

UNIVERSITY OF MAINE SYSTEM  
Board of Trustees Meeting

January 24, 2022  
Zoom Meeting

**Board of Trustees Meeting**

**Present:** Mark Gardner, Chair; James Donnelly, Vice 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:** Leigh Saufley, Joan Ferrini-Mundy, Ray Rice, Joe Szakas, and Deborah Hedeem. **Faculty Representatives:** Kennedy Rubert-Nason, Lisa Leduc, Patrick Cheek, Clyde Mitchell, and Michael Scott. **System Staff:** Robert Placido, Ryan Low, Ellen Doughty, David Demers, Jeff St. John, Pat Peard, Rosa Redonnett, Carolyn Dorsey, Loretta Shields, Sam Warren, Tracy Elliott, Kim Jenkins, and James Thelen.

**Absent:** Pender Makin.

**Monday, January 24, 2022**

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

**EXECUTIVE SESSION**

On a motion by Trustee Riley, which was seconded by Trustee Dobson, 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 Erwin, which was seconded by Trustee Doak, 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:

George Rheault – Maine Law School

**CHAIR'S REPORT**

Chair Gardner stated that students returned for the Spring semester last week and he thanked everyone at UMS for their amazing work to continue to keep students safe, while providing in person classes during the pandemic. He stated that he is hopefully that the pandemic is turning a corner and that we can have an in person Board of Trustees meeting in the near future.

**UMA Presidential Search Committee Update**

Trustee Sven Bartholomew, Chair of the UMA Presidential Search Committee provided an updated on the Search Committee's progress. Trustee Bartholomew stated that the search process has made significant progress since the last time he reported to the Board. The prospectus is completed and is posted on the UMA Presidential Search website and the Storbeck Search Portal. The Committee met in December to review and learn about Board Policy and human resources procedures related to presidential searches. They also met last week where they reviewed applications and selected candidates for preliminary interviews. Following the preliminary interviews, the Committee will select finalist candidates for further review. The Committee is on track to complete the search by Spring.

**USM Presidential Search Committee Update**

Trustee James Erwin, Chair of the USM Presidential Search Committee provided an updated on the Search Committee's progress. Trustee Erwin stated that the USM Presidential search is well underway. The Committee has been formed in accordance with the composition outlined in Board Policy with the added community representatives that the Board approved. Academic Search Consultants held extensive due diligence sessions to obtain input from the USM community including town hall sessions and meetings with groups such as shared governance, faculty and student senates, Board of Visitors, and other community leaders. An online survey was also provided for community members to provide feedback. The Committee held its first meeting on December 16<sup>th</sup>, where Chancellor Malloy presented the charge to the Committee with priorities for the next USM president, as well as desired qualities and characteristics. The Committee also reviewed Board Policy and human resources procedures related to presidential searches. The prospectus is completed and is posted on the USM Presidential Search website and the Academic Search website. Ads were placed nationally to cast a wide net as well as focused ads determined by the search consultants. Recruitment will continue over the coming weeks and late in February the Committee will select candidates for preliminary interviews. Following the preliminary interviews, the Committee will select finalist candidates for further review. The Committee extended the timeline to ensure that proper consideration and selection of candidates. The Board Chair, Trustee Gardner agreed to hold a special Board Executive Committee meeting in mid-April to approve the resolution to allow the Chancellor to enter in negotiations with the successful candidate.

**Acknowledgement of Outgoing Student Representative to the Board**

Chair Gardner stated that Ameya Karapurkar would be mailed a certification of appreciation for his dedication and leadership as the Graduate Student Representative to the Board from the University of Maine. Ameya's term was January 2020 to January 2022.

**CHANCELLOR'S REPORT**

Chancellor Malloy stated that the Spring semester started last week and that he wanted to welcome the UMS students back for another successful semester. He reflected on how different the start of the 2022 Spring semester is in comparison to the Spring 2020 semester, when the pandemic first started. He talked about the advancements that have been made in helping to prevent the spread of covid since then such as the introduction of covid vaccines. He thanked the entire UMS community for their hard work in making

sure that UMS was doing everything possible to prevent the spread of covid. He stated that he is especially grateful for the diligent participation by the students. Chancellor Malloy stated that the Spring semester opened understanding that the Omicron covid variant has its own set of challenges and therefore continued the UMS masking requirement and the continuation of the requirement that students are up-to-date with their covid vaccines.

Chancellor Malloy stated that now that the UMS CHRO Loretta Shields has been working with the System for several months, she is in the process of reviewing many human resources policies and procedures. He expects that many beneficial changes in this area are on the horizon and stated that CHRO Shields will present any proposed changes to policy and procedure at future meetings.

### **VICE CHANCELLOR FOR RESEARCH AND INNOVATION REPORT**

Vice Chancellor for Research and Innovation (VCRI) Joan Ferrini-Mundy provided an update on UMS research and innovation initiatives and areas of focus for Spring 2022. Vice Chancellor Ferrini-Mundy provided an overview of the UMS Academy FY2022 Grant Writing Cohort, which supports early career faculty and researchers with grant proposal development, creating networks, and expanding collaboration possibilities across UMS. 28 UMS researchers are participating in the third cohort of this grant writing program, including notable firsts to the program, which are UMM, UMaine School of Law, and Maine Maritime Academy faculty. She provided an update on the Talent, Research, & Innovation for Maine (TRI-Maine) current project proposals across the UMS. She also explained that UM has a new funding opportunity. The UMaine-led FOR/Maine coalition received a \$500 thousand grant and was chosen as finalist for up to \$100 million in EDA's Build Back Better Regional Challenge. The U.S. Economic Development Administration (EDA)'s American Rescue Plan Good Jobs Challenge aims to get Americans back to work by building and strengthening systems and partnerships that bring together employers who have hiring needs with other key entities to train workers with in-demand skills that lead to good-paying jobs. UM is leading the development of a collaborative proposal with a focus on two statewide employment sectors: education, and healthcare with a focus on nursing.

Vice Chancellor Ferrini-Mundy also provided information on some internal grant opportunities including the UMS Research Reinvestment Fund (RRF), Maine Economic Improvement Fund (MEIF), and EPSCoR. Based at UMaine, the Maine EPSCoR office serves as a statewide resource to guide researchers on EPSCoR funding opportunities. In 2022 and 2023, Maine EPSCoR is coordinating the development of the state's next National Science Foundation EPSCoR RII Track-1 proposal. Eleven concept papers have been received, and various opportunities for collaboration with different UMS campuses will be identified and pursued as the proposal evolves. Maine EPSCoR provides opportunities for collaboration with different UMS campuses. Through these efforts, over the past two decades, \$500,000,000 plus of new R&D funding have been generated and thousands of graduate and undergraduate students have experienced high impact research experiential learning. Another funding opportunity is the Maine Jobs and Recovery Plan. Governor Mills' plan to invest the 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 and will provide \$35 million over two years for one-time UMS workforce development and research investments. UMS is collaborating with state officials on implementation.

### **VICE CHANCELLOR FOR STRATEGIC INITIATIVES' REPORT**

Vice Chancellor for Strategic Initiatives and Chief Legal Officer James Thelen provided a brief update on the UMS Strategic Planning process. At the Board's July 26, 2021 meeting, the Trustees approved a UMS Strategic Planning Resolution and charged Chancellor Malloy to begin the work necessary to prepare a 5-year strategic plan for UMS. This will be the first full-fledged strategic plan since 2004-2005; although, there have been many directives and initiatives that have helped to provide UMS strategic

direction in the meantime. The System-wide strategic plan will take into account the individual campus strategic plans, which are also developed on a five-year cycle. Additionally, another goal of the System-wide strategic plan is to find a statewide vision for public higher education in Maine. Vice Chancellor Thelen stated that the System went through a somewhat expedited Request for Proposal (RFP) process to identify a strategic planning consultant to help guide the System through the strategic planning process. The System received eight very robust proposals and a team of constituents from across the System reviewed the proposals and ultimately selected Huron Consulting Group. UMS has already been working with Huron over the past couple of weeks. Huron has already had a couple of significant meetings with the Board of Trustees Ad hoc Committee on Strategic Planning and the UMS Presidents Council. UMS is in the process of developing a Strategic Plan Working Group, which will engage with Huron on a regular basis at the ground level and will ensure alignment between Huron, the Ad hoc Committee on Strategic Planning and the Presidents Council. Huron will begin their stakeholder feedback process in early February. Huron will engage with the UMS community through one-one interviews, town hall type meetings, and online surveys.

UMS expects to have significant progress check-ins approximately every 6 months, throughout the strategic planning process. The first will be at the May 2022 Board of Trustees meeting, where Huron will provide a preliminary report regarding the first couple of months of feedback from the stakeholder engagement sessions. This is also when UMS will be finalizing the self-study on UMS unified accreditation for the New England Commission of Higher Education (NECHE). It will be an opportunity to make sure the strategic plan and the self-study are in alignment. The next significant check in will occur at the November 2022 Board of Trustees meeting. This check in will occur after the early October visit from the NECHE accreditation team and will provide an opportunity for the System to report back to the Trustees about that visit and the strategic planning progress. This will also be a time to recheck alignment between the strategic plan and unified accreditation. The final check in is scheduled to occur at the May 2023 Board of Trustees meeting. This check in will occur after the final meeting with NECHE and reaccreditation process that should take place in early 2023. This check in will be in essence a first reading of the proposed final strategic plan and a report on the plan's alignment with NECHE's reaccreditation recommendations. Brenna Casey and Cathy Dove from Huron Consulting joined the meeting and provided a brief overview of Huron and the process and timeline for progress through May 2023.

### **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**

Maine Education Policy Research Institute (MEPRI) co-Directors Amy Johnson (USM) and Janet Fairman (UM) presented an overview of the Institute's mission, its education research, evaluation, and policy analysis work with a focus on current initiatives and areas of focus. MEPRI was created and funded by State legislature and the UMS in 1995. It is co-located at USM and UM. The Institute conducts non-partisan education research, evaluation, and policy analysis. The annual work plan topics are developed with advice from MEPRI Steering Committee and approved by the Education and Cultural Affairs Committee. The presenters reviewed the MEPRI various selected studies at USM and UM. Both UM and USM had several studies concerning success and areas of improvement for the Pre-K to 12 school system. MEPRI's current strengths include the ability to inform state and local education policy decisions with objective, timely data and research; engaging students in research and learning about policy-making; and engaging faculty in research. Areas where MEPRI can grow in the future include increasing dissemination of MEPRI's applied research findings, tailored to targeted Maine audiences;

expanding strategies for engaging UMS faculty in research projects; and streamlining contract management.

### Demographics, Enrollment, & Trends Update

Vice Chancellor Placido and Associate Vice Chancellor for Academic Affairs Carolyn Dorsey provided a brief update on demographic challenges facing the State and the impact those challenges have had on UMS enrollments. Since 2014, Maine has had an average decline of 166 Births and 249 High School Graduates per year. This decline creates real demographic challenges for UMS future enrollment. The Western Interstate Commission for Higher Education (WICHE) projects that the decline in High School graduates across New England will continue at a rate of 2-3% through the next decade. Vice Chancellor Placido provided market share data about college-bound Maine high school students. From 2016 – 2020, on average 30% of college-bound Maine high school students attended a Maine public 4-year or above higher education institution. 2020 data shows that with the addition of Maine Maritime Academy and other Maine public and private higher education institutions, 71.2% of Maine college-bound high school students selected to continue their education in Maine, while 16.2% selected other New England higher education institutions and 12.6% chose to attend post-secondary education in other states. Vice Chancellor Placido provided data on UMS enrollment over the past five years. Since Fall 2017 undergraduate credit hours have declined from 268,083 to 251,022; however, graduate credit hours have increased from 17,953 to 23,952. When combined this is a slight decline in total credit hours over the past five years. Spring 2022 enrollment is currently slightly ahead of last year at this time, which is encouraging with all of the pandemic related issues UMS is facing right now. Undergraduate applications have increased from 17,866 to 18,478, admitted undergraduates have decreased from 11,482 to 10,433, and matriculated undergraduates have decreased from 804 to 557, when compared to this time last year.

Associate Vice Chancellor Dorsey provided some additional information surrounding challenging national and State trends such as changing student demographics, cultivating a more holistic view of the student experience; creating a culture of Diversity, Equity, and Inclusion (DEI); and competing in the new higher education marketplace. She highlighted some important response strategies to mitigate declining enrollment such as increasing retention efforts; increasing student outreach; building meaningful relationships with students, adjusting academic programming to meet learners where they are; offering accelerated programming; and creating transparent pathways to a variety of offerings and career placements. Additionally, to address the overall student experience response strategies include increasing focus on student behavioral health and mental well-being; creating alignment between student needs and services offered; and considering new measures of student success and progression.

Several Trustees thanked Vice Chancellor Placido and Associate Vice Chancellor Dorsey for their detailed report on the demographic challenges and higher education trends, as well as how UMS plans to mitigate some of these challenges. There was some discussion around the specific demographic challenges in Maine. Trustee Erwin stated that while micro-credentialing and other such certifications help Maine students gain the education they need to enter the workforce, there is some concern that this type of education does create an unbundling of degrees of sorts and can unintentionally disincentivize completing a four-year degree. Vice Chancellor Placido and Associate Vice Chancellor for Student Success and Credential attainment responded that currently UMS does not offer any credential or certificate programs that could be considered a stand-alone reason that someone was hired. The credentialing and certificate programs offered by UMS are developed to enhance the student's workforce readiness in conjunction with their degree. Trustee Riley requested that more information on UMS student retention be provided at a future meeting and Trustee MacMahon asked if there has been any work in developing three-year accelerated baccalaureate degrees. Vice Chancellor Placido stated he would be happy to provide more detailed student retention information at a future meeting. He also

explained that the System has been developing proposals for accelerated baccalaureate degrees and that the Trustees will see those coming forward for approval in the near future.

### **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 \$449 million. It experienced a loss of 1.6% for the month of November, with a fiscal year to date return of 1%. The Pension Plan has a current market value of \$25 million. It experienced a loss of 0.5% for the month of November, with a fiscal year to date return of 2.4%. The Operating Fund has a current market value of \$327 million. It experienced a loss of 0.4% for the month of November, with a fiscal year to date return of 0.2%. Preliminary data for December shows a positive return of 0.6%; however, January results have already been trickling in and with a volatile market, shows UMS down by 1% as of January 20<sup>th</sup>. Operating funds fiscal year-to-date currently stand at around \$875 thousand, which means preliminarily UMS is down approximately \$4 million in net investment revenue through January.

#### FY2022 Budget Update

Vice Chancellor Low explained that at the time the FY2022 budget was approved by the Board last year, UMS was projecting a budget gap of \$10.1 million; however, since the budget was approved, the gap has grown to nearly \$26.7 million, which is a variance of just over \$16.5 million. There are two major factors that have increased the deficit this much. One being the collective bargaining increases that were implemented but not accounted for in the original FY2022 budget. Vice Chancellor Low explained that the System did not budget for collective bargaining increases because back when the budget was originally submitted the UMS financial situation was in a much different place and the extent of the federal funding that would be offered later was still unknown. Since then, the System has received a couple of rounds of federal funding, which made it possible to provide collective bargaining increases. Collective bargaining increases account for approximately \$12.5 million of the \$16.5 million deficit increase. The other major factor contributing to the deficit increase since the approval of the FY2022 budget is changes in enrollment. UMF and USM experienced declines in enrollment that were not predicted or accounted for in the proposed FY2022 budget. The enrollment decline affects the campus tuition income as well as income from Auxiliary services. Each campus is using monies to mitigate their deficit from one or a combination of the following three funding sources: HEERF, Campus Reserves, and System Budget Stabilization funds. Even with that, UMF and UMPI are still projected to close FY2022 with a deficit just over \$1.7 million each. Vice Chancellor Low and his team are reviewing the budget stabilization fund requests from UMF and UMPI for FY2022 and will work with the Chancellor to make a recommendation concerning the viability of those budget stabilization transfers to the Finance, Facilities, & Technology Committee at the March 23<sup>rd</sup> committee meeting.

#### Core Financial Ratios – FY2021

Vice Chancellor Low provided a brief presentation regarding Core Financial Ratios, a Key Performance Indicator (KPI) tracked by UMS. Core Financial Ratios were developed in the 1970's are a common tool used across the higher education industry to better understand and interpret an institutions financial results. UMS tracks five financial ratios. These include the Primary Reserve, Net Operating Revenues, Return on Net Position, Viability, and collectively the Composite Financial Index. There are three factors that are driving changes to the UMS core financial ratios in FY2021. One of the biggest factors is market results. UMS had a very strong 2021 concerning investment returns. The market results impacted UMS positively in several areas including endowments and the Other Post Employment Benefits (OPEB) trust.

Another factor that impacts the FY2021 financial ratios is the change in UMS retiree healthcare. UMS retirees were offered the option of staying with the current healthcare provider or switching to the AON marketplace. The result of this switch was a savings of approximately \$51 million. The combination of the positive market results and the retiree healthcare savings, resulted in a fully funded plan at 111%. The third major factor affecting the FY2021 financial ratios is the increase in federal support. UMS received three rounds of federal support totaling just over \$56 million and two rounds fell within FY2021. Vice Chancellor Low provided an overview of each of the five financial ratios that UMS tracks and touched on a few campuses to provide examples of how the financial ratios have been affected by the three factors outlined earlier.

### **ACTION ITEMS**

#### **Honorary Degree Nominations for 2023**

On a motion by Trustee Cain, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the 2023 nominations for Honorary Degrees as presented.

#### **Honorary Degree Nomination for 2022, UMPI**

On a motion by Trustee Doak, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Board of Trustees approved the 2022 nomination for Honorary Degrees for the University of Maine at Presque Isle as presented.

#### **Confirmation of Board of Visitor Appointment for 2021-2022, UMPI**

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 confirmed the University of Maine at Presque Isle Boards of Visitors' appointment for 2021-2022, as presented.

#### **BOV – Chancellor Engagement**

Chancellor Malloy, Vice Chancellor Thelen and Director of Organizational Effectiveness Kim Jenkins provided an overview of the updated UMS Board of Visitors (BOV) engagement process. In November 2014, the Board of Trustees endorsed a charter creating the Board of Trustees/Board of Visitors Executive Committee, a model of collaboration between the Chancellor, the Board of Trustees, and the Board of Visitors. In assessing the role and makeup of the committee and in listening to Board of Visitor (BOV) members and reviewing comments that followed the BOT/BOV Summits, it is now clear that while the Executive Committee served an essential purpose following its inception, it is time to reimagine the engagement between the Chancellor and UMS BOVs. BOV members have expressed a desire to engage more fully with the Chancellor and System leadership, including UMS presidents and Maine Law Dean. Further, BOT members are actively involved in multiple UMS meetings, and balancing all of the commitments asked of them is time-consuming. Therefore, it is the recommendation of the Chancellor that the charter is sunsetted to make way for an updated process and schedule and expanded group, all of which is beyond the scope of the current model.

Trustee Riley pointed out that the Trustees are in the process of looking at finding ways to improve engagement with UMS faculty and staff members.

On a motion by Trustee Eames, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Board of Trustees endorsed sunsetting the charter for the Board of Trustees/Board of Visitors Executive Committee and replacing it with an updated process and schedule of engagement to be shared with the Trustees at the Board's May 2022 meeting.

**Tenure Request – Professor in the Department of Mathematics and Statistics, UM**

Vice Chancellor for Academic Affairs Robert Placido provided an overview of the UM Department of Mathematics and Statistics tenure request. UM has requested that Dr. Joan Ferrini-Mundy be awarded tenure at the rank of Professor in the Department of Mathematics & Statistics, effective upon Board approval, and she would have the option to assume the full-time faculty position upon the conclusion of her service as University of Maine President. This request would serve as an exception to Board of Trustees Policy 310 which states that “a chief academic officer or other university employee in a position at the level of vice president may be considered for tenure to be effective upon assuming a full-time faculty appointment after completion of service in the administrative position.” Vice Chancellor Placido fully supports this request and provided some additional details about Dr. Ferrini-Mundy’s extensive and impressive background. Dr. Ferrini-Mundy’s credentials have been reviewed by the peer committee in the Department of Mathematics and Statistics and has received their full support.

On a motion by Trustee Erwin, which was seconded by Trustee Dobson, 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 Department of Mathematics and Statistics with tenure to be effective January 24, 2022.

**UMS Fraternal Order of Police Employees – Participation in MainePERS**

Vice Chancellor Thelen and Labor Relations Manager Susan Cameron provided information concerning UMS Fraternal Order of Police employees’ participation in the MainePERS retirement program. At its September 27, 2021 meeting, the UMS Board of Trustees approved the tentative collective bargaining agreement reached between UMS and the Fraternal Order of Police, Lodge # 100 (“FOP”), and authorized the Chancellor to sign the new agreement provided it was ratified in the same form by UMS police unit members. FOP unit members ratified the collective bargaining agreement with UMS on October 28th. A newly-negotiated benefit in the FOP agreement allows unit members to make a one-time choice to continue participation in a MainePERS retirement plan instead of UMS’s separate standard 403(b) retirement savings plan. In order for UMS police unit employees who wish to do so to participate in MainePERS, the UMS Board is required to approve limited participation with MainePERS on the terms set forth in the resolution.

On a motion by Trustee Riley, which was seconded by Trustee Bartholomew, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Human Resources and Labor Relations Committee and agreed to limited participation in MainePERS on the following terms:

- a) Effective July 1, 2022, UMS will and does hereby join MainePERS for its FOP police unit members, to include police officers, dispatchers, campus security officers and security guards who work more than 20 hours per week and who are not seasonal or temporary as defined by the Appendix to MainePERS Chapter 802 under Special Plan 2C.
- b) This approval does not permit any other UMS employees to be eligible to participate in MainePERS.
- c) Eligible UMS FOP unit members who elect to participate with MainePERS will not be able to purchase prior service credits with MainePERS at this time.
- d) UMS Chancellor Dannel Malloy is hereby authorized to sign an appropriate agreement between UMS and MainePERS to implement this resolution and the MainePERS participation election benefit that it authorizes.



**FY2022 & FY2023 Compensation and Benefit Changes for Non-Represented Management Group and Non-Represented Faculty (including Maine Law)**

Vice Chancellor Thelen provided an overview of the compensation and benefit changes for Non-Represented Management and Non-Represented Faculty, including Maine Law. Non-represented employees are in positions which are not covered by collective bargaining agreements. Compensation and employee policies for these employees are recommended by the Chancellor and approved by the Board of Trustees. The Chancellor recommends wage, salary, and benefit adjustments for non-represented Salaried, Hourly, University Supervisors and Confidential employees. For FY2022 and FY2023, non-represented salaried and hourly staff who are not Management Group employees received the same pay increases as similarly situated employees in the ACSUM (hourly) and UMPSA (salaried) bargaining units based upon the collective bargaining agreements approved by the Board at its September 2021 meeting. The Chancellor now recommends that the Board proceed with approving FY2022 and FY2023 pay increases for non-represented faculty (including Maine Law) and Management Group employees. Across the System, there are 69 Management Group employees, 15 Maine Law faculty, and 137 other non-represented faculty who will be impacted by this adjustment. There will be a general three percent (3%) base salary increase pool for the Management Group, to be allocated among respective Management Group employees by their university presidents, the Maine Law dean, and the Chancellor for both FY2022 and FY2023. Non-represented faculty, including Maine Law faculty, will receive three percent (3%) increases for FY2022 and FY2023. Increases effective back to the beginning of FY2022 will be paid in the next payroll following full approval by the Board.

On a motion by Trustee Katz, 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 Human Resources and Labor Relations Committee and approved the management group and non-represented faculty compensation and benefit changes for FY2022 and FY2023 as presented.

**UMS Investment Statement Resolution**

Chair Gardner stated that after discussion earlier in the meeting, this item was deferred to a future meeting. Trustee Martin, Chair of the Investment Committee stated that the Investment Committee has been working on the investment statement for quite some time and developed a well thought out statement to be presented at this meeting. She stated that after a few Trustees raised some questions pertaining to the statement, it was decided that the Investment Committee would work with the UMS investment consultants at NEPC to provide answers to those questions before moving forward for approval of the investment statement. Trustee Riley stated that while she applauds the efforts of the Investment Committee and our current ESG investing strategy, she would like to see the UMS fully divested from fossil fuels. She stated she is looking forward to discussing this possibility with the Investment Committee before the next Board meeting.

**FY2022 – FY2023 IT Capital Spending Plan**

Chief Information Officer (CIO) David Demers provided an overview of the University of Maine System request to expend up to \$3.945 million on deferred and emerging technology initiatives to improve disaster recovery/business continuity, enhance information security, network reliability and support effective change management and incident response as we initiate the Repaving MaineStreet initiative. There are several areas of focus covered by this proposal, including:

- **Disaster Recovery/Business Continuity** – investment in expansion of enterprise storage and virtualization infrastructure along with improved enterprise server backup and replication functionality to ensure system failover capacity. Replacement of aged battery backup systems in the UMS Data Centers.

- Enhancing Information Security – investment in contemporary digital forensics tools to enhance and improve intrusion detection, centralized data collection and incident analysis. Additional expansion of current storage environment for the UMS-wide video surveillance platform is also included.
- Network Reliability – investments in modernizing the UMS IP Address Management system and expanding network firewall capacity by replacing legacy or homegrown solutions with contemporary tools; addressing structured cabling needs that were not included in the Wireless Infrastructure project.
- Change Management/Incident Response – investment in enterprise tools to assist with the management of enterprise system configuration changes and decisions and to optimize ability to receive and address incident reports; expand capacity for load testing and application testing as we initiate the Repaving MaineStreet project.

On a motion by Trustee Donnelly, which was seconded by Trustee Erwin, 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 to expend up to \$3,945,000 for deferred and emerging technology initiatives. The funding source will be previously earned temporary investment income.

**Renovation of 274 Front Street for Expansion of UMF Sweatt-Winter Child Care and Early Education Center**

UMF Vice President for Academic Affairs/Provost Eric Brown and UMS Director of Capital Planning and Project Management Carolyn McDonough provided an overview of the UMF request to spend up to \$3,100,000 to conduct a renovation by replacement of UMF's Sweatt-Winter Child Care Center which includes early childhood programming and workforce training opportunities. This cost is in addition to the February 2019 purchase price of \$850,820 that was approved by the Finance, Facilities & Technology Committee and accepted by the Board of Trustees in January 2019. This phase of the project budget consists of the renovation portion of the project to renovate 274 Front Street to move its Sweatt-Winter Child Care Center from the middle of the campus into a newly renovated Sweatt-Winter Child Care and Early Education Center located at the entrance to campus. The new facility will directly address the impacts of the pandemic, including reducing educational and economic disparities. There is a positive correlation between the rigorous preparation and degree attainment of early childhood educators and the outcomes of their students, especially those who are at-risk. Additionally, the expanded center will ensure more young children in Franklin County have access to quality early learning so their parents can fully participate in the workforce and improve their own economic outlook and that of this rural region. The schematic design is complete, the bid package is being developed and tentative advertisement is scheduled for January 25, 2022. The estimated opening of the expanded facility is scheduled for mid-January 2023.

On a motion by Trustee Bartholomew, 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 Finance, Facilities, and Technology Committee and authorized the University of Maine System acting through the University of Maine at Farmington to expend up to \$3,100,000 comprised of 2018 Bond, Congressionally Directed Spending earmark, Foundation award(s) and the Maine Job Recovery Act, for renovation to 274 Front Street as the new home of the Sweatt-Winter Child Care and Early Education Center. The approved initial spending limit is set at \$1,500,000 with the additional \$1,600,000 to be authorized by the Chancellor and Vice Chancellor for Finance and Administration & Treasurer contingent upon obtaining confirmation of the Maine Jobs Recovery funds as well as the Congressionally Directed Spending earmark.

**New Academic Program Proposal: Doctorate of Nursing Practice (DNP), UMFK**

Vice Chancellor Placido, UMFK President Deb Hedeen provided an overview of UMFK's request to offer a Doctor of Nursing Practice (DNP) program as a continued credentialing pathway from their proposed Master of Science in Nursing (MSN) program. The program is being developed in a modality unique to other UMS doctoral nursing programming as an online, accelerated format with multiple start dates designed to appeal to working professionals and students seeking additional educational credentials to meet the State of Maine nursing shortage. Maine is also experiencing a shortage in nurse educators. The DNP will assist in preparing practitioners for clinical and classroom teaching experiences.

Curriculum development will be completed in consultation with Academic Partnerships (AP) and the Commission on Collegiate Nursing Education. While not structured as a collaborative program, UMFK has worked with all of the nursing programs in the UMS to ensure programming is not duplicative and that required clinical placements will be able to support the increase in enrollments. Curriculum and coursework will be aligned to develop transferable pathways to and from existing UMS programming. The proposal was reviewed at all appropriate faculty and administrative levels at UMFK and was reviewed and subsequently recommended by the Chief Academic Officers Council. Vice Chancellor Placido recommended the program to the Chancellor and the Chancellor signed his approval of the DNP program in December 2021.

On a motion by Trustee Doak, which was seconded by Trustee Martin, and approved by a roll call vote of all Trustees present, the Board of Trustees authorized the creation of the Doctorate of Nursing Practice degree for the University of Maine at Fort Kent.

**300 Fore Street Renovation and Fit Out Increase, UM and UM School of Law**

Chancellor Malloy, Vice Chancellor Low and Dean of the Maine School of Law Leigh Saufley provided an overview of the Maine School of Law request to increase the authorization for the Portland, 300 Fore Street renovation and fit out project by \$5,500,000 for a total expenditure of up to \$11,500,000. In September of 2021, the Board authorized an initial \$6 million. Recognizing uncertainties in the construction materials and labor market it is anticipated that additional requests may be needed. Timing of the project is such that the current request is necessary to minimize impacts to the schedule and associated further cost increases. Funding will come from the Bobby Monks & Bonnie Porta gift to Maine Center Ventures for Maine Law/Maine Center occupancy of 300 Fore Street, \$2,500,000 from the University of Maine as well as up to \$8,000,000 in funding sources identified by the Treasurer and Chancellor. With the long-term lease and potential purchase of 300 Fore Street to house the University of Maine School of Law as well as the Maine Professional and Graduate Center, the Graduate School of Business, and other University of Maine departments, changes to the space are needed to accommodate the classrooms, student collaboration space, library space, and faculty and staff offices. Because the nature of this project involved seizing the opportunity to secure the space when it was available, the final cost of the full renovations is still being estimated and evaluated. The team continues to look for ways to minimize these costs, while assuring a professional building. The current request will allow the project to move into construction in January with a goal of completing construction in the summer of 2022. The guaranteed maximum price is due from the contractor in early January. Based on preliminary review of that number, it is clear that additional funding will be needed. However, waiting until then for this approval will jeopardize the ability to complete the project for Fall 2022 move in. The current goal is to occupy and hold classes here at the start of the Fall 2022 semester. This is a very tight schedule especially given current shortages in the construction labor market as well as extended material lead times. The team is working diligently to achieve this goal.

On a motion by Trustee Donnelly, which was seconded by Trustee Katz, and approved by a roll call vote of all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities, & 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 an additional \$5,500,000 for a total of \$11,500,000 for the design, permitting, renovation and 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.

### **CONSENT AGENDA**

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

#### **Acceptance of Minutes**

The following meeting minutes were approved as presented:

November 9, 2021 – Investment Committee Meeting

November 15, 2021 – Board of Trustees Meeting

December 16, 2021 – Ad Hoc Committee on Strategic Planning Meeting

January 3, 2022 – Academic & Student Affairs Committee Meeting

January 3, 2022 – Human Resources & Labor Relations Committee Meeting

January 6, 2022 – Executive 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 January 3, 2022:

#### **New Academic Program Proposal: Master of Science in Nursing, UMFK**

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and authorized the creation of a Master of Science in Nursing program with specialty tracks in adult gerontology and psychiatric mental health at the University of Maine at Fort Kent.

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 January 5, 2022:

#### **Establishment of the Elliot R. Barker, III Professorship in Chemical Engineering, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the establishment of the Elliott R. Barker, III Professorship in Chemical Engineering.

#### **Establishment of the Dan '63 and Betty Churchill Professorship in Climate Policy and International Affairs, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the establishment of the Dan '63 and Betty Churchill Professorship in Climate Policy and International Affairs.

#### **Establishment of the Norman B. Stetson '62 Professorship in Electrical and Computer Engineering, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the establishment of the Norman B. Stetson '62 Professorship in Electrical and Computer Engineering.

**Renaming of former North Stevens Hall, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the University of Maine System acting through the University of Maine to rename the former North Stevens Hall as “Karen L. Boudreau, Esq. Hall” (formal designated name) and “Boudreau Hall” (common name).

**Ferland Engineering Education & Design Center Budget Update, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the University of Maine System acting through the University of Maine to increase the Ferland EEDC project authorization by \$6 million bringing the total authorization to expend up to \$78 million. Funding for the increased budget will come from additional privately raised funds.

**Priority 1 Athletic Field Improvements, UM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the University of Maine System acting through the University of Maine to expend up to \$14 million to construct and make improvements to the soccer, softball, and field hockey venues, and continue planning and design of the overall Athletics Master Plan. Funding for this work will be from the Harold Alfond Foundation grant funding and matching contributions.

**Wieden Hall Renovation – Project Budget Modification & Internal Loan Request, UMPI**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the University of Maine System acting through the University of Maine at Presque Isle:

- To increase the total renovation budget of the Wieden Hall Renovation to \$6,257,000, and,
- To approve an internal loan of up to \$2.5 million for the Wieden Hall Renovations.

**Science Building Renovation for Dubyak Center Expansion, USM**

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee and authorized the University of Maine System acting through the University of Southern Maine to expend up to \$2.5 million for renovation to expand its Michael E. Dubyak Center for Digital Science and Innovation located on the second floor of the Science Building on the Portland Campus. Funding for this project would be from Maine Jobs Recovery funds and 2018 State Bonds. The approved initial spending limit is set at \$1,000,000 with the additional \$1,500,000 to be authorized by the Chancellor and Vice Chancellor for Finance and Administration & Treasurer contingent upon obtaining confirmation of the Maine Jobs Recovery funds.

**DISCUSSION ITEMS**

**Unified Accreditation and Unified Catalog Update**

Associate Vice Chancellor for Strategic Initiatives Dr. Jeff St. John provided an update on the UMS unified accreditation progress. Dr. St. John stated that at NECHE’s September 2021 meeting, they reviewed the findings of the NECHE Spring visit in May of 2021. Following that meeting, NECHE sent UMS a letter on November 29, 2021, outlining those findings and recommendations. This letter is important because it helps continue to guide UMS for the self-study and provides guidance to the NECHE Fall 2022 visiting team. In the letter, NECHE thanked the UMS for the two comprehensive reports

provided to them prior to the Spring 2021 visit. NECHE also noted the specific areas they asked UMS to focus on after initially granting unified accreditation in July 2020. The letter also listed areas of emphasis that NECHE would like addressed in the self-study. The November 29, 2021 NECHE letter represents a positive initial appraisal of our work on unified accreditation and suggest that UMS is on good footing with NECHE as we prepare for the comprehensive evaluation this Fall. The letter has been shared with several key stakeholder groups and posted to the UMS unified accreditation website.

Dr. St. John stated that he met with the UMS Presidents Council, the Chief Academic Officers Council (CAOC), and the Faculty Governance Council to outline his plan for engaging faculty this Spring, concerning the unified catalog. Dr. St. John has already met with one campus faculty group so far and will meet with several others this coming week. There are many faculty across the System that have expressed interest in working on academic activity in and around the MaineStreet platform to make improvements for students and faculty alike. Work with faculty this Spring will include developing a guide to help faculty build a multi-campus collaborative academic program. Additionally, work this Spring will identify academic policies and practices that can be aligned to make navigating UMS universities easier and more efficient for students. There are several academic policies throughout the System that make it very difficult for students to enroll and complete courses at multiple UMS campuses. Many of the barriers to student success come from the misalignment of these academic policies and procedures across the System and UMS believes that by creating alignment, there will be significant improvements in retention, time to degree and completion.

Chancellor Malloy thanked Dr. St. John for his stellar work on unified accreditation and the unified catalog.

### **DATE OF NEXT MEETING**

The next meeting of the Board of Trustees will be held on March 27-28, 2022.

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