administration and Treasurer in 2008. She served as Interim President for the University of Maine at Augusta in 2015-2016 and was appointed as President of the University of Maine at Augusta in 2017. Dr. Wyke has been a dedicated public servant and a caring higher education leader who has always put the interests of her students, faculty and staff first and the University of Maine System and the University of Maine at Augusta have benefited greatly from her leadership. Trustees Katz, Rotundo, and Cain made comments about Dr. Wyke’s excellent work as the UMA President and wished her well in her new position with the Maine Public Employees Retirement System. Dr. Wyke stated that it has been an honor to serve this Board including the Trustees that have come and gone from it and three UMS Chancellors. She stated it was also a pleasure to work alongside the wonderful Presidents at each UMS campus and the faculty, students, and staff at UMA.

On a motion by Trustee Riley, which was seconded by Trustee Katz, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the following resolution to express

appreciation to Rebecca Wyke for her leadership and dedication to the University of Maine System:

Whereas, Rebecca M. “Becky” Wyke has served as the President of the University of Maine at Augusta since July 2017;

Whereas, Dr. Wyke joined the University of Maine System as Vice Chancellor for Finance and Administration and Treasurer. She also served as Interim President for UMA in 2015-2016;

Whereas, as Vice Chancellor, her major focus of work was the long-term financial sustainability of Maine’s Public University System and System-wide reforms in the areas of human resources, information technology, strategic procurement and facilities management to improve efficiency and effectiveness. It was her energy and “can do” attitude that was instrumental in the success of these efforts;

Whereas, Dr. Wyke has focused her presidency on improving student outcomes, enhancing academic program offerings, building community and fostering a culture of inclusion. She oversaw the first student residential experience at UMA and established the first master’s level program at UMA in cyber security. She also serves as an adjunct faculty for the Public Administration Program at UMA and has taught for the Muskie School of Public Service at USM;

Whereas, Dr. Wyke as Vice Chancellor, made extreme sacrifices of her own personal time to acquire a doctorate in Higher Education Management from the University of Pennsylvania. She also holds a Masters of Public Administration and a Bachelor of Arts in Political Science from UM;

Whereas, Dr. Wyke, has been a dedicated public servant and a caring higher education leader who has always put the interests of her students, faculty and staff first. She has been a trusted mentor for many UMS colleageaus;

Whereas, Dr. Wyke will complete her service as President of UMA at the end of the summer to return to state government to run the Maine State Retirement System and the management of over \$16 billion in retiree and vested employee money. Maybe we should call her the sixteen billion dollar woman;

Now, therefore, be it known to all that we, the University of Maine System Board of Trustees, offer our most sincere gratitude, thanks, and best wishes to Rebecca Wyke for her outstanding contributions to the quality of higher education in Maine.

Approved on the 26th day of July 2021, by the University of Maine System Board of Trustees, acting as stewards of Maine’s public universities and their nearly 30,000 students, 5,000 employees and more than 200,000 living alumni.

CONSENT AGENDA

On a motion by Trustee Gardner, which was seconded by Trustee Bartholomew, 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:

Board of Trustees Meeting
July 26, 2021

Acceptance of Minutes

May 5, 2021 – Finance, Facilities & Technology Committee
May 17, 2021 – Investment Committee
May 17, 2021 – Audit Committee
May 24, 2021 – Board of Trustees Meeting
June 14, 2021 – Finance, Facilities & Technology Committee
June 25, 2021 – Special Board of Trustees Meeting
July 12, 2021 – Academic & Student Affairs Committee
July 12, 2021 – Human Resources & Labor Relations Committee
July 15, 2021 – Finance, Facilities & Technology Committee

DISCUSSION ITEMS

Unified Accreditation Update

Associate Vice Chancellor (AVC) for Strategic Initiatives Jeff St. John provided an update on the UMS unified accreditation progress. AVC St. John stated that to the fullest extent possible, the work being done on the New England Commission of Higher Education (NECHE) self-study will be reported out to the team working on the System-wide strategic plan in order to provide cohesion between the two documents. AVC explained that the self-study is comprised of three layers. The first layer of the self-study is to show that UMS is compliant with all nine NECHE standards, while operating under unified accreditation. The second layer of the self-study is to respond to feedback NECHE has provided to UMS that pointed out areas that needed improvement. This feedback derives from the letters received from NECHE after the initial approval of unified accreditation and the recent Spring visit. The third layer of the self-study is to describe and appraise work that UMS is doing on important strategic initiatives that have been self-identified, such as System-wide Strategic Plan the Board proposed today. The self-study must be completed by late Spring or very early Summer of 2022, so that it can be submitted to NECHE before the Fall 2022 visit.

Additional information about the meeting can be found on the Board of Trustees website:
<https://www.maine.edu/board-of-trustees/meeting-agendas-materials/board-of-trustees/>

DATE OF NEXT MEETING

The next meeting of the Board of Trustees will be held on September 27, 2021.

Adjournment
Heather A. Massey for
Ellen N. Doughty, Clerk