

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

September 27, 2021
Zoom Meeting

Board of Trustees Meeting

Present: Mark Gardner, Chair; James Donnelly, Vice Chair; Kelly Martin, James Erwin, Pender Makin, 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, Joe Szakas, and Deborah Hedeem. **Faculty & Student Representatives:** Kennedy Rubert-Nason, Lisa Leduc, Patrick Cheek, Dan Jenkins, Dmitry Bam, and Ameya Karapurkar. **System Staff:** Robert Placido, Ryan Low, Ellen Doughty, Dan Demeritt, Jeff St. John, Chip Gavin, Laurel Hyle, Rosa Redonnett, Carolyn Dorsey, Loretta Shields, Sam Warren, Tracy Elliott, Kim Jenkins, and James Thelen.

Absent: None.

Monday, September 27, 2021

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

EXECUTIVE SESSION

On a motion by Trustee Michaud, which was seconded by Trustee Donnelly, 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.
- 1 MRSA Section 405 6-E to consult with its attorney concerning legal rights and duties of the university.

On a motion by Trustee Donnelly, 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 this Board meeting was being held virtually, in accordance with the Board of Trustee Policy 215 – Remote Public Meetings. The Trustees participating by technology will be counted towards a quorum. To confirm Trustee attendance and to ensure the Trustees are able to clearly hear and understand the proceedings and each other, the Clerk performed a roll call of the Board of Trustees members 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:

- Leo Rubin – Fossil Fuel Divestment
- Zoe Pavlik – Fossil Fuel Divestment
- Ryan O’Leary – Fossil Fuel Divestment
- Charlie Cooper – Fossil Fuel Divestment
- Ennis Marshall – Fossil Fuel Divestment
- Guy Vegas – Fossil Fuel Divestment

CHAIR’S REPORT

Fossil Fuel Divestment

Trustee Kelly Martin, Chair of the Investment Committee provided a brief statement concerning UMS fossil fuel divestment. Trustee Martin stated that she, Vice Chair Donnelly, UMS Vice President for Finance & Controller Tracy Elliott, UMS Chief General Services Officer Chip Gavin and Kelly Regan from NEPC met with the Divest UMS group for an informational dialog earlier this month. She explained that the group had a great discussion and that the Divest UMS students were provided an opportunity to express their concerns. During the meeting with Divest UMS, Mr. Gavin provided an overview of the many ways UMS has been working to reduce its carbon footprint and Ms. Regan provided more detailed information about the System’s history of fossil fuel divestment for the attendees. Trustee Martin thanked the Divest UMS group and the students before them involved in this initiative for their moral imperative to affect change. The Investment Committee will continue to discuss fossil fuel divestment at future meetings. At the November 15th Board of Trustees meeting, the Investment Committee will present a set guiding principles that allows the Trustees to uphold fiduciary responsibilities, while providing guidance on how to invest in light of the global climate change issues.

Engagement with the Faculty & Student Representatives to the Board

Chair Gardner stated that he is hopefully that the November 14-15, 2021 Board of Trustees meeting will be an in-person meeting at Orono. If that is the case, the Board would like an opportunity to engage with the Faculty & Student Representatives to the Board of Trustees on Sunday afternoon for a dialog on student success. Additionally, during the Board meeting on Monday, the Board will have this same dialog with the Presidents, Dean of the Law School and System Leadership to expand on the issues raised with the Faculty & Student Representatives. Chair Gardner stated that he looks forward to this engagement and encouraged all of the Faculty and Student Representatives to participate in the dialog to provide an opportunity to learn about stakeholders’ perceptions of student needs and expectations and to provide understanding about how the Faculty & Student Representatives envision their role in helping students succeed.

Fall Semester 2021

Chair Gardner thanked the UMS faculty, staff, students, and administration for all of the hard work to make sure that the Fall 2021 semester is as close to a normal college Fall semester experience as possible, while working through the challenges of the pandemic.

Finance, Facilities and Technology (FFT) Committee Chair Change

Chair Gardner explained that Trustee Donnelly who had been serving as the Chair of the FFT Committee had his last meeting as Chair of that Committee this month. Trustee Donnelly has offered to step down as Chair of the FFT Committee to focus on his new role as Vice Chair of the Board and to allow another Trustee an opportunity for a leadership role. Trustee Riley will take over as Chair of the FFT Committee

starting on October 1st. He thanked Trustee Donnelly and Trustee Riley for their continued dedication to the University of Maine System.

CHANCELLOR'S REPORT

Chancellor Malloy thanked UMS faculty, staff, students, and administration for a remarkable return to campus for the Fall 2021 semester. He stated that the success of the Fall semester so far is possible due to the many people who made extraordinary efforts to make sure the students could return to campus with as normal of an experience as possible. He explained that the rapid increases in positive covid cases in Maine due to the delta variant forced the System to require masks at least for the time being so that students can remain on campus and have an in person semester as safely as possible. Chancellor Malloy reminded the Trustees that UMS did institute a vaccine mandate, which requires students who wish to attend classes on campus to receive the covid vaccine or to register a qualified exemption and submit to weekly covid testing. As of last Friday, 96.7% of UMS residential students, 84.7% of non-residential students, and 84.1% of UMS faculty and staff have submitted the required verification of full covid vaccination. Chancellor Malloy stated that UMS was able to reach agreements in line with OSHA requirements with all of the unions representing the UMS employee base. The trend of increased graduate and decreased undergraduate enrollment has continued this semester, which is in line with other State and New England higher education institutions.

UMS has been working on collective bargaining with the labor unions and have reached agreements with several of the unions, which are on the agenda for approval at today's meeting. Additionally, UMS is continuing the path forward on unified accreditation efforts and has been working closely with the New England Commission of Higher Education (NECHE) to prepare the self-study that is due in Summer 2022, prior to NECHE's Fall 2022 visit.

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:

FY2022 UM Research Affiliates Pilot Program

The FY2022 UM Research Affiliates Pilot Program launched on July 2021 with 24 UMS researchers participating in the inaugural cohort. The program is designed to coordinate research and research learning opportunities within UMS, facilitated by recognized cohorts of researchers working together. Another goal of the program is coordination of expertise for interdisciplinary research and development of research and academic partnerships to increase engagement with local, state, and federal government sponsors. Additionally, the program will enhance external funding potential, creating new revenues for UMS and broadening the portfolio of externally-sponsored projects.

Externally Sponsored Funding

The VCRI Office is poised to release a call for information to campus leadership related to extramural funding activity. This request addresses the research data governance recommendation in the UMS Research & Development plan and will aid in reporting for UMS TRANSFORMS.

UMS/UMaine Research Computing Planning Task Force

The UMS/UMaine Research Computing Planning Task Force is being developed and representatives from campuses across the university system will be selected to participate in this effort. Participants will contribute to definition of scope, evaluation, and assessment of existing research computing resources available to support the UMS-wide research community. Additionally, they will research current research computing governance models in place at major research universities and systems across the United

States. Vice Chancellor Ferrini-Mundy and Vice Chancellor Ryan Low are executive sponsors for the task force.

Maine Jobs & Recovery Plan

The Maine Jobs & Recovery plan is Governor Mills' plan to invest State's share of \$1.1 billion in American Rescue Plan Relief (LD 1733). The plan focuses on recovery from pandemic, long-term economic growth and infrastructure revitalization. The plan will provide \$35 million over two years for one-time UMS workforce development and research investments. UMS will collaborate with State officials on implementation.

Additionally, Vice Chancellor Ferrini-Mundy provided an overview of the Fall semester focus areas for research and innovation and extramural funding information that included UM National Science Foundation CAREER awards for UM Assistant Professors Sheila Edalatur, Danielle Levesque, Lauren Ross, and Thomas Schwartz.

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

Scott Bloomberg, Associate Professor of Law and Peter Guffin, Professor of Practice and Director of the Information Privacy Program provided a presentation on the Maine School of Law Information Privacy Program. The program launched in 2016 as only the second program in the U.S. Since 2016, the program has awarded 25 Information Privacy Certificates. Only eleven of the 199 law schools in the U.S. receive International Association of Privacy Professionals (IAPP) Tier 1 designation and Maine Law School is one of those eleven schools. IAPP is the world's largest information privacy organization, headquartered in Portsmouth, NH. The Maine Law School Information Privacy program offers extensive curriculum, a summer privacy institute, a privacy pathways program, internship/externship programs, and an Information Privacy Certificate. Maine Law places Information Privacy student interns/externs with leading companies such as Unum, WEX, IDEXX, TD Bank, and IAPP. The Information Privacy program offers interdisciplinary curriculum, which covers a wide range of topics such as global privacy law, cybersecurity, and health privacy. This curriculum is taught by nationally recognized privacy experts and emphasizes the interdisciplinary nature of information privacy law and working collaboratively across disciplines such as business, computer science, cyber security, and public policy. The Maine Law Summer Privacy Institute is the first and only program of its kind. Enrollees of the Summer Privacy Institute include Maine Law students, students from other law schools, and Maine lawyers. Since 2012, three to four intensive courses are offered each summer. The Maine Law School Information Privacy program has collaborated with USM in 2018 and 2020/2021 and has plans for future UMS collaborations.

UMFK Programs for Examination (PFE)

UMFK President & Provost Deb Hedeem provided an overview of UMFK's Programs for Examination (PFE) progress. UMFK has identified the Academic Partnerships Nursing Program as an area of growth through increased retention rates. They have also identified six programs that will need to be transformed in some way but have the potential for growth. UMFK has decided to sunset the English program. In the 2019/2020 PFE process, Vice Chancellor Placido recommended to the Chancellor that the program be suspended. The Chancellor concurred with the Vice Chancellor's recommendation. To date the UMFK English Program has not been suspended. The program will be reviewed for the fall 2021. President Hedeem provided an overview of UMFK's plan to strengthen its academic portfolio with the priority being to increase enrollment. UMFK enrollment has decreased 21.5% in the last five years. UMFK plans to

address recruitment and retention initiatives in order to mitigate their declining enrollment. Initiatives to further bolster the UMFK academic programming aligns with the UMS TRANSFORMS student success and retention initiative. These initiatives include Research Learning Experiences (RLE), Gateways to Success (GTS), and Pathways to Careers (PTC).

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 \$448 million. It experienced a gain of 0.8% for the month of July and closed out the fiscal year with a net of fees returned of 27.1%. The Pension Plan has a current market value of \$25 million. It experienced a gain of 1.6% for the month of July, and closed out the fiscal year with a net of fees returned of nearly 16%. The Operating Fund has a current market value of \$278 million. It experienced a gain of 0.1% for the month of July, and closed out the fiscal year with a net of fees returned of 7.7%. Net investment revenue closed out FY2021 with just over \$22 million, which is nearly \$19 million over the FY2021 investment income budget.

Budget Update

Vice Chancellor Low stated that the \$19 million in overage from the FY2021 projected budget is normally used to replenish the UMS budget stabilization fund and/or used to fund any one-time System initiatives. Since 2010, the Board has approved a budget stabilization fund transfer to every UMS campus at least once and some campuses have had to have multiple transfers during that time. UMS only transfers enough stabilization funds to offset any year-end losses. For example, if the Trustees approve a \$2 million transfer to a campus and then when year-end arrives the campus only needs \$1.4 million to offset their losses, UMS will only transfer the \$1.4 million. Since campuses did not need as much budget stabilization funding as originally approved by the Trustees for the FY2021 budget, those excess funds were added back into the stabilization fund bringing the total of the fund up to a record level of \$21.5 million. Even at this record high amount, the budget stabilization fund is nowhere near the level it needs to be at for an organization the size of UMS. The System is working to ween campuses off from relying on these funds and is making it a priority to build the overall balance of the budget stabilization fund.

Vice Chancellor Low provided an overview of the updated FY2022 revised budget timeline. The campuses will receive the Fall enrollment census data on October 15th and have until October 21st to submit their revised budgets to the System Finance Office. Vice Chancellor Low's team will then prepare the materials to submit to the Finance, Facilities, and Technology Committee on October 25th for approval at their October 27th meeting. From there the revised FY2022 budget will go to the Special Board meeting on October 27th for approval by the full Board.

VICE CHANCELLOR FOR STRATEGIC INITIATIVES' REPORT

Vice Chancellor for Strategic Initiatives and Chief Legal Officer James Thelen provided information about the Chancellor's initial proposed timeline and process for developing a UMS Strategic Plan, including how the Plan will be aligned with NECHE's Fall 2022 comprehensive evaluation and expected re-accreditation of UMS's unified accreditation model. Vice Chancellor Thelen provided an overview of the historical UMS Strategic Actions from 2004 to 2020. He explained that UMS is deep in the process of developing the New England Commission of Higher Education (NECHE) self-study that is required to continue with unified accreditation and provided information about where the process is now and where it is headed. The UMS Strategic Plan and the NECHE self-study will be very closely aligned and will include contributions from many of the same System and campus staff members. At the July 2021 Board

meeting, the Trustees approved the UMS Strategic Planning Charge. The UMS Strategic Planning website is set to launch today with a message from the Chancellor. The Request for Proposal (RFP) for the Strategic Planning consultant is being released today and the consultant is to be selected by November 2021.

UMS's strategic planning work will begin as UMS is also beginning related and complementary work with VisionPoint, a national enterprise marketing firm that only works with higher education. An enterprise marketing solicitation and initiative sponsored by Vice Chancellor Low earlier in the year resulted in VisionPoint's selection, which will result in UMS universities' transitions from separate, incumbent marketing vendors to work with one firm in more strategic and complementary ways. Initial work with VisionPoint, including a current state market perception and brand analysis, will provide a System-wide positioning matrix highlighting possible complementary roles of each university in supporting System-wide objectives. The matrix is expected to identify potential gaps or opportunities for UMS to address as strategic priorities for public higher education in its marketing and communication strategies, and thus will be critical early information for building the foundation for a System-wide strategic plan.

Through the end of 2021 a UMS Strategic Planning Core Leadership team will be formed and will work with the selected strategic planning consultant to identify stakeholder groups for input. The first half of 2022 is planned to include UMS internal stakeholder input, finalizing of the NECHE self-study and completion of Chancellor Spring campus visits. UMS will report to the Board on self-study alignment with strategic planning input and identify possible frameworks for strategic planning. In June 2022, the NECHE Unified Accreditation self-study is scheduled to be completed and submitted to NECHE. Summer and Fall 2022 will include UMS external stakeholder input, UMS Executive Steering Committee work with Board Ad Hoc Strategic Planning Committee to review input and begin drafting the plan, Chancellor Fall campus visits, and the NECHE Unified Accreditation Comprehensive Evaluation site visit. After the NECHE visit, UMS will update draft strategic plan tenets based on the site team visit debrief and work to formalize plan drafting in preparation to share the draft strategic plan with the UMS community for input. UMS also expects to preview the plan for State leaders at that time. In Spring 2023, NECHE will meet with UMS to confirm unified accreditation and a letter from NECHE with a five-year focus will be publicly posted with the draft strategic plan. In summer 2023, the Executive Steering Committee, Ad hoc Committee on Strategic Planning, and strategic planning consultant will finalize the UMS Strategic Plan in alignment with NECHE unified accreditation report. The public presentation of the final strategic plan is expected to be submitted to the Board in Fall 2023 for adoption.

Trustee Riley stated that while she understands that the strategic planning process is lengthy due to the need from substantial input from multiple stakeholder groups, the Trustees should have some kind of written documentation of principles that will guide the Trustees as they are deciding whether to approve future academic programming, spending, infrastructure changes, and other such fiduciary items. This criterion will provide guidance so that Trustees can make decisions that will support the overall goal of the strategic plan once it has been finalized. Chair Gardner agreed with Trustee Riley and mentioned that this would be something that the Ad hoc Committee on Strategic Planning could work with the System to develop.

Trustee Erwin thanked the Chancellor and the System for their great work to get and keep this project moving along. He stated that he believes it is critical to bring in an outside strategic planning consultant as outlined in the plan and agrees that bringing in a branding consultant is another good move by the Chancellor. He stated that he is also appreciative that the strategic planning process will engage a wide spectrum of stakeholders as outlined in Board policy. Trustee Erwin explained that while engaging with

NECHE to make sure that UMS aligns unified accreditation with the strategic plan, it is important that NECHE does not provide ultimate strategic planning advice to the System. Trustee Erwin explained that he is also concerned about the lengthy timeline of the strategic plan. He stated that the System will go through two full budget cycles during that proposed timeline and he has similar concerns about Trustees having the needed information to make critical fiduciary decisions that Trustee Riley outlined.

Trustee Cain stated that she does not think the proposed timeline for the strategic plan is overly long but that she shares Trustee Riley's concerns about interim decisions and that one option might be to have the selected strategic planning consultant work with the Trustees to develop the guiding principles document for future fiduciary approvals.

Trustee MacMahon asked that the final strategic plan have brevity, clarity, and measurable objectives. He stated that he would like to have annual assessment of the objectives and the progress towards achieving them built into the final strategic plan.

Trustee Donelley stated that he also believes that the final strategic plan should be a brief, easily digestible document. He explained that while he knows the process to develop the plan will be long and somewhat grueling, he is looking forward to it and is excited that the System is the first in the country to have unified accreditation as a tool to help propel the success of the plan.

Chancellor Malloy thanked the Trustees for providing this feedback on the strategic plan and process. He explained that he is starting his Fall campus visits shortly and engaging with each campus community concerning this matter. He stated that broad feedback and engagement is a critical factor in developing a successful strategic plan.

ACTION ITEMS

Board of Trustees Approval of the Strategic Planning Process and Timeline

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 accepted the Chancellor's initial proposed strategic planning timeline and process recommendations, and authorizes that all work necessary be undertaken to complete a strategic plan according to the proposed timeline, in compliance with all applicable Board and UMS policies, and in keeping with the Board's July 26, 2021 Resolution and Strategic Planning Charge.

Establishment of Ad Hoc Committee on Strategic Planning

Chair Gardner explained that in order to continue providing support to the Chancellor and his team as they develop the UMS Strategic Plan, he is recommending that a Board of Trustees Ad hoc Committee on Strategic Planning is established. Trustee members of the Committee include: Mark Gardner, James Donnelly, James Erwin, Trish Riley and two additional Trustees will be added.

On a motion by Trustee Riley, which was seconded by Trustee Rotundo, and approved by a roll call vote of all Trustees present, the Board of Trustees agreed to establish the Ad Hoc Committee on Strategic Planning.

Charge to the UMA Presidential Search Committee

Vice Chancellor Thelen provided an update on the UMA Presidential Search Committee progress. With the resignation of former UMA President Rebecca Wyke, the Chancellor named Provost Joseph Szakas as the UMA Interim President while the System launches a national search for the next UMA president. The UMA Presidential search committee is currently being formed with constituent groups working to identify

representative committee members. Trustees Sven Bartholomew, Emily Cain, and Peggy Rotundo will serve on the committee. Trustee Bartholomew will Chair the committee. UMS System staff are also reviewing proposals to select a search consultant to lead a national presidential search on UMS's behalf. Trustee Bartholomew stated that he is excited to Chair the UMA Presidential Search Committee and to find a leader for the UMA campus that will align with the System's accreditation and strategic efforts. He explained that the Committee is looking forward to developing an appropriate list of preferred characteristics and priorities for the candidates.

On a motion by Trustee Donnelly, which was seconded by Trustee Doak, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the preferred characteristics and priorities for the University of Maine at Augusta Presidential search as discussed, which will be further developed by the Presidential search committee and selected search consultant in a presidential profile to be used for the national search. When charging the committee, Chancellor Malloy will transmit the UMS Board of Trustees' preferred characteristics and priorities to the search committee and search consultant for use in describing the position and guiding the work of recommending final candidates for UMA's next President to Chancellor Malloy and the Board.

University of Maine at Farmington Credit Hour Change

Vice Chancellor Placido, UMF President Edward Serna, and UMF Vice President for Academic Affairs and Provost Eric Brown provided an overview of the University of Maine at Farmington Credit Hour Change plan. Considering UMS's new unified accreditation model, UMF has determined that it was in the best interests of both the university and its students to begin the process of changing UMF's current 4-credit-hour academic model, which has been in effect since the mid-2000s, to align with the 3-credit-hour academic model used at all other UMS universities. Provost Brown explained that the UMF administration and faculty have begun the necessary academic planning for a successful multi-year implementation of the credit-hour transition framework so that student and financial systems may be properly updated. Additionally, he outlined some of the next steps for the plan that will take place over Fall 2021 semester and Summer 2022. Vice Chancellor Placido stated that he believes this is the right move for UMF and that he is in full support of the credit hour change.

On a motion by Trustee Erwin, which was seconded by Trustee Bartholomew, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and approved the request from the University of Maine at Farmington to move to a three-credit system effective immediately.

Confirmation of Faculty & Student Representatives to the Board of Trustees

UM Executive Vice President for Academic Affairs & Provost John Volin and Dean of the Maine Law School Leigh Saufley provided a brief introduction for their proposed candidates for Faculty and Student Representatives to the Board as follows:

Faculty Representative:

Michael Scott, UM, appointed for a two year term – September 2021 to September 2022

Student Representative:

Valentina Annunziata, Maine School of Law, appointed for a two year term – September 2021 to September 2022

On a motion by Trustee Donnelly, 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 & Student Representatives to the Board of Trustees as presented.

Tenure at Time of Hire, Professor of Education & Human Development, UM

Provost Volin explained that UM is requesting that Dr. Penny Bishop be awarded tenure at the rank of full Professor, with an effective date of July 1, 2021. This coincides with the appointment as full professor of education and human development and Dean of the College of Education and Human Development also effective July 1, 2021. Dr. Bishop holds an Ed.D. in educational leadership and policy studies from the University of Vermont.

On a motion by Trustee Rotundo, 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 & Student Affairs Committee and approved tenure at the rank of Professor of Education and Human Development to Dr. Penny Bishop, with tenure to be effective July 1, 2021

Tenure at Time of Hire, Professor in the Maine School of Business, UM

Provost Volin explained that UM is requesting that Dr. Norman J. O'Reilly be awarded tenure at the rank of full Professor, with an effective date of July 1, 2021. This coincides with the appointment as full professor in the Maine School of Business and Dean of the Graduate School of Business. Dr. O'Reilly holds an MBA in marketing from the University of Ottawa and a Ph.D. from Carleton University.

On a motion by Trustee Cain, which was seconded by Trustee Rotundo, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and approved tenure at the rank of Professor in the Maine School of Business to Dr. Norman J. O'Reilly, with tenure to be effective July 1, 2021.

300 Fore Street Renovation and Fit Out, University of Maine & Maine School of Law

Chancellor Malloy and Dean Saufley provided an overview of the Maine School of Law request to expend \$6,000,000 for design and initial fit out of the space at 300 Fore Street in Portland. The current request is for \$6,000,000 to perform design and initial fit out of the space. With the lease of 300 Fore Street to house the Maine School of Law as well as the Maine Professional and Graduate Center, the Graduate School of Business, and other UM departments; changes to the space are needed in order to accommodate the classrooms, student collaboration space, and office space. The building is currently designed and laid out in a call center type fashion and includes minimal classroom space or enclosed/private office spaces which are needed for the effective function of the uses planned in the new space. The current request is anticipated to complete the fit out for key student-centric floors and spaces, mainly on the ground floor and first three floors of the building. The final cost of the full renovations is still unknown as schematic level layout and system evaluation is ongoing, however the goal is to reuse the facility in its existing state to the extent possible and to minimize these costs, while assuring a professional building. The current request is to cover design of the layout, purchase of some existing furniture and fixtures from the lessor, permitting and substantial renovation through January of 2022. The total cost of the fit out and renovation will be fine-tuned as the Construction manager at Risk (CM) comes on board. Additional costs and savings will be identified as the CM works collaboratively with the architect. Value engineering will be employed; however, a future request for an increase to this amount is anticipated. Funding will come from the Bobby Monks & Bonnie Porta gift to Maine Center Ventures for Maine Law/Maine Center occupancy of 300 Fore Street and other gifts to be identified as well as funding

sources identified by the Treasurer and Chancellor. The project is currently in design after a conceptual layout/plan was complete in July. The selection of a construction manager at risk is underway and expected to be complete by early September. Design will continue with construction work to take place as soon as feasible. The current goal is to occupy and hold classes here at the start of the Spring 2022 semester.

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 accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine and the University of Maine School of Law acting through the University of Maine System to expend \$6,000,000 for the design, permitting and initial fit out of space at 300 Fore Street Portland. The funding sources will be gifts and other sources as identified by the Vice Chancellor for Finance and Administration and Treasurer and the Chancellor.

Collective Bargaining Agreements for ACSUM, Teamsters, UMPSA, & Fraternal Order of the Police – Lodge #100

Vice Chancellor Thelen welcomed the newly hired UMS Chief Human Resources Officer (CHRO) Loretta Shields. He provided a brief overview of CHRO Shields' professional background and stated that UMS is happy to have her join the team. CHRO Shields stated that she is excited to be on board and is looking forward to working with everyone in the UMS community.

Vice Chancellor Thelen provided an overview of the details of the proposed collective bargaining agreements for the ASCUM, Teamsters, UMPSA, and Fraternal Order of the Police – Lodge #100 unions. In the ACSUM and Teamsters contract settlements there are across the board wage increases of 2% in FY2022 and 2.5% in FY2023. The minimum wage will increase to \$15 an hour for entry point positions and the wage scale will be adjusted accordingly. The System understands the incredible difficulties campuses have been having with employee recruitment and retention due to the vastly lower than market wage rates. The Fraternal Order of the Police also received wage increases in their contract agreement, as the System recognized that current wages were significantly below State hourly wages for police officers and dispatchers. The Police bargaining unit received across the board wage increases to bring them in line with State wages for employees of that classification as well as increases in other key benefits such as retirement and shift differentials. The UMSPA unit will receive a 3% in both FY2022 and FY2023, as well as a 1.5% cohort increase.

The following items have been added to the contracts across all four bargaining units up for approval today:

- Juneteenth has been added as an additional paid holiday, in alignment with the new State and Federal recognition of the holiday.
- Added language to document alignment with Maine's Earned Paid Leave Law. Leave accruals under the collective bargaining agreements were already in compliance with the law, but wanted to outline it in the contracts and some specific language was added to ensure compliance with details around use of leave.
- Health benefits extension for surviving dependents, allowing surviving dependents to have access to UMS healthcare for at least 90 days after the death of their family member.

Vice Chancellor Thelen stated that the resolutions before the Board concerning this matter are asking for the Trustees to approve the Chancellor to execute the collective bargaining agreements, upon notice that the bargaining unit has ratified the agreement. Chancellor Malloy thanked the System bargaining team and the bargaining units for their hard work to reach these agreements. He explained that it has been past practice for UMS to provide the same increases and benefits to the different comparable sectors of nonrepresented employees and that the System plans to follow through with that process for this round of negotiations as well.

Vice Chancellor Low stated that the proposed increases have not been accounted for in the FY2022 budget that was approved by the Board in May. He explained that he is working with the campus Chief Business Officers to identify the full implementation costs of the increases for FY2022 and present the information on cost and funding of implementation at the October 27th FFT Committee meeting. He anticipates funding will most likely come from one time funding sources to cover costs that will likely be in the high seven figure numbers System-wide.

Approval of Collective Bargaining Agreement, ACSUM

On a motion by Trustee Bartholomew, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Board of Trustees authorized the Chancellor to execute the collective bargaining agreement with the Associated C.O.L.T. Staff of the Universities of Maine (MEA/NEA) (ACSUM) upon notice that the agreement has been ratified.

Approval of Collective Bargaining Agreement, Teamsters

On a motion by Trustee Cain, which was seconded by Trustee Rotundo, and approved by a roll call vote of all Trustees present, the Board of Trustees authorized the Chancellor to execute the collective bargaining agreement with the Teamsters Union Local # 340, representing the UMS Service & Maintenance Unit, upon notice that the agreement has been ratified.

Approval of Collective Bargaining Agreement, UMPSA

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 authorized the Chancellor to execute the collective bargaining agreement with the Universities of Maine Professional Staff Association (MEA/NEA) (UMPSA), upon notice that the agreement has been ratified.

Approval of Collective Bargaining Agreement, Fraternal Order of Police, Lodge #100

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 authorized the Chancellor to execute the collective bargaining agreement with the Fraternal Order of Police, Lodge #100 upon notice that the agreement has been ratified by the union.

CONSENT AGENDA

On a motion by Trustee Donnelly, 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:

Acceptance of Minutes

July 26, 2021 – Board of Trustees Meeting
August 24, 2021 – Executive Committee Meeting

Board of Trustees Meeting
September 27, 2021

September 13, 2021 – Academic & Student Affairs Committee Meeting
September 13, 2021 – Human Resources & Labor Relations Committee Meeting
September 16, 2021 – Investment Committee Meeting

The Board of Trustees reviewed the following agenda item as forwarded by the Academic & Student Affairs Committee to the Consent Agenda from its meeting on September 13, 2021:

New Academic Program Proposal: Master of Legal Studies, Maine School of Law

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee, and approved the creation of a Masters of Legal Studies (MLS) for the University of Maine School of Law.

The Board of Trustees reviewed the following agenda item as forwarded by the Finance, Facilities, & Technology Committee to the Consent Agenda from its meeting on September 15, 2021:

Financing Authorization Resolution for Airplane Acquisition, UMA

The Board of Trustees, accepted the recommendation of the Finance, Facilities and Technology Committee, and approved the resolution entitled, “Financing Authorization” and “Reimbursement of Project Expenditures” for the University of Maine Augusta acquisition of an airplane with a maximum financing principal amount of debt of \$499,000.

Lease Authorization Request 167 Fore Street in Portland Maine, UM

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 enter into a lease agreement for up to 5,236 square feet of space at 167 Fore Street, Portland, Maine for up to 13 years and at a cost of up to \$129,591 per year plus expenses for the initial 3-year period; to be funded with federal research indirect rate charges; with all final terms and conditions subject to review and approval of the University of Maine System Treasurer and General Counsel.

Bennett D. Katz Library HVAC Enhancement, UMA

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 at Augusta to expend up to \$1,100,000 of Higher Education Emergency Relief Fund monies to enhance the HVAC system of the Bennett D. Katz Library.

Handley Hall HVAC Enhancement, UMA

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 at Augusta to expend up to \$1,200,000 of Higher Education Emergency Relief Fund monies and up to \$30,000 of E&G monies to enhance the HVAC system of Handley Hall.

DISCUSSION ITEMS

UMS TRANSFORMS Update

Vice Chancellor Thelen and Vice Chancellor Ferrini-Mundy provided a brief update on the UMS TRANSFORMS project. The Harold Alfond Foundation’s historic investment in Maine and its people includes a \$240 million commitment over 12 years to the University of Maine System to bring transformative change to the state’s largest educational, research, innovation and talent development asset. The four teams working on this initiative have jumped right back into action with the start of the

Fall Semester, with some work continuing through the Summer. The turf is down on the football field and the design work is eminent as they are close to selecting an architect. There has been good work concerning organization and governance going on at the Maine College of Computing, Engineering and Information Science. The student success portion of the initiative had great success with the pilot Research Learning Experience (RLE) hosted by UM this Summer. The hope is to have the RLE initiative ready to implement at other UMS campuses in 2022. USM President Glenn Cummings and other UMS faculty and staff members hosted a very successful first Diversity, Equity, & Inclusion (DEI) virtual conference earlier this Spring and going forward smaller DEI working groups are diving further into the initiative to bring back to the larger group at the next conference. The UMS TRANSFORMS group is working on setting benchmarks for each of the four UMS TRANSFORMS initiatives for calendar year 2022.

University of Maine at Machias Regional Campus Task Force

Vice Chancellor/UM President Ferrini-Mundy and UMM Head of Campus Dan Qualls provided an update on the UM/UMM Regional Campus Task Force (RCTF), which was convened in April 2021. The RCTF was developed to review progress in key measurable areas and create realistic, accelerated timelines and implementation steps for completion of the transition as a regional campus, with major elements to be fully planned or in place by Fall 2021, and all elements completed by the end of July 2022. The RCTF is collectively responsible for progress toward these deadlines, with the work done primarily within topically focused working groups. The RCTF was also charged to organize itself into working groups with identified leads or co-leads. The RCTF Chair is Dr. Emily Haddad, Dean of the UMaine College of Liberal Arts and Sciences. Seven working groups have been created that include a mix of faculty and staff members from UM and UMM. Each working group is assigned a specific area of focus that is important for a successful campus partnership between UM and UMM. Vice Chancellor/UM President Ferrini-Mundy also provided a brief overview of the RCTF overall timeline, communication timeline, and organizational chart.

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 there will be a message sent to the UMS faculty, staff and administrators on September 30th to provide an opportunity to read and comment on the first full draft of the NECHE self-study. This is the first of three opportunities for the UMS community to provide feedback for the self-study. The message sent on the 30th will strongly emphasize that the self-study is in draft form and provide links to the self-study, a feedback survey, and the UMS unified accreditation website. AVC St. John stated that a priority of the self-study process is to remain an open and transparent process and to attain engagement from the entire UMS community.

Chair Gardner asked about the strategic plan portion of the self-study. He was concerned about how the timing of submitting the self-study would align with the timing of the UMS strategic planning process. AVC St. John and Vice Chancellor Thelen explained that NECHE will submit a follow up document to the self-study that will outline goals it has for the System over the concurrent five years after acceptance of the self-study. While NECHE will not be defining the UMS strategic plan, these two initiatives are intertwined and it will be important that the goals outlined by NECHE be aligned with the finalized strategic plan.

Acknowledgement for Ms. Laurel Hyle

Chancellor Malloy announced that Deputy General Counsel and Chief Compliance Officer Laurel Hyle had submitted her resignation and that this would be the last Board meeting she would be attending. He stated that Ms. Hyle's work while employed with UMS was exceptional and wished her well on her new

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ventures. Ms. Hyle stated that she has enjoyed working with the Chancellor and everyone in the UMS community.

DATE OF NEXT MEETING

The next meeting of the Board of Trustees will be held on November 14-15, 2021.

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/>

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