

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

hosted by the University of Maine System, at the University of Maine
March 27-28, 2022

Board of Trustees Meeting

Present: Mark Gardner, Chair; James Donnelly, Vice Chair; Kelly Martin (by phone), James Erwin, Trish Riley, Lisa Eames, Roger Katz (by phone), Beth Dobson, Peggy Rotundo (by phone), Emily Cain, David MacMahon, Sven Bartholomew, and Michael Michaud. **Chancellor:** Dannel Malloy. **University Presidents & Law School Dean:** Leigh Saufley, Joan Ferrini-Mundy, Ray Rice, Joe Szakas, Edward Serna (by phone), Glenn Cummings and Deborah Hedeem. **Faculty Representatives:** Kennedy Rubert-Nason, Lisa Leduc, Patrick Cheek, Clyde Mitchell, William Otto, and Michael Scott. **Student Representatives:** Ben Doherty, Salvatore Cardinale, David Ballard, Omar, Abduljaleel, and Aidan Mulrooney. **System Staff:** Robert Placido, Ryan Low, Ellen Doughty, David Demers, Jeff St. John, Carolyn Dorsey, Loretta Shields, Sam Warren, Tracy Elliott, Kim Jenkins, and James Thelen.

Absent: Pender Makin.

Sunday, March 27, 2022

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

EXECUTIVE SESSION

On a motion by Trustee Michaud, which was seconded by Trustee Donnelly, and approved by 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 Riley, and approved by all Trustees present, the Board of Trustees concluded the Executive Session.

Trustee Gardner, Chair, called the public meeting to order and welcomed everyone. He stated that Trustees Martin, Katz and Rotundo are participating in the meeting by telephone and several individuals will be periodically leaving the Board meeting today and tomorrow to meet with an external consultant.

Engagement with Faculty & Student Representatives to the Board of Trustees

In order to enhance engagement with the Faculty and Student Representatives to the Board of Trustees, the Board asked Associate Vice Chancellor for Academic Affairs, Carolyn Dorsey to facilitate a discussion to find common definitions and measures of student success and to understand how the Faculty and Student Representatives envision their role in helping students succeed. Additionally, the Trustees

plan to utilize this discussion to gain a better understanding of what kind of support is needed for the Faculty and Student Representatives, to help them create a culture of student success.

Prior to the meeting the Faculty and Student Representatives were provide the following discussion prompts:

- How should student success be defined (progression, retention, completion)?
- In your opinion, what is the greatest challenge our students face in achieving their academic goals?
- What do you see as the campus' role in helping students succeed? The faculty's role? The role of UMS?
- What is the greatest challenge in meeting students' needs and expectations?

The Faculty Representatives who were present for the discussion included Michael Scott, UM; Patrick Cheek, UMA; Clyde Mitchell, UMF; Kennedy Rubert-Nason, UMFK; William Otto, UMM; and Lisa Leduc, UMPI. The Student Representatives who were present for the discussion included Ben Doherty, UM; Salvatore Cardinale, UMA; David Ballard, UMF; Omar Abduljaleel, USM; and incoming Student Representative Aidan Mulrooney, UMF.

The Faculty and Student Representatives defined student success as:

- Students who have post-graduate employability.
- Students who are engaged and enjoy their UMS learning experience. Inside and outside of the classroom.
- Students who find the right pathway and attend higher learning institutions that remaining flexible as the student's needs and career path change over time.
- Students that have support to shape and meet their goals.
- Students that have ample peer and mentor level guidance for students.
- Students who are empowered and are able to advocate for themselves.
- Students that feel seen, included, and supported academically, socially, and emotionally.

The major themes that were discussed as barriers to student success and retention included lack of Diversity, Equity, & Inclusion (DEI) awareness and implementation throughout the System and campuses; lack of awareness and information about mental health support services offered for students, faculty, and staff; and an overall sense of lack of communication and collaboration with faculty and students across the System.

In preparation for continuing this discussion during the Board meeting on Monday, the Trustees posed the following questions for the Faculty & Student Representatives to consider prior to the discussion:

1. What in your opinion could the Trustees "do more of" or if you could offer them one take-away from the meeting, what would it be?
2. In consideration of the conversation around DEI, and discussions relating to the unique set of experiences each student brings to the university environment, what strategies would you recommend to keep them engaged?
3. As a Board, what can we provide you to assist in being able to meet students where they are in their educational journey?

4. How can we help ensure you are prepared for the student when they make a "crisis call"?

Associate Vice Chancellor Dorsey explained that the Trustees plan to discuss these questions with the Faculty and Student Representatives, along with System leadership and University Presidents at the Board meeting on Monday.

UM Athletics Presentation on Student Success and Retention

Vice Chancellor for Research and Innovation/UM President Joan-Ferrini-Mundy and UM Director of Athletics, Ken Ralph provided an overview of the University of Maine Athletics program. The UM Athletics program has 17 varsity sports all at the NCAA Division I level. There are 550 varsity athletes that represent 26 different nations. The UM varsity sports program includes nine women's sports and eight men's sports. UM is a full Member of America East for all sports other than hockey and football. Additionally, UM Athletics is an associate member of the Colonial Athletic Association for football and a full member of Hockey East for men's and women's hockey. The 2021 UM Field Hockey team won the regular season and post season America East Championship and made their first appearance in the NCAA Championship Tournament. Women's Basketball has won three conference championships since 2018 and the Football team won the 2018 CAA Championship and won multiple games in the NCAA Tournament advancing to the Final Four. In 2019, Track athlete James Olivier won the USA Track & Field U-20 Championship in the 800 meter and qualified for the Pan-Am Games. Mr. Ralph outlined some of the UM athletes' academic achievements. In Fall 2021, 15 of 17 programs achieved a GPA in excess of 3.0. Women's Basketball had the highest GPA among the women's teams with a 3.717 and Men's Ice Hockey had the highest GPA among the men's programs with a 3.684. For the 2020-21 academic year the Black Bears had the highest cumulative GPA for any school in the America East Conference. Additionally, Mr. Ralph provided an overview of the historic Harold Alfond Foundation (HAF) gift to UM Athletics. The HAF gift is to be used entirely for capital expenditures and not for operating support and will move UM towards their goals regarding access, gender equity, community involvement, and competitive excellence. The first three projects are now in the construction document stage, with hopes to start work in Summer 2022.

Monday, March 28, 2022

Trustee Gardner, Chair, reconvened the meeting and welcomed everyone. He stated that Trustees Martin, Katz and Rotundo are participating in the meeting by telephone.

CITIZEN COMMENT

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

- Ryan O'Leary – Fossil fuel divestment
- Leo Rubin – Fossil fuel divestment
- Tamara Benson – Fossil fuel divestment
- Maxwell McDonough – Fossil fuel divestment
- Zoe Pavlik – Fossil fuel divestment
- Devon Jobe – Fossil fuel divestment
- Charles Cooper – Fossil fuel divestment
- Jessica Cleary-Reuning – Fossil fuel divestment
- Belu Katz – Fossil fuel divestment
- Ben Hacker – Fossil fuel divestment

CHAIR'S REPORT

Investment Committee Update

Trustee Kelly Martin, Chair of the Investment Committee, provided an update on the progress of the Investment Committee. The Investment Committee continues to do due diligence on expanding upon our current sustainable investment strategy. The Investment Committee had an educational session on February 9th to learn and share ideas on how to best accomplish this. Since this session, the Committee has had many divestment and ESG conversations incorporating the suggestions from the education session coupled with the guidance on sustainable investment opportunities from our external consultants all the while being mindful of our investment market limitations and keeping our fiduciary responsibilities front and center. It is the Investment Committee's expectation to hopefully have an investment statement at the May meeting. Trustee Martin thanked the students who spoke during citizen comment and commented that our future does matter.

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 committee has completed its work. The Committee recommended four final candidates to the Chancellor after hosting campus visits. The four candidates visited the Augusta campus, the Bangor campus and the Ellsworth Center. Each finalist held an open forum with faculty, students and staff. These forums were well attended. Each finalist also met with campus and System leadership, UMA Board of Visitors and the Bangor Advisory Committee and alumni officers. Chancellor Malloy met with each candidate. Everyone who participated in sessions with the candidates were encouraged to provide feedback through an on-line survey. These visits added to the rich information about candidates that the Committee gained through reviewing applications and conducting interviews. References and background checks have all been completed. After the campus visits, the Committee meet with Chancellor Malloy to present the strengths and concerns about the candidates. The Chancellor has made a recommendation to the Board of Trustees. The Board will be voting today to authorize the Chancellor to conclude negotiations of a contract with the selected candidate. Trustee Bartholomew thanked the members of the Search Committee for their work. It is a time-consuming process. The Search Committee worked very collaboratively. Many Committee members acted as hosts and served as escorts for the campus visits. The Committee received excellent support from Sandi Sullivan from the System Office and Joyce Blanchard and Renee Sherman from UMA. Trustee Bartholomew stated he enthusiastically supported the selected candidate and looked forward to working with the next president of the University of Maine at Augusta.

Authorizing Chancellor to Conclude Appointment of President, University of Maine at Augusta (UMA)

Vice Chancellor for Strategic Initiatives and Chief Legal Officer explained that there is a public action item before the Board that authorizes the Chancellor to conclude negotiations and execute a contract with the selected candidate for the President of UMA. The name of the individual will not be disclosed until the contract has been finalized. Provided the Board approves the action being presented, there will be a public announcement of the candidate on April 7th.

On a motion by Trustee Bartholomew, which was seconded by Trustee Dobson, and approved by all Trustees present, the Board of Trustees authorized Chancellor Malloy to conclude negotiations and execute a contract with the selected candidate to be the next President of the University of Maine at Augusta.

USM Presidential Search Committee Update

Trustee James Erwin, Chair of the USM Presidential Search Committee provided an updated on the Search Committee's progress. The Committee, being assisted by consultants from Academic Search,

have reviewed a strong pool of applicants and recommended four finalists to Chancellor Malloy. The Chancellor has considered the information that the Committee provided and approved the candidates. Two of the four candidates visited USM last week, the three candidates will visit next week and the fourth the following week. Campus visits will include forums for faculty, students and staff. Candidates will also meet with the Chancellor, campus and System leadership as well as community partners such as the Board of Visitors, USM Foundation Board and the Alumni Engagement Council. All who participate in the campus visits are encouraged to complete an on-line survey providing their comments for the Committee's consideration. The Committee anticipates being ready to report on a list of candidates with an assessment of strengths and weaknesses or concerns to Chancellor Malloy by mid-April. The Search Committee had worked hard to identify the candidates who best fit the needs of USM at this time and in the coming years. After reviewing all applicants and conducting preliminary interviews, the Committee believes it has identified strong candidates. The Committee looks forward to completing the process of campus visits and receiving feedback from all constituents who interact with the candidates. Trustee Erwin thanked all of the Committee members for their dedication to this important responsibility and also acknowledge the excellent support the Committee had received from the search consultants, Sandi Sullivan from the System Office and the USM staff – Steven Gregory, Julia Haltof and Dianne Knoop. Trustee Erwin also thanked Tracy Bigney, whose support for this search had been indispensable.

Establishment of the Trustee Nominating Committee

Chair Gardner explained that the Board of Trustees annually in May approves officers to serve one-year terms. Per Bylaw Section 3.2, the Board is not required to approve the appointment of members to the Committee for the Nomination of Officers. The Committee for Nomination of Officers shall nominate, from members of the Board, a Chair and Vice Chair to serve for the next fiscal year.

Chair Gardner thanked the following Trustees who will be the Nominating Committee which will bring a recommendation for Board Chair and Vice Chair for Board approval at the May Board meeting: David MacMahon as Chair, Lisa Eames and Michael Michaud.

Acknowledgement of Outgoing Student Representative to the Board

Chair Gardner stated that Eli Rubin would be mailed a certification of appreciation for his dedication and leadership as the Graduate Student Representative to the Board from the University of Southern Maine. Eli's term was May 2020 to May 2022. David Ballard was presented a certification of appreciation for his dedication and leadership as the Student Representative to the Board from the University of Maine at Augusta. David's term was January 2020 to March 2022.

Miscellaneous Items

Chair Gardner announced that Timothy Doak has resigned as a Trustee effective March 17, 2022 and the Board will be honoring Tim at a future meeting. The Board appreciates his dedication as a Trustee and the important perspective he brought to discussions due to his experience with the K-12 education system. Trustee Nomination hearings will be held virtually on March 30th for Donna Loring and Barbara Alexander and April 6th for Pat Flood.

CHANCELLOR'S REPORT

Chancellor Malloy stated he is pleased that the Board meeting could be held in-person and expressed appreciation for the on-going efforts to keep the campuses safe during the pandemic. As of last week, 3300 tests have been administered and a positivity rate of 1.1% which is substantially below the rate for the State of Maine. Because of the decline in positive cases, some of the covid restrictions have been eased. If the situation changes, we reserve the right to reevaluate the safety protocols. Chancellor Malloy

thanked the faculty, staff, students and visitors who have been on campus for their compliance to the covid restrictions.

Chancellor Malloy thanked Chip Gavin, the UMS Chief General Services Officer for his dedication and service to the University of Maine System. Mr. Gavin will be leaving UMS to accept another position.

The budget review process has begun, and the Chancellor thanked Vice Chancellor Ryan Low and his team for their outstanding work in helping the universities prepare the budgets. The final budgets will be presented to the Board at the May Board meeting. The Board has been provided an update on the UMA and USM presidential searches and the Chancellor stated that he has had meetings with the UMF campus to prepare to fill their presidential vacancy. He is looking to fill that vacancy with an interim candidate, and he will have more to report to the Board soon.

Human Resources Policy and Procedures Review Update

UMS Chief Human Resources Officer Loretta Shields provided an overview of the review of the Human Resources policies and procedures. The Human Resources Department is committed to being a business partner with all of the campuses, providing the best possible service and being consistent in administering the practices and policies. One of the areas of focus already underway is reviewing our hiring process. A Talent and Acquisition Division is being established that will be System-wide to share advertising expenses as well as sharing the applicant flow for the benefit of all of the campuses. The DEI initiative is also being developed to ensure we have a diverse pool of applicants for the hiring process. The Talent and Acquisition team will begin with a pilot at USM next month.

The standard operating procedures are being established for all HR partners which will ensure consistency and efficiently. Ms. Shields indicated she meets with the Human Resources leadership team every Monday to ensure everyone has consistent information.

Legislative Update

Vice Chancellor Low provided a brief legislative update. He stated the three Trustee nominations are great candidates and he is looking forward to working with them. There are three pieces of the Governor's budget and change package that will impact UMS. The first is a \$7.5 million per year debt service appropriation to the System that will over the course of ten years will allow the System to net about \$68 million in infrastructure projects in addition to the various proposed being reviewed by the Finance, Facilities and Technology Committee. The advance of these debt service initiatives will become part of our base. The second initiative from the Governor is a one-time appropriation of \$8 million that will allow UMS to freeze in-state, undergraduate tuition for the FY2023 budget. This will be the seventh- or eighth-time tuition has been frozen over the last 10 to 12 years. The third initiative from the Governor is a \$3 million appropriation for the Maine Economic Improvement Fund (MEIF). This is the first increase to the MEIF for the past five to six years.

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

Dr. Juyoung Shim, Assistant Professor of Biology at the University of Maine at Augusta (UMA), provided a presentation on new programs and academic experiences she is currently developing, including the adoption of new Hyflex/Virtual courseware for laboratory courses, the launch of a new Toxicology and Aging laboratory at UMA, the development of a new online biochemistry course (Biology of Aging),

and a collaborative research focused effort. Dr. Shim is originally from Korea and moved to Presque Isle where she resided for over 6 years. She immersed herself in rural Maine to adjust to the culture, language barriers and the northern Maine climate. She received her second bachelor's degree as a non-traditional learner from Bates College. This experience as a non-traditional learner has assisted her work at UMA.

The virtual or on-line based laboratory courses not only assisted during the pandemic but continues to provide flexibility for non-traditional students who work full-time and have family obligations. Many of the students are working in a clinical setting as a CNA or are veterans who could be deployed. The laboratory activities are based on spatial reasoning and 3D learning. The Hyflex hybrid laboratory course includes four in-person sessions on campus for dissections experience as well as skeleton and muscle models. The balance of the labs are developed as take-home lab kits or virtual simulations to allow students to perform the activities outside of the classroom. She has received very positive feedback from the students with this type of laboratory course.

Early College Presentation

UMS Director of Early College Amy Hubbard provided a brief update on UMS Early College 2020-21 enrollments, offer updates on university initiatives, and review the areas of focus for Early College planned for the coming year. The Early College headcount for 2021 was 4,767. Early College has increased even though there has not been an advertising campaign. In 2021 30.6% of the UMS Early College students following high school graduation enrolled at UMS. 19.4% of all Maine high school graduates enrolled in UMS the fall immediately following their high school graduation. The percentage of increase in credit hours by campus for FY2021-FY2022 are as follows: UMA 15%, UMF 66%, UMFK 21%, UMPI 17%, UMM 70%, UM 878% and USM 27%. The strategic priorities for Early College are establishment of the role of Early College in increasing aspirations and providing equitable college access; program structure and sustainability; student and program success; and partnerships and collaborations.

Spring Enrollment Update

Vice Chancellor Placido provided an update on 2022 Spring enrollment and projections for 2022 Fall enrollment based on our current applications. The 2022 Spring UMS total credits hours were down 2% overall, graduate and law school credit hours were flat from last year, and in-state undergraduate credit hours were down 4.6%. Applications are up 2.2% for 2022 Fall; however, matriculations are down 21.9% compared to last year. These data are frequently updated on the UMS Dashboard at <https://public.tableau.com/app/profile/ums.academic.affairs>.

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 discussed the System-wide implications from UM's R1 designation. UM has been working towards the R1 designation since 1998 with a goal of attainment by 2024. UM is delighted to have reached this important milestone by 2022. Maine does not attract businesses that have a research and development department so it is important for Maine's public higher education system to have the R1 designation which will assist with the growth of the Maine economy. Student are attracted to an entity that has this level of a research university. It can draw world-class faculty and researchers and increase federal grants, contracts and private investment in addition to the development of collaborative programs, center and institutes at other UMS universities. UM and UMS are the State's most promising resources for growing research and development as a percent of the gross domestic product.

The RI designation is based on the following elements which have mutual benefits for all of the campuses: collaboration on research and development expenditures in Science and Engineering, in non-Science and Engineering, the number for research and development staff with doctoral degrees, the number of STEM degrees awarded and the number of full-time faculty. She is currently working with the Presidents and the Law School Dean on expanding research and development System-wide.

The Trustees congratulated President Ferrini-Mundy for UMaine's designation as an R1 research institution. The Trustees asked if R1 status is determined on an annual basis and asked about what strategic initiatives were in the works to raise money for humanities programs as well as research and development (R&D) programs. President Ferrini-Mundy explained that the Carnegie Foundation for the Advancement of Teaching, which issues R1 status to universities, is in the process of moving from Indiana University to the American Council on Education (ACE). Currently, R1 status is evaluated on a 3-year basis; however, President Ferrini-Mundy believes that the frequency of status evaluation, along with several other processes will probably change with this move. President Ferrini-Mundy stated that there really is not a lot of federal funding available for humanities programs, but UM has recently developed a team that will be working on finding out what other philanthropic opportunities are available to fund and grow the humanities programs. UM is also engaged in several new and continuing fundraising campaigns for existing and future R&D programs.

Trustees also asked how UM is promoting its R1 status and leveraging the designation to increase enrollment. President Ferrini-Mundy stated that UM has many faculty members that have serious engagement with K-12 schools to start early on introducing them to UM and its many excellent academic programs. She also stated that the Research Learning Experience (RLE) program, which is funded through the HAF grant has been an exciting and innovative way to engage with first year college students and collect valuable data about how to reach high school seniors and meet them at their level.

VICE CHANCELLOR FOR STRATEGIC INITIATIVES' REPORT

The Board was provided with an update on the following UMS Strategic initiatives:

Strategic Planning Update

Vice Chancellor for Strategic Initiatives and Chief Legal Officer James Thelen provided a brief report on the UMS Strategic Planning process. Vice Chancellor Thelen stated that a team from Huron, the UMS Strategic Planning Consultant, will be joining the next Board of Trustees meeting in May 2022. The Huron presentation will provide an opportunity for Huron to discuss an overview of their findings and recommendations after meeting with System leadership, each university, UMS external stakeholders, and the Board's Ad Hoc Committee for Strategic Planning. Additionally, the Huron team will discuss the information they have gathered on the NECHE self-study that the System is preparing and provide feedback on how it has and can continue to help inform the visioning work and strategic planning that the System is working on currently. The Ad Hoc Committee on Strategic Planning asked that Huron and System leadership with researching and providing data on demographic trends, enrollment, access and affordability, and many other key metrics at the university, System, and State levels, to inform the ongoing UMS strategic planning process. A lot of work has been put into developing what the System is referring to as a Data Book, which will be accessible online and be a compilation of the various data points requested by the Trustees. The Data Book will be the grounding element used to develop the initial tenants of the strategic plan. In addition to meeting with the Ad Hoc Committee on Strategic Planning, Huron also meets virtually with the UMS President's Council and a small strategic planning working group consisting of half System staff and half campus level staff on a regular basis. The next big engagement opportunity for Huron is that they will be sending two of their team members to join the Chancellor and his team as they complete their Spring campus visits. This will give Huron an opportunity

to directly engage with campus faculty, staff and students, to gain a better perspective of each university's unique culture and needs. The information gathered during these visits will also be included in the May Board of Trustees discussion with Huron.

NECHE Self-Study

Associate Vice Chancellor for Accreditation and Strategic Initiatives Jeffrey St. John stated that the 3rd and final draft of the NECHE self-study is scheduled to be shared with the UMS community on Friday, May 13th. This final draft will include a 100-page narrative and two complete sets of data that are required by NECHE, which will include text, photos, charts, graphs, and appendices. The draft that will be shared on May 13th will be 95% complete and in the same format that will be shared with NECHE in the final version. The System opted for the date of May 13th to give faculty and staff one final chance to review the draft and submit any feedback before they are off for the Summer break. The self-study is on track to be submitted in final form to NECHE on June 15th. This will help NECHE to prepare for their evaluating visit in October 2022. By the end of this process, over 145 members of the UMS community will have contributed to the self-study in some way.

NECHE October 2022 Visit

NECHE has identified Dr. Ross Gittell, President of Bryant University in Smithfield, Rhode Island as the Chair of the visiting team that will be visiting UMS in October. UMS has arranged a preliminary meeting with Dr. Gittell in late May. He will be meeting with the Chancellor, President's Council and System staff to begin working out the planning and logistics for the October visit. By NECHE standard process the Chair of the visiting team dictates the schedule and agenda for the visit; however, UMS will be making a request that at least one member of the eight person team visit all of the UMS campuses, including the Maine Law School while they are here and that there is more than one open session for faculty members to meet with NECHE to give all campus faculty and as many opportunities to engage with NECHE as possible.

Unified Catalog

In April and early May, Dr. St. John and the rest of the unified catalog project team will be working with faculty on every campus in a review of the first set of proposed academic policy alignments and improvements that were initially shared with the Trustees at the January 2022 Board meeting. Specifically, UMS is seeking to align policy and procedures in areas that faculty, registrars, and other student support staff have consistently encountered barriers over the years. The project team will be starting by tackling policies concerning transfer credits and residency requirements. Dr. St. John has met with faculty members on all UMS campuses, except UMM, which will happen next week and so far the meetings have gone well. The plan is to take feedback and present a draft proposal to faculty members to review at their campus level and provide feedback to the project team to submit a final draft proposal of changes to the Presidents and Chancellor. Following this process allows UMS to move forward in areas that faculty have identified in a faculty shared governance process that UMS can improve what it does for the benefit of students and faculty, and create access and opportunities of success.

Maine College of Engineering, Computing and Information Science (MCECIS) Memorandum of Understanding (MOU) Discussion

Vice Chancellor Jim Thelen and Vice Chancellor Joan Ferrini-Mundy, who are the co-Principal Investigators for the UMS TRANSFORMS Harold Alfond Foundation grant initiatives, provided an overview of the MCECIS MOU framework and addressed the written responses received to date. The October 2020 grant commitment agreement between UMS and the Harold Alfond Foundation (HAF) provides \$75 million to UMS over 12 years (2022-2033), \$50 million of which is intended to renovate existing engineering infrastructure and \$25 million of which is intended to support scholarships (\$5

million); new faculty, faculty development, and curricular innovation (up to \$16 million); planning, development, and administration of the MCECIS entity (up to \$3.5 million); and assessment and marketing (up to \$500,000). UMS is required to match an additional \$75 million that advances the MCECIS initiative through privately raised funds and corporate philanthropy, state support (bonding, debt service, or targeted appropriation), and federal grants. The initial academic administrative matter was presented before the Board today as an information item, with the expectation of a request for approval through the Academic and Student Affairs (ASA) Committee and full Board, respectively, in May 2022. It is a written understanding between the USM President, the Chancellor, Vice Chancellor Thelen, and Vice Chancellor Ferrini-Mundy regarding the relationship the USM Department of Engineering will have to the MCECIS entity, which initially is intended to be formed through renaming the existing University of Maine College of Engineering.

USM engineering faculty and administration requested that UMS commit in writing to an arrangement that allowed USM to continue granting engineering degrees in its own programs even as they partner with University of Maine engineering programs in MCECIS. Further, USM requested to retain administrative control over the USM Department of Engineering and continue to be the “home” of USM engineering faculty. The MCECIS MOU provided to the Board at the meeting accomplishes these ends. It has been reviewed by the USM and UM faculty senates, the MCECIS Steering Committee, and AFUM, and was provided to the UMS Faculty Governance Council with a request for review and comment. To date, all but the UMS Faculty Governance Council have provided written responses. The USM Faculty Senate’s response and the AFUM response each express opposition to the MCECIS MOU. MCECIS next steps include:

- Launch UMaine College of Engineering Dean search
- Evaluate UMS Faculty Governance Council, MCECIS Steering Committee, and MCECIS Organizational Structure
- Leave all curricular matters to faculty
- UMS Computing and Information Science representatives continue on framework for participation
- Request for approval from ASA Committee and full Board in May 2022:
 - Renaming UMaine College of Engineering to MCECIS
 - Confirm USM engineering partnership with MCECIS as defined in MOU
 - Further program and curricular details to be worked out by faculty and existing working groups and committees

Trustee Riley stated that UMS should make sure that the organizational structure of MCECIS creates efficiencies and effectiveness and creates many opportunities for collaboration across the System. Vice Chancellor Ferrini-Mundy stated that those are all key priorities that UMS is focusing on as the proposal is developed. Trustee Erwin asked that when the final MCECIS proposal is submitted for Board approval, that the System identify in some way that students and their success and retention are at the center of the recommendations that are made for the final proposal.

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

For the calendar year to date, UMS continues to see significant market volatility, with negative equity in fixed income returns due to high inflation, rising interest costs and other geopolitical events. The Managed Investment Pool has a current market value of \$440 million. It experienced a loss of 4.6% for

January, with an additional loss of 1.7% in February, bringing a fiscal year to date loss through the end of February to 2.7%. The Pension Plan has a current market value of \$24 million. It experienced a loss of 3.7% for January, with an additional loss of 1.1% in February, bringing a fiscal year to date loss through the end of February to 0.5%. The Operating Fund has a current market value of \$389 million. It experienced a loss of 1.2% for January, with an additional loss of 0.4% in February, bringing a fiscal year to date loss through the end of February of \$3.3 million. Through March 24th, with three quarters of managers reporting, March had lost an additional \$1.7 million, bringing fiscal year-to-date down approximately \$7.3 million, compared to budget. While UMS is hopeful that the market will turn around and it can recoup the losses, if it does not, UMS has to prepared to cover those losses. Losses such as this are covered by System stabilization funds. With the campus transferred in the proposed FY2023 budget, this could severely deplete the System budget stabilization funds.

Budget to Forecast

Vice Chancellor Low provided a brief overview of the FY2022 forecast to budget. 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 \$23.9 million, which is an improvement from the forecast in January at nearly \$26.7 million. There are two major factors that have increased the deficit this much. The first major factor contributing to the deficit increase since the approval of the FY2022 budget is changes in enrollment. The enrollment decline affects the campus tuition income as well as income from Auxiliary services. The second and largest factor is 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 because 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. 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. UMF still projected to close FY2022 with a deficit.

FY2023 Budget Update

Vice Chancellor Low provided a brief update on the UMS FY2023 budget. The work for the FY2023 budget started in Spring 2021 and the first draft of the proposed budget was presented to the Finance, Facilities, & Technology (FFT) Committee at the March 23rd meeting. Vice Chancellor Low thanked the presidents and the campus teams for all of their hard work on preparing their budget presentations. There will be another FFT Committee meeting on April 19th to discuss some finer details of the budget and provide an opportunity for the Committee to ask more in depth questions. The second reading of the proposed FY2023 budget will be presented at the May 4th FFT Committee meeting for approval, followed by a final reading and request for approval at the May 23rd Board of Trustees meeting.

ACTION ITEMS

Approval of the Maine Economic Improvement Fund Annual Report

UM President Joan Ferrini-Mundy and UM Vice President for Innovation and Economic Development Jake Ward provided an overview of the Maine Economic Improvement Fund (MEIF) Annual Report for FY2021. The role of the MEIF is to solve fundamental problems and discover new solutions. This funding provides researchers at Maine's public universities with the investment necessary to attain external grants and contracts to support research & development activity in Maine's seven sectors; attract and retain world-class researchers; provide support for modern laboratories and state-of-the-art equipment; create new products, patents, technologies, companies and exciting job opportunities in

Maine; and create and sustain economic development and innovation. MEIF funds the work of 506 researchers and 1190 students with an annual investment of \$17.35 million leveraged at a rate of 5.7:1 resulting in over \$98 million in federal and private-sector grants and contracts. The FY2021 MEIF objectives were to attract top talent and new financial resources to the state of Maine to increase the state's R&D capacity; address the current and future workforce needs of the state to benefit the people and businesses of Maine; and to elevate R&D activities within the UMS to benefit Maine's economy. MEIF supports research that matters to Maine by:

- Increasing focus on rapid response to solve Maine challenges and drive immediate opportunities as part of pandemic recovery
- Using UMS's talent, innovation and infrastructure assets as the springboard for recovery and growth
- Fostering innovation in Maine's heritage industries and developing new markets and new products for key Maine economic sectors
- Building strategic partnerships with business, industry and government to support State economic priorities

UM will be proposing a pilot in FY2023 of a Defense Advanced Research Projects Agency (DARPA) like approach for some MEIF funds.

On a motion by Trustee Erwin, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee and approved the 2021 Maine Economic Improvement Fund Annual Report as presented.

UMS 2022 Tenure Nominations

On a motion by Trustee Erwin, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the tenure nominations submitted by the Universities of the University of Maine System. Approvals will take effect September 1, 2022 for faculty with academic year appointments and on July 1, 2022 for faculty with fiscal year appointments.

Approval of the Board of Trustees Meeting Calendar for FY2023 & FY2024

Chair Gardner explained that in accordance with the University System's Charter and the Board's By-laws, the proposed FY2023 & FY2024 Board of Trustees Meeting Calendar was provided to the Trustees in the meeting materials and is being submitted for approval. In order to allow as much flexibility as possible in planning schedules, the proposed calendar has been developed on a 2-year cycle based on the fiscal year (July to June).

The Trustees asked if the various religious calendars were taken into consideration when setting the proposed dates. The Clerk responded that the Board Office did schedule the Board of Trustees meetings outside of all major religious holidays.

On a motion by Trustee Erwin, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees approved the Board of Trustees meeting calendar for FY2023 and FY2024, as presented.

Confirmation of Student Representatives to the Board of Trustees

Law School Dean Leigh Saufley, USM President Glenn Cummings and UMF President Edward Serna provided a brief introduction for their proposed candidates for Student Representatives to the Board as follows:

Lisa Prosienski, Law School – appointed for a 2-year term – March 2022 to March 2024
Sophia Paddon, USM Graduate Student, – appointed for a 1-year term – March 2022 to May 2023
Aidan Mulrooney, UMF – appointed for a 2-year term – March 2022 to March 2024

On a motion by Trustee Dobson, which was seconded by Trustee Riley, and approved by all Trustees present, the Board of Trustees approved the appointments of the Student Representatives to the Board of Trustees as presented.

Approval of the Collective Bargaining Agreement, PATFA

Vice Chancellor Thelen explained that the University of Maine System has reached a tentative agreement with the Maine Part-Time Faculty Association (PATFA). The contract will be effective September 1 and highlights of the tentative agreement include a 3% increase for each year of the contract, minor compensation adjustments in other areas, adjustments to benefits to recognize the Maine Paid Leave legislation, extending the time for benefit eligibility for surviving dependents, language changes in the area of service and rank advancement, and an additional category of “need of improvement” added to evaluation outcomes.

On a motion by Trustee Cain, which was seconded by Trustee Dobson, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Human Resources and Labor Relations Committee and authorized the Chancellor to execute the collective bargaining agreement with the Maine Part-Time Faculty Association (PATFA) upon notice that the agreement has been ratified.

Approval of the Collective Bargaining Agreement, AFUM

Vice Chancellor Thelen explained the University of Maine System has reached a tentative agreement with the Associated Faculties of the Universities of Maine (AFUM). The System and AFUM have been able reach a tentative agreement despite some tricky issues, including a long-standing practice of making payments to certain faculty for distance education teaching. This issue has been discussed in many previous negotiations as well as in this current round. There is not yet a clear picture of what the resolution is; however, the proposed agreement before the Board today allows the System to go forward with the other contract details, including a special retirement incentive package for faculty, and create a special schedule to continue working towards a resolution on the distance education payment issue. The agreed-upon schedule to come to a resolution on the distance education payment issue is to conclude negotiations by July 1st. The tentative agreement include a 3% increase for each year of the contract, with retroactive payment to July 1, 2021, a slight increase in the dependent tuition benefit from 50% to 55% in the current fiscal year and 60% in the following fiscal year, recognition of the Juneteenth holiday, adjustments to benefits to recognize the Maine Paid Leave legislation, changes to the tiers of dental insurance coverage, non-discrimination language, alternatives to teaching duties when there is a birth or adoption of a child in the faculty member’s family. This agreement also creates an incentive for retirement in two stages for faculty members who are 62 years of age with at least 10 years of continuous service or 60 years of age with at least 20 years of continuous service. The first retirement incentive election period is by April 15th, for those wishing to retire by September 1st. They will receive a lump sum contribution payment to their retirement plan equal to 1 times their annual salary. The second retirement election deadline is to elect by October 15th, for those wishing to retire by September 2023.

People in this retirement group will receive a lump sum contribution payment to their retirement plan equal to ½ times their annual salary.

Vice Chancellor Placido and Vice Chancellor Low thanked the bargaining teams on both sides for their hard work to get to this point. Vice Chancellor Placido stated that he is hopeful that the distance education issue will come to final resolution by the July 1st deadline. Vice Chancellor Low stated that the retirement incentive offered to the faculty, will help to mitigate some of the budget deficit he discussed earlier in the meeting.

In a motion by Trustee Riley, which was seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees authorized the Chancellor to execute the collective bargaining agreement with the Associated Faculties of the Universities of Maine (AFUM) upon notice that the agreement has been ratified.

Tenure at Time of Hire, Professor in the College of Engineering, UM

Chair Gardner explained that UM is requesting that Dr. Yonghao Ni be awarded tenure at the rank of Professor in the College of Engineering. This coincides with his appointment as professor in the University of Maine Department of Chemical and Biomedical Engineering and as the J. Ober Chair in Chemical Engineering. Dr. Ni was selected after an extensive search and rigorous evaluation process. Dr. Ni holds a Ph.D. in Chemical Engineering from McGill University, has expertise in pulp and paper, and a stellar record of teaching, mentoring graduate students, and research. This recommendation has the full support of the Department of Chemical and Biomedical Engineering peer committee.

On a motion by Trustee Cain, which was seconded by Trustee Erwin, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and approves tenure at the rank of Professor in the College of Engineering, to Dr. Yonghao Ni with tenure to be effective August 1, 2022.

CONSENT AGENDA

On a motion by Trustee Riley, which was seconded by Trustee Dobson, and approved by 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:

- January 5, 2022 – Finance, Facilities & Technology Committee Meeting
- January 19, 2022 – Ad Hoc Committee on Strategic Planning Meeting
- January 24, 2022 – Board of Trustees Meeting
- February 23, 2022 – Ad Hoc Committee on Strategic Planning Meeting
- March 3, 2022 – Investment Committee Meeting
- March 7, 2022 – Academic & Student Affairs Committee Meeting
- March 7, 2022 – Human Resources and Labor Relations 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 March 7, 2022:

University of Maine/University of Maine at Machias Integrated Organizational Chart

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved and ratified the integrated University of Maine/University of Maine at Machias organization chart to go into effect on July 1, 2022.

Academic Program Elimination, Undergraduate Art Program, UMPI

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the elimination of the Bachelor of Art in Art program at the University of Maine at Presque Isle.

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 March 10, 2022:

Internal Loan Request, UMA

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 Augusta to issue an internal loan of up to \$3,000,000 for renovation costs in support of its Veterinary Technology and Medical Laboratory Technology academic programs.

Medical Laboratory Technology Space Renovation, UMA

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 Augusta to expend up to \$1,650,000 to renovate existing space on the Augusta campus to develop a laboratory for the Medical Laboratory Technology academic program.

Camden Hall Renovation, UMA

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 Augusta to expend up to \$1,600,000 to renovate existing space in Camden Hall to provide expansion opportunities for the Veterinary Technology academic program.

Extension of the Cyberbit Range, UMA

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 Augusta to expend up to \$1,040,000 for the extension of the Cyber Range security training and simulation platform.

Acceptance of Aroostook Farm Maine Potato Board Building Gift, UM

The Board of Trustees accepted the recommendation of the Finance, Facilities, & Technology Committee, and approved the transfer of ownership of the 9,500 square foot Maine Potato Board Research Building located on the University of Maine Aroostook Farm, from the Maine Potato Board to the University of Maine System.

Secure Laboratory, Advanced Structures and Composite Center, (ASCC), 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 expend up to \$2,451,268 to construct approximately 4,000 square feet of space mostly within the existing ASCC facility to accommodate installation of a Secure Laboratory to be utilized for research on smart materials.

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

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 an additional \$1,327,396 for a total of \$12,827,396 for the design, permitting, renovation and fit out of space at 300 Fore St, 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.

Adaptive Reuse of Coburn and Holmes Hall – Public Private Partnership Authorization Increase, 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 expend an additional \$1,000,000 for a total of \$3,000,000 to pursue a public private partnership through a 99-year ground lease and Definitive Agreement with Radnor Property Group, LLC for the building redevelopment of Coburn Hall and Holmes Hall, and an addition to Holmes Hall. The additional funds will come from annual campus capital budget expenditures.

DISCUSSION ITEMS

Discussion on Student Success, Retention and Access Strategies and Initiatives

Associate Vice Chancellor for Academic Affairs Carolyn Dorsey facilitated a follow up discussion with the Faculty and Student Representatives to the Board of Trustees, along with the university Presidents and UMS leadership. At the end of the discussion yesterday, the Trustees posed several questions to the group to ponder on overnight and provide feedback today. The questions related to how the Board can assist the Faculty and Students to ensure student success and retention and provide support to ensure both groups are prepared to help a student in crisis.

The focus of this discussion and a repeated topic from yesterday was the need for more training, awareness and understanding concerning mental health struggles for students and staff, especially in light of the pandemic; financial challenges; issues surrounding DEI; and many other worldly issues that are causing pressure these days. One of the issues that was brought up was that campuses have very little funding for mental health initiatives and might not put a priority on funding for these programs because of having such tight budgets. It was suggested that the System seek other funding for these programs to help campuses provide more resources. Another issue raised was concerning not having anyone on campus for students to talk to who are not mandatory reporters. It was suggested that external trained professionals who are not mandatory reporters, be allowed to visit campuses and provide an outlet for students without fear of having to go through a whole reporting process. Overall, there is a sense that there is not enough financial or human resources to handle the overwhelming amount of students that are struggling with mental health issues currently and a lack of awareness across the campuses for what resources are available.

Chancellor Malloy stated that he was interested in researching how to incorporate a higher level of trained peer mentoring to mitigate some of the mental health challenges. Also, on recommendation of one of the Faculty Representatives to the Board, he would like UMS to generate and analysis of the efficiency of the mental health services provided by the campuses to identify how and where we can step up efforts. Associate Vice Chancellor Dorsey thanked everyone for the excellent discussions yesterday and today and stated that the System plans to use these discussions to help move initiatives forward and that they are not just conversations with no purpose. Chair Gardner thanked the Faculty & Student Representatives, Presidents, and System staff for their valuable discussion and feedback over the last two days and stated

that the Board is looking forward to hearing back about recommendations from the System, concerning the issues raised, at the next Board meeting.

EXECUTIVE SESSION

On a motion by Trustee Riley, which was seconded by Trustee Eames, and approved by 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.

On a motion by Trustee Erwin, which was seconded by Trustee Riley, and approved by all Trustees present, the Board of Trustees concluded the Executive Session.

DATE OF NEXT MEETING

The next meeting of the Board of Trustees will be held on May 22-23, 2022 host by the University of Southern Maine.

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