



Board of Trustees
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July 1, 2022

TO: Members of the Board of Trustees
Faculty & Student Representatives

FR: Ellen N. Doughty, Clerk of the Board

The University of Maine

RE: July 2022 Board of Trustees Meeting

University of Maine
at Augusta

University of Maine
at Farmington

University of Maine
at Fort Kent

University of Maine
at Machias

University of Maine
at Presque Isle

University of
Southern Maine

Enclosed are the materials for the Board of Trustees Meeting on Monday, July 11, 2022, hosted by the University of Maine System at the **University of Maine Hutchinson Center in Belfast**. Directions are included in the Board meeting materials.

The Board will go directly into an Executive Session from 10:00 am until 12:00 pm. Following the Executive Session, there will be a brief lunch break. The public meeting will begin at 12:30 pm in Room 138.

Overnight accommodations for those that have requested, have been made at the Fireside Inn, 159 Searsport Avenue, Belfast, Maine – (207) 338-2090.

Incoming messages can be left with Heather Massey at 991-4724 or Ellen Doughty at 949-4905.

In the event of a postponement, cancellation, or changes to the Board of Trustees meeting, every effort will be made to personally contact the Board of Trustees, the Presidents, and the Faculty and Student Representatives.

cc: Chancellor Dannel P. Malloy
University Presidents
System Staff



Directions

**The Hutchinson Center
80 Belmont Avenue (Route#3)
Belfast, Maine 04915**

From I-95:

Travel on I-95 until you reach exit 113 in Augusta. Head East on Rte 3. The Hutchinson Center is approximately 40 Miles from the off-ramp.

From Bangor:

Travel south on Route 1A. Stay on this until you see the signs for Route 3 West, (Augusta). Take the right hand off ramp. Turn right. The Hutchinson Center is about 1.2 miles down Rt. 3 on the left.

Please note, Google Maps has it located much closer to downtown than they are. The Hutchinson Center is just before the Bank of America complex on Rt #3, (right side of street) heading towards Belfast.

University of Maine System – Board of Trustees Meeting
July 11, 2022
at the UM Hutchinson Center, Belfast

AGENDA

Monday, July 11, 2022

The Board will go directly into Executive Session under provisions 1 MRSA Section 405 6-A, C, & D.
Executive Session from 10:00 am to 12:00 pm

Lunch Break (Timing of the lunch break will be at the discretion of the Chair)

Public Meeting @ 12:30 pm, Room 138

Citizen Comment

Individuals who wish to participate in Citizen Comment must indicate their name and topic on the signup sheet, which will be available in the meeting room at the Assistant Clerk's desk on July 11th starting at 12:00 pm until 12:25 pm.

The Board of Trustees provides time for citizen comment prior to the business agenda at each meeting. The Chair of the Board will establish time limits (usually three minutes per person) and determine any questions of appropriateness and relevancy. Personnel decisions, collective bargaining issues, grievances, litigation and other areas excludable from public discussion under the Maine Freedom of Access Law shall not constitute appropriate matters for such input. A person who wishes to speak during the citizen comment period should arrive prior to the meeting start time and sign up on a sheet provided, indicating name and topic of remarks.

Chair's Report

Tab 1 - [Appointment of Standing Committees](#)

Tab 2 - [Establishment of the Strategic Planning Committee](#)

- Restructuring engagement with Faculty & Student Representatives to the Board

Chancellor's Report

- Unified Accreditation/Unified Catalog Update
- Covid Update
- Retirement Incentive Impact
- [UMS Employment Search Process Review and Recommendations](#)

Approx. 1:25 pm

Vice Chancellor for Research and Innovation Report

Tab 3 - [Vice Chancellor for Research and Innovation Update](#)

Vice Chancellor for Finance and Administration & Treasurer's Report

Tab 4 - [Finance & Administration Update](#)

Approx. 2:05 pm

Action Items

Tab 5 – [Endorsement of the UMS Divestment Statement](#)

Tab 6 - [Chancellor Malloy's Contract](#)

Tab 7 - [Proposed Changes to Board of Trustees Policy 103 Bylaws](#)

Tab 8 - [Proposed Change to Board of Trustee Policy 501 - Student Conduct Policy](#)

Tab 9 - [UMA Interim President Contract Extension](#)

Tab 10 - [Confirmation of Boards of Visitors Appointments 2022](#)

Tab 11 - [Confirmation of Student Representatives to the Board of Trustees](#)

Tab 12 - Approval of Employment Agreement for Glenn Cummings

Consent Agenda

Tab13 - Acceptance of Minutes

June 22, 2022 Finance, Facilities & Technology Committee

Tab 14 - Bennett D. Katz Library HVAC Enhancement Project Budget Increase, UMA

Tab 15 - 300 Fore Street Renovation and Fit Out Increase, UM and UM School of Law

Approx. 3:35 pm

Discussion Item

Tab 16 - Strategic Planning Update

Date of the Next Meeting: September 11 & 12, 2022 hosted by University of Maine at Presque Isle

Public Meeting conclude at approximately 4:00 pm.

Attachments

Committee Assignments 2022-2023

FY2023- FY2024 Board & Committee Meeting Schedule

Managed Investment Pool Flash Reports

Pension Fund Flash Reports

Operating Fund Flash Reports

2022 BOV Master List of All Members by Campus (*Confidential*)

2022 BOV Master List of Narratives for Proposed Candidates (*Confidential*)

UMS Divestment Statement

Board of Trustees Policy 103 – *Board of Trustees: Bylaws* (red lined)

Proposed Changes to Board of Trustee Policy 501 – *Student Conduct Policy* (red lined)

Proposed Changes to Board of Trustee Policy 501 – *Student Conduct Policy* (clean copy)

Board of Trustees Policy 501 – *Student Conduct Code* - current Policy

Student Conduct Code (Procedure & Process) – information only

Reports

UMS Interactive Dashboard

Agenda Calendar

Named Chairs and Professorships Annual Report

Management Group Appointments Report

Capital Project Status Report Executive Summary

Capital Project Status Report

Bond Projects Status Report

UMS Employment Search Process Review Summary

Presentations

Student Conduct Policy Presentation

Research & Innovation Earmark Presentation

Strategic Planning Timeline Presentation

Tabs noted in red text are action items.

Note: Times are estimated based upon the anticipated length for presentations or discussion of a particular topic. An item may be brought up earlier or the order of items changed for effective deliberation of matters before the Board.

University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Appointment of Standing Committees

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION: X

BOARD ACTION:

BOARD POLICY:

Section 103 – Bylaws of the Board of Trustees

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

Board of Trustees Bylaws state that committee appointments will be made annually by the Chair. The Chair, Vice-Chair and Chancellor are ex officio members of all standing committees, but the Chancellor is a non-voting member. All committees must have at least three members apart from the ex officio members. Except for the Executive, Audit, and Human Resources/Labor Relations Committee, standing committees may have members who are not members of the Board. Faculty and Student Representatives serve as non-voting members of the Academic and Student Affairs Committee and the Finance, Facilities, Technology Committee. Committee assignments are effective from July 1, 2022 to June 30, 2023.

The Committee chairs and membership for FY2023 are included in the meeting materials.

Attachment:

[Committee Assignments 2022-2023](#)

[FY2023- FY2024 Board & Committee Meeting Schedule](#)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Establishment of the Strategic Planning Committee as a Standing Committee

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

Policy 103 – Board of Trustees: Bylaws

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

Standing Committees are outlined in the Board of Trustee Policy 103 – Bylaws. The Standing Committees of the Board are outlined in Article III, Section 3.1 and include the following six Committees:

- Executive Committee
- Academic & Student Affairs Committee
- Audit Committee
- Finance/Facilities and Technology Committee
- Investment Committee
- Human Resources and Labor Relations Committee

Membership on standing committees is determined annually. The Chair and Vice Chair of the Board and the Chancellor of the University of Maine System are ex-officio members of all standing committees, but the Chancellor shall have no vote. Each committee shall have at least three Board members, apart from the ex-officio members. Standing committees of the Board shall have such powers, duties and responsibilities as may be assigned by the Board Chair and agreed upon by the Board.

The Board Chair is requesting the establishment of the Strategic Planning Committee as a standing committee, transitioning from the current structure as the Ad Hoc Committee on Strategic Planning. The Committee membership will include a representative from the faculty, students and a President.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees agrees to discharge the Ad Hoc Committee on Strategic Planning and establish the Strategic Planning Committee, as a Standing Board of Trustees Committee. Board of Trustees Policy 103 – Bylaws, will be amended to reflect the addition of this as new standing committee.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Vice Chancellor for Research and Innovation Update

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION: X

BOARD ACTION:

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:

Unified accreditation requires that the University of Maine System demonstrate that it has addressed all of the NECHE standards. One of these, standard 7, describes expectations for teaching, learning and scholarship:

The institution supports teaching and learning through a well-qualified faculty and academic staff, who, in structures and processes appropriate to the institution, collectively ensure the quality of instruction and support for student learning. Scholarship, research, and creative activities receive support appropriate to the institution's mission. The institution's faculty has primary responsibility for advancing the institution's academic purposes through teaching, learning, and scholarship.

System-wide focus on research and innovation can support achievement of this standard.

Additionally, such a focus helps advance the recommendations of the [University of Maine System Research and Development Plan FY20 – FY24](#).

BACKGROUND:

Joan Ferrini-Mundy, UMS Vice Chancellor for Research and Innovation, will provide updates at the July 11, 2022 Board of Trustees meeting.

“Federal Appropriations for FY2022 and FY2023”

1. Federal Programmatic Funding Increases
2. Congressionally Directed Spending/Community Project Funding

Attachment:

[Research & Innovation Earmark Presentation](#)

University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Finance and Administration Update

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION: X

BOARD ACTION:

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:

Primary Outcomes:

Enhance fiscal positioning

BACKGROUND:

The Vice Chancellor for Finance and Administration and Treasurer Ryan Low will provide two updates at the July 11, 2022 Board of Trustees meeting.

1. Financial Update – Vice Chancellor Low will present the UMS Flash Reports
2. Vice Chancellor Low will present the Multi-Year Financial Analysis (MYFA)

Attachments:

[Managed Investment Pool Flash Reports](#)

[Pension Fund Flash Reports](#)

[Operating Fund Flash Reports](#)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

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NAME OF ITEM: Endorsement of the UMS Divestment Statement

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

Section 709 - Investments

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

Over the past year, the Investment Committee has held many meetings and educational sessions to do due diligence on expanding upon the UMS current sustainable investment strategy. The Committee has had many divestment and ESG conversations incorporating suggestions 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.

The student engagement regarding divestment of fossil fuels has been greatly appreciated and the Board of Trustees thanks the students for their dedication and dialog.

To meet our commitment to address climate change and our portfolios' objectives, on April 28, 2022 the Investment Committee approved a set of short-term action steps and long-term goals with the understanding that, at all times, the Board of Trustees acting through the Investment Committee will act in accordance with sound investment criteria and consistent with its fiduciary obligations. These action steps and goals are outlined in the attached UMS Divestment Statement, which is presented for endorsement by the full Board at the July 11, 2022 Board of Trustees meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees endorses the May 23, 2022 UMS Divestment Statement which includes short-term actions and long-term goals for divestment in fossil fuels for the Managed Investment Pool, Operating Fund and Pension Fund, approved by the Investment Committee on April 28, 2022.

Attachment:

[UMS Divestment Statement](#)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Chancellor Malloy's Contract

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION: **BOARD ACTION:** X

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:
N/A

BACKGROUND:

Dannel Malloy was appointed Chancellor of the University of Maine System effective July 1, 2019. The Board of Trustees will discuss the Chancellor's contract in executive session under provision 1 MRSA Section 405 6-A, at the July 11, 2022 Board meeting.

TEXT OF PROPOSED RESOLUTION:

A resolution will be presented at the July 11, 2022 Board meeting.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Proposed Change to Board of Trustees Policy Manual
Section 103 Board of Trustees: Bylaws

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY: Bylaws

UNIFIED ACCREDITATION CONNECTION:
N/A

BACKGROUND:

The Board of Trustees Policy Manual, Section 103 Bylaws state in Article II, Section 2.1 Officers that:

“At the annual meeting, the Board of Trustees shall elect from among its members a Chair and a Vice-Chair, and such other officers as the Board may determine. The term of office shall commence at the conclusion of the annual meeting. A Chair shall be ineligible to serve more than four (4) successive terms.”

The proposed change would add the following sentence to that section:

“The Chair and Vice Chair must have residency in Maine.”

A red-lined copy of the Bylaws is included in the meeting materials. This Bylaw change was discussed at the May 22-23, 2022 Board meeting as an information item. It is now presented for Board approval for the July 11, 2022 Board meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the proposed changes to the Board of Trustees Policy Section 103 - Bylaws, as presented.

Attachment:

[Board of Trustees Bylaws \(with proposed changes\)](#)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Proposed Changes to Board of Trustee Policy 501: Student Conduct Policy

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

501: Student Conduct Policy – SECOND READ

UNIFIED ACCREDITATION CONNECTION:

None

BACKGROUND:

The UMS Student Conduct Code, comprised of policy and procedures, has been in place for many years. The Student Conduct Code is typically reviewed and updated every three years, and is ultimately approved by the Board of Trustees. In their governance role, the Board of Trustees is responsible for reviewing and approving the Student Conduct Code with a focus on the policy portion; the implementation of the procedures and process is the responsibility of the Universities under the oversight of the UMS Chancellor's Office. The UMS Student Conduct Code applies to the entire University of Maine System. In July 2021, the Board of Trustees asked for an off-cycle review of the Student Conduct Code. The review has attempted to both clarify the policy and the process for implementation; and to separate policy from process to align with other Board policies and to create a more logical and agile approach to the review and approval of each, going forward.

Patricia Peard, Interim General Counsel, and Amon Purinton, UMS Assistant General Counsel, will update the Board on the review process as well as changes/clarifications to the policy. Erika Lamarre, Director of Community Standards and Mediation at USM, Donna Seppy, Director of Student Success Initiatives and chair of the UMS Student Conduct Review Committee, and Nina Lavoie, Senior Associate General Counsel will also be available to answer questions.

The Board of Trustees Academic and Student Affairs Committee reviewed these changes at their meeting on June 6, 2022, and recommended that the Policy be forwarded for approval at the July 11, 2022 Board of Trustees meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees accepts the recommendation of the Academic and Student Affairs Committee and approves the proposed changes as amended to Board of Trustee Policy 501 - *Student Conduct Policy* to go into effect August 1, 2022.

Attachments:

[Proposed Changes to Board of Trustees Policy 501: Student Conduct Policy \(red lined\)](#)

[Proposed Changes to Board of Trustees Policy 501: Student Conduct Policy \(clean\)](#)

[Student Conduct Code \(Procedures and Process\) – information only](#)

[Current Policy 501: Student Conduct Code](#)

[Student Conduct Policy Presentation](#)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: UMA Interim President Contract Extension

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION: **BOARD ACTION:** X

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:
N/A

BACKGROUND:

Dr. Joseph Szakas was appointed Interim President of the University of Maine at Augusta effective August 28, 2021. The Chancellor is recommending an extension of his contractual term of appointment until June 30, 2023 with an option to extend.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the revised term of appointment for Dr. Joseph Szakas by a year effective July 1, 2022.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Confirmation of Boards of Visitors' Appointments for 2022-2023

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

University of Maine System Charter

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

In accordance with the University of Maine System Charter, each Board of Visitors consists of up to 20 members recommended by campus Presidents and confirmed by the Board of Trustees. Membership should reflect the mission of the university and the region it serves. Boards of Visitor appointment recommendations from the Presidents are outlined in the attached biographical sketches distributed to the Board of Trustees.

Campuses may contact the potential candidate(s) to determine his/her interest prior to submitting the name(s) to the Chancellor's Office. The list of proposed members may be larger than the number of seats the President intends to fill, understanding that this is the list from which they will draw to extend invitations.

Both the University of Southern Maine and the University of Maine at Machias will bring their recommendations forward at the September Board of Trustees meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees confirms the Boards of Visitors' appointments for 2022-2023, as presented.

Attachments:

[2022 BOV Master List of All Members by Campus](#) (*Confidential*)

[2022 BOV Master List of Narratives for Proposed Candidates](#) (*Confidential*)

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Confirmation of Student Representatives to the Board of Trustees

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

Policy 205 – Faculty & Student Representatives to the Board of Trustees

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

To create the environment for interaction among and between Faculty and Student Representatives, the Trustees and System administration, the Trustees have provided opportunities for participation in the meetings of the committees of the Board.

One faculty member and one undergraduate student from each of the seven universities and one graduate student from the University of Southern Maine, one graduate student from the University of Maine, and one graduate student from the Maine Law School will be appointed by the Board as non-voting representatives to the Board of Trustees and invited to participate as non-voting members on the standing committees.

Normally, the representative is expected to complete a two year term; therefore, it is an expectation that the minimum term of service by Faculty and Student Representatives to the Board be two years. The nominations will be forwarded through the Presidents or Dean of the Law School to the Chancellor for submission to the Board for Trustee approval.

The following nominations are being recommended by the campus:

Graduate Student Representative:

Katie Ashley, UM – Appointed for a 2 year term – July 2022 to July 2024

Student Representative:

Samantha Morton, UMPI – Appointed for a 1 year term – July 2022 to July 2023

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the appointments of the Student Representatives to the Board of Trustees as presented.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Approval of Employment Agreement for Glenn Cummings

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION: **BOARD ACTION:** X

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:
N/A

BACKGROUND:

Dr. Glenn Cummings completed his service as President of the University of Southern Maine on June 23, 2022. Dr. Cummings has accepted employment with the Albert B. Glickman Family Foundation and the Judy Glickman Lauder Foundation.

An employment agreement has been reached with Dr. Glenn Cummings and the University of Maine System which allows Dr. Cummings the option to return to teaching at USM in the Muskie School of Public Service, provided he gives notice to UMS by March 31, 2023. The terms and conditions of the employment agreement will be discussed with the Board of Trustees during the executive session at the July 11, 2022 Board meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the employment agreement for Dr. Glenn Cummings.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Acceptance of Minutes

INITIATED BY: Patricia A. Riley, Chair

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

N/A

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

The following minutes will be presented to the Board of Trustees for approval at the July 11, 2022 Board meeting:

April 19, 2022 – Special Board of Trustees Meeting
May 2, 2022 – Academic & Student Affairs Committee Meeting
May 4, 2022 – Finance, Facilities & Technology Committee Meeting
May 12, 2022 – Executive Committee Meeting
May 19, 2022 – Investment Committee Meeting
May 19, 2022 – Audit Committee Meeting
May 20, 2022 – Ad Hoc Committee on Strategic Planning Meeting
May 22-23, 2022 – Board of Trustees Meeting
June 6, 2022 – Special Academic & Student Affairs Committee Meeting
June 14, 2022 – Executive Committee Meeting
June 22, 2022 – Finance, Facilities & Technology Committee Meeting
June 29, 2022 – Executive Committee Meeting

The Board of Trustees website link to the minutes is: <http://www.maine.edu/about-the-system/board-of-trustees/meeting-minutes/>

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees approves the minutes as presented.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: Bennett D. Katz Library HVAC Enhancement Project Budget Increase,
University of Maine at Augusta

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY: 701 Budgets – Operating & Capital

UNIFIED ACCREDITATION CONNECTION:

N/A

BACKGROUND:

a. Summary of the request:

The University of Maine System acting through the University of Maine at Augusta (UMA) requests authorization to increase the project budget for the Katz Library HVAC enhancement project to a new total of \$1,335,000. This reflects an increase of \$235,000.

This request is pursuant to Board of Trustees Policy 701 which requires projects with a total of more than \$500,000 and changes to the budget of these projects to be considered by the Board of Trustees or its Finance, Facilities and Technology Committee. In this case the Committee's recommendation will be forwarded to the Consent Agenda for approval at the July 11, 2022, Board meeting.

b. Overall requested budget and funding source:

At the September 27, 2021, Board of Trustees meeting, Trustees authorized a total project budget of \$1,100,00. The actual successful low bid brings the total project budget need to \$1,335,000. The entire cost of the project is to be funded by monies allocated to UMA through the Higher Education Energy Relief Fund (HEERF).

c. Confirmation of whether the project was included or reflected in the Master Plan, Long Term capital plan or 1-year capital plan most recently approved by Trustees.

The UMA Master Plan references the need for upgrades to the Katz Library infrastructure. The availability of federal funds to address the issues related to COVID-19 makes this project possible.

d. More detailed explanation of rationale for project and metrics for success of the project (ROI or other):

Rationale and project metrics remain as previously reported.

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e. Explanation of the scope and substance of the project as needed to supplement (a) and (c) above:

Current market conditions are creating significant increases in labor and materials cost. The original bid process had no interested bidders due to the volume of work faced by contractors. After much effort, two bidders came forward on the second attempt. The low successful bid was \$235,000 above budget but significantly lower than the second bid.

f. Changes, if any, in net square footage or ongoing operating costs resulting from the project:

No changes in square footage will occur. Engineers estimate that electricity utilization will be reduced 10-20% which would result in a reduction in operating costs.

g. Budget for the project and further elaboration on funding source and selection as needed to supplement (b) above:

None

h. Alternatives that were considered to meet the need being addressed by this project:

Efforts were made to develop a less costly approach, but nothing else was found that would meet ASHRAE guidelines to help prevent the spread of COVID-19.

i. Timeline for start, occupancy and completion:

Project to begin in the summer of 2022 with completion by the spring of 2023.

j. Timeline for any further consideration or action anticipated to be needed by the Board or its committees regarding this project if full authority is not being requested from the outset:

No further Board action is anticipated.

k. Additional information that may be useful to consideration of the item

None

The Finance, Facilities and Technology Committee approved this recommendation to be forwarded to the Consent Agenda for Board of Trustee approval at the July 11, 2022 Board meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees accepts the recommendation of the Finance, Facilities and Technology Committee and authorizes the University of Maine System acting through the University of Maine at Augusta to increase the total Bennett D. Katz HVAC enhancement budget to \$1,335,000. All funding to come by monies allocated to UMA through the Higher Education Emergency Relief Fund (HEERF).

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: 300 Fore St. Renovation and Fit Out Increase, University of Maine and University of Maine School of Law

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION:

BOARD ACTION: X

BOARD POLICY:

701 – Budgets, Operating & Capital

UNIFIED ACCREDITATION CONNECTION:

The collaborative and inter-disciplinary work being done throughout the System will be enhanced by the ability of faculty and leaders to come together for innovation and collaboration. The new facility will bring together the Graduate School of Business, the Graduate and Professional Center, and the Law School, in professional and modern spaces. In addition, the University of Maine will have space for the Portland Gateway, MCECIS and UMaine Foundation.

BACKGROUND:

a. Summary of the request:

The University of Maine System acting through the University of Maine and the University of Maine School of Law request to increase the authorization for the Portland, 300 Fore Street renovation and fit out project by \$1 million for a total expenditure of up to \$13,827,396 as previously estimated.

This request is pursuant to Board Policy 701 – Budgets, Operating & Capital, which requires projects with a total cost of more than \$500,000 or changes to such projects, to be considered by the Board of Trustees or its Finance, Facilities and Technology Committee. In this case, the request is to forward the authorization to the Consent Agenda of the July 11, 2022 Board of Trustees meeting.

b. Overall requested budget and funding source:

The current request is for the authorization of an additional \$1,000,000 for a total of \$13,827,396 for the renovation and fit out of 300 Fore Street in Portland. In March of 2022, the Board authorized the latest increase to \$12,827,396 as the total amount of identified funding for the project and with the understanding that the total project budget was anticipated to be approximately \$13.5 million. This is anticipated to be the final request for funding on this project.

c. More detailed explanation of rationale for project and metrics for success of the project (ROI or other):

With the long-term lease and planned 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

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faculty and staff offices. Now that the project is under construction actual expected costs have been more accurately identified. Even with the added supply chain costs and few ordinary unanticipated costs, the originally estimated cost of \$13.5 million is anticipated to be exceeded by less than 3%.

d. Explanation of the scope and substance of the project as needed to supplement (a) and (c). None

e. Changes, if any, in net square footage or ongoing operating costs resulting from the project: See prior Board authorizations.

f. Budget for the project and further elaboration on funding source and selection as needed to supplement (b) above:

The current budget of \$13,827,396 is expected to complete the fit-out work in the building as well as address some unanticipated existing conditions. The source of the current requested funds is from the monies made possible through the recent Legislative authorization and allocation of debt service for the University.

g. Alternatives that were considered to meet the need being addressed by this project:
As described in the Agenda item from May 24, 2021 Board Meeting.

h. Timeline for start, occupancy and completion:

The construction work is underway with an anticipated completion of November 2022 with occupancy in December.

i. Timeline for any further consideration or action anticipated to be needed by the Board or its committees regarding this project if full authority is not being requested from the outset:

No additional consideration is anticipated at this time.

j. Additional information that may be useful for consideration of the item.

Challenges presented by the current Law School building, which is also home to the Graduate School of Business and the Graduate and Professional Center, have been exacerbated through the last several years, and the cost avoidance enabled by leaving that building is substantial, as has previously been presented to the Board.

The Finance, Facilities and Technology Committee approved this recommendation to be forwarded to the Consent Agenda for Board of Trustee approval at the July 11, 2022 Board meeting.

TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees accepts the recommendation of the Finance, Facilities and Technology Committee, and authorizes the University of Maine and the University of Maine School of Law acting through the University of Maine System to expend an additional \$1,000,000 for a total of \$13,827,396 for the design, permitting, renovation and fit out of space at 300 Fore Street Portland. The source of the current requested funds is the monies made possible through the recent Legislative authorization and allocation of debt service for the University.

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University of Maine System
Board of Trustees

AGENDA ITEM SUMMARY

NAME OF ITEM: UMS Strategic Planning Update

INITIATED BY: Dannel P. Malloy, Chancellor

BOARD INFORMATION: X

BOARD ACTION:

BOARD POLICY:

UNIFIED ACCREDITATION CONNECTION:

To prepare and adopt a strategic plan by which the University of Maine System, acting through its universities and the University of Maine School of Law, will take full advantage of Unified Accreditation to achieve the UMS tripartite mission of teaching, research, and public service for the benefit of all UMS students and the State of Maine, with national and global impact as well.

BACKGROUND:

Following the Board's July 26, 2021, UMS Strategic Planning Resolution charge and the presentation of a proposed timeline for strategic planning in September 2021, UMS leaders engaged Huron Consulting Group in late 2021 to help UMS undertake the work to develop the plan.

The Huron team supporting UMS conducted numerous focus group meetings and interviews with UMS and university leaders, faculty, staff, and students and accompanied the Chancellor on his Spring 2022 visits to each university, where additional meetings were held with each university's leadership team, faculty, staff, and students. At the request of the Board's Ad Hoc Strategic Planning Committee and working with System and university institutional research, finance, and academic affairs staff, Huron developed a data book resource to provide a factual foundation for the development of the UMS strategic plan. At the May 2022 Board of Trustees meeting Huron reviewed key themes and opportunities developed from stakeholder input.

Director of Organizational Effectiveness Kim-Marie Jenkins will update the Board of Trustees on activity by Huron and plans for Fall 2022 engagement.

Presentation
[Strategic Planning Timeline](#)

07/01/2022

Board of Trustees

Trish A. Riley, Chair
Lisa M. Eames, Vice Chair
Ellen N. Doughty, Clerk of the Board
Heather A. Massey, Assistant Clerk of the Board

COMMITTEE ASSIGNMENTS 2022 – 2023

EXECUTIVE COMMITTEE

Trish A. Riley, Chair
Lisa M. Eames, Vice Chair
Emily A. Cain
Beth Dobson
James O. Donnelly
David M. MacMahon
Roger J. Katz
Kelly A. Martin
Michael H. Michaud

ACADEMIC & STUDENT AFFAIRS COMMITTEE

David M. MacMahon, Chair
Barbara R. Alexander
Emily A. Cain
Beth Dobson
Lisa M. Eames
Kelly A. Martin
A Pender Makin
Trish A. Riley
All Faculty Representatives to the Board
All Student Representatives to the Board

FINANCE/FACILITIES/TECHNOLOGY COMMITTEE

Roger J. Katz, Chair
Emily A. Cain
James O. Donnelly
Lisa M. Eames
Patrick S.A. Flood
David M. MacMahon
Michael H. Michaud
Trish A. Riley
Faculty Representatives:
Clyde Mitchell, UMF
Michael Scott, UM
TBD
Student Representatives:
TBD
TBD
TBD

AUDIT COMMITTEE

Michael H. Michaud, Chair
Sven P. Bartholomew
Lisa M. Eames
James O. Donnelly
David M. MacMahon
Kelly A. Martin
Trish A. Riley

HUMAN RESOURCES & LABOR RELATIONS COMMITTEE

David M. MacMahon, Chair (Chair until July 30, 2022)
Beth Dobson (Chair effective Aug. 1, 2022)
Lisa M. Eames
Patrick S.A. Flood
Donna M. Loring
Michael H. Michaud
Trish A. Riley

INVESTMENT COMMITTEE

Kelly A. Martin, Chair
Sven P. Bartholomew
Lisa M. Eames
David M. MacMahon
Trish A. Riley
Non-Trustee/Non-Voting Members:
Jim Bradley (1st term - May 2021 - May 2024)
Robert Blackwood (2nd term – exp. Sept. 2022)
Matthew Skaves (1st term - Sept. 2021 - Sept. 2024)

STRATEGIC PLANNING COMMITTEE

Emily Cain, Chair
Barbara R. Alexander
James O. Donnelly
Lisa M. Eames
Roger J. Katz
Donna M. Loring
Trish A. Riley
Non-Voting Members:
One Faculty Representative to the Board – TBD
One Student Representative to the Board – TBD
One UMS President - TBD

UMS Board of Trustee Representatives on other Boards

UNIVERSITY OF MAINE FOUNDATION

Emily A. Cain (exp. 2023)
Kelly A. Martin (exp. 2023)
Trish A. Riley (exp. 2023)

PULP AND PAPER FOUNDATION

Michael H. Michaud (exp. 2023)

UMS Representative to the MAINE PUBLIC BROADCASTING CORP.

TBA

MAINE CENTER VENTURES – Board of Directors

Trish A. Riley
Lisa M. Eames
James O. Donnelly

The Board Chair and Vice Chair are ex-officio voting members of all Board Committees, and the Chancellor is an ex-officio non-voting member of all Board Committees.

06/27/2022

UMS BOARD OF TRUSTEES COMMITTEE MEETING SCHEDULE - FY 2023

July 11, 2022 - BOT MTG MD: 6/24/2022 BR: 7/1/2022					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	June 20, 2022	9 am - 12 pm	CANCELLED	CANCELLED
HR	Monday	June 20, 2022	1 pm - 3 pm	CANCELLED	CANCELLED
FFT	Wednesday	June 22, 2022	9 am - 12 pm	6/9/2022	6/10/2022

Sept. 11-12, 2022 - BOT MTG MD: 8/25/2022 BR: 9/1/2022					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	August 22, 2022	9 am - 12 pm	8/10/2022	8/11/2022
HR	Monday	August 22, 2022	1 pm - 3 pm	8/10/2022	8/11/2022
FFT	Wednesday	August 24, 2022	9 am - 12 pm	8/11/2022	8/12/2022
Investment	Thursday	August 25, 2022	9 am - 12 pm	8/12/2022	8/15/2022

Nov. 13-14, 2022 - BOT MTG MD: 10/27/2022 BR: 11/3/2022					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	October 24, 2022	9 am - 12 pm	10/12/2022	10/13/2022
HR	Monday	October 24, 2022	1 pm - 3 pm	10/12/2022	10/13/2022
FFT	Wednesday	October 26, 2022	9 am - 11:30 am	10/13/2022	10/14/2022
Audit	Wednesday	October 26, 2022	12 pm - 2:45 pm	10/13/2022	10/14/2022
Special BOT	Wednesday	October 26, 2022	3 pm - 4 pm	10/13/2022	10/14/2022
Investment	Thursday	December 1, 2022	9 am - 12 pm	11/21/2022	11/22/2022

Jan. 29-30, 2023 - BOT MTG MD: 1/12/2023 BR: 1/19/2023					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	January 9, 2023	9 am - 12 pm	12/21/2022	12/22/2022
HR	Monday	January 9, 2023	1 pm - 3 pm	12/21/2022	12/22/2022
FFT	Thursday	January 12, 2023	9 am - 12 pm	1/3/2023	1/4/2023

Mar. 26-27, 2023 - BOT MTG MD: 3/9/2023 BR: 3/16/2023					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA (Tenure)	Monday	February 27, 2023	9 am - 1:45 pm	2/15/2023	2/16/2023
HR	Monday	February 27, 2023	2 pm - 4 pm	2/15/2023	2/16/2023
FFT	Wednesday	March 1, 2023	9 am - 12 pm	2/16/2023	2/17/2023
Investment	Thursday	March 2, 2023	9 am - 12 pm	2/20/2023	2/21/2023
FFT (Budgets)	Wednesday	March 22, 2023	9am - 5pm	3/10/2023	3/13/2023

May 21-22, 2023 - BOT MTG MD: 5/5/2023 BR: 5/12/2023					
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
FFT	Wednesday	April 12, 2023	9 am - 12 pm	4/3/2023	4/4/2023
ASA	Monday	April 24, 2023	9 am - 12 pm	4/12/2023	4/13/2023
HR	Monday	April 24, 2023	1 pm - 3 pm	4/12/2023	4/13/2023
FFT	Wednesday	April 26, 2023	9 am - 12 pm	4/13/2023	4/14/2023
Investment	Thursday	May 18, 2023	9 am - 12 pm	5/8/2023	5/9/2023
Audit	Thursday	May 18, 2023	12:30 pm - 3:30 pm	5/8/2023	5/9/2023

BOT Retreat: October 2-3, 2022

Revised - 6/15/22

UMS BOARD OF TRUSTEES COMMITTEE MEETING SCHEDULE - FY 2024

July 10, 2023 - BOT MTG		MD: 6/23/2023	BR: 6/30/2023		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	June 12, 2023	9 am - 12 pm	6/1/2023	6/2/2023
HR	Monday	June 12, 2023	1 pm - 3 pm	6/1/2023	6/2/2023
FFT	Wednesday	June 14, 2023	9 am - 12 pm	6/2/2023	6/5/2023

Sept. 10-11, 2023 - BOT MTG		MD: 8/24/2023	BR: 8/31/2023		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	August 21, 2023	9 am - 12 pm	8/9/2023	8/10/2023
HR	Monday	August 21, 2023	1 pm - 3 pm	8/9/2023	8/10/2023
FFT	Wednesday	August 23, 2023	9 am - 12 pm	8/11/2023	8/14/2023
Investment	Tuesday	September 19, 2023	9 am - 12 pm	9/7/2023	9/8/2023

Nov. 5-6, 2023 - BOT MTG		MD: 10/19/2023	BR: 10/26/2023		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	October 16, 2023	9 am - 12 pm	10/3/2023	10/4/2023
HR	Monday	October 16, 2023	1 pm - 3 pm	10/3/2023	10/4/2023
FFT	Wednesday	October 18, 2023	9 am - 12 pm	10/4/2023	10/5/2023
Audit	Friday	October 27, 2023	9 am - 11:30 am	10/16/2023	10/17/2023
Special BOT	Friday	October 27, 2023	12 pm - 1 pm	10/16/2023	10/17/2023
Investment	Tuesday	December 18, 2023	9 am - 12 pm	12/7/2023	12/8/2023

Jan. 28-29, 2024 - BOT MTG		MD: 1/11/2024	BR: 1/18/2024		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	January 8, 2024	9 am - 12 pm	12/19/2023	12/20/2023
HR	Monday	January 8, 2024	1 pm - 3 pm	12/19/2023	12/20/2023
FFT	Wednesday	January 10, 2024	9 am - 12 pm	12/20/2023	12/21/2023
Investment	Thursday	February 8, 2024	9 am - 12 pm	1/26/2024	1/29/2024

Mar. 24-25, 2024 - BOT MTG		MD: 3/7/2024	BR: 3/14/2024		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA (Tenure)	Monday	March 4, 2024	9 am - 1:45 pm	2/22/2024	2/23/2024
HR	Monday	March 4, 2024	2 pm - 4 pm	2/22/2024	2/23/2024
FFT	Wednesday	March 6, 2024	9 am - 12 pm	2/23/2024	2/26/2024
FFT (Budget)	Wednesday	March 20, 2024	9 am - 5 pm	3/8/2024	3/11/2024
FFT	Wednesday	April 17, 2024	9 am - 12 pm	4/5/2024	4/8/2024

May 19-20, 2024 - BOT MTG		MD: 5/2/2024	BR: 5/9/2024		
Committee	Day	Date	Time	<u>Materials Due</u>	<u>Book Release</u>
ASA	Monday	May 13, 2024	9 am - 12 pm	5/1/2024	5/2/2024
HR	Monday	May 13, 2024	1 pm - 3 pm	5/1/2024	5/2/2024
FFT	Wednesday	May 15, 2024	9 am - 12 pm	5/2/2024	5/3/2024
Investment	Thursday	May 16, 2024	9 am - 12 pm	5/6/2024	5/7/2024
Audit	Thursday	May 16, 2024	12:30 pm - 3:30 pm	5/6/2024	5/7/2024

BOT Retreat: October 1-2, 2023

6/2/2022

University of Maine System Managed Investment Pool

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	Fiscal YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
MIP Composite	353,680,350	100.0	100.0	-0.2	-10.9	-7.6	-6.7	7.3	5.5	4.9	6.6
Allocation Index				-0.1	-9.5	-5.9	-5.0	8.4	6.6	5.8	7.2
Policy Index				-0.1	-9.7	-6.3	-5.5	8.0	6.6	6.1	7.3
Total Domestic Large Cap	82,975,073	23.5	22.0	0.2	-12.8	-2.6	-0.4	16.4	13.3	12.1	14.2
S&P 500				0.2	-12.8	-2.6	-0.3	16.4	13.4	12.2	14.4
SSgA S&P 500	82,975,073	23.5	22.0	0.2	-12.8	-2.6	-0.4	16.4	13.3	12.1	14.3
S&P 500				0.2	-12.8	-2.6	-0.3	16.4	13.4	12.2	14.4
Total Domestic Small/Mid Cap	21,948,144	6.2	6.0	1.1	-12.5	-7.3	-7.6	16.0	11.6	9.5	13.1
Russell 2500				0.3	-13.6	-12.7	-11.6	12.0	9.8	8.6	12.0
Westfield Capital	9,976,777	2.8	3.0	-2.3	-22.6	-18.4	-16.4	12.6	11.5	9.0	12.7
Russell 2500 Growth				-2.4	-24.2	-26.7	-22.8	8.9	9.6	8.1	12.0
DFA	11,971,367	3.4	3.0	4.0	-2.2	4.2	1.4	17.7	10.4	8.9	12.5
Russell 2000 Value				1.9	-8.2	-7.1	-7.7	12.2	7.8	8.0	10.7
Global Equity	32,964,110	9.3	10.0	-0.9	-16.5	-8.9	-7.4	--	--	--	--
MSCI World				0.1	-13.0	-6.2	-4.8	12.6	9.7	8.6	11.1
Walter Scott Global Equity	32,964,110	9.3	10.0	-0.9	-16.5	-8.9	-7.4	--	--	--	--
MSCI World				0.1	-13.0	-6.2	-4.8	12.6	9.7	8.6	11.1
Total International Equity (including emerging markets)	59,907,044	16.9	21.0	-0.1	-17.6	-20.2	-20.1	2.6	1.1	1.5	4.6
MSCI EAFE				0.7	-11.3	-9.4	-10.4	6.4	4.2	3.7	7.2
SSgA MSCI EAFE NL	16,519,391	4.7	5.0	0.8	--	--	--	--	--	--	--
MSCI EAFE				0.7	-11.3	-9.4	-10.4	6.4	4.2	3.7	7.2
JO Hambro	13,710,233	3.9	5.0	-0.4	-22.3	-18.4	-18.9	--	--	--	--
MSCI EAFE				0.7	-11.3	-9.4	-10.4	6.4	4.2	3.7	7.2
Axiom International Small Cap Equity	8,400,000	2.4	4.0	--	--	--	--	--	--	--	--
MSCI EAFE Small Cap				-0.7	-15.4	-14.6	-16.0	6.6	4.1	5.3	8.9
Emerging Markets Equity	21,277,420	6.0	7.0	-0.5	-16.8	-20.7	-19.2	5.9	3.3	2.4	3.3
Emerging Markets Equity Custom Benchmark				-0.6	-11.2	-15.7	-14.6	8.2	5.7	4.7	5.1
Aberdeen Emerging Mkts	10,079,351	2.8	3.5	2.2	-19.4	-27.8	-27.0	3.2	2.2	2.9	3.4
MSCI Emerging Markets				0.4	-11.8	-20.0	-19.8	5.0	3.8	3.4	4.2
Mondrian EM Small Cap	11,198,069	3.2	3.5	-2.7	-14.7	-13.9	-11.6	8.1	3.9	1.6	--
MSCI Emerging Markets Small Cap				-1.6	-10.6	-11.4	-9.3	11.2	6.0	3.7	5.8



May 31, 2022

University of Maine System Managed Investment Pool

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	Fiscal YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Total Fixed Income	95,917,165	27.1	26.5	-0.5	-6.2	-5.2	-4.6	2.1	2.5	2.5	3.4
Bloomberg US Aggregate TR				0.6	-8.9	-8.9	-8.2	0.0	1.2	1.5	1.7
Commonfund	45,787,298	12.9	9.5	0.2	-9.2	-9.0	-8.1	0.4	1.5	1.9	2.6
Bloomberg US Aggregate TR				0.6	-8.9	-8.9	-8.2	0.0	1.2	1.5	1.7
Vanguard Inflation-Protected Securities	5,937,556	1.7	3.5	-0.9	-5.7	-2.0	-1.4	4.4	3.6	--	--
Bloomberg US TIPS TR				-1.0	-5.9	-2.0	-1.4	4.4	3.7	3.1	2.0
Vanguard Short-Term Inflation-Protected Securities	6,364,801	1.8	3.5	0.4	0.1	2.5	2.6	4.1	--	--	--
Bloomberg US TIPS 1-5 Yr TR				0.3	-0.4	2.2	2.1	4.3	3.3	2.7	1.8
Blackrock Strategic Income Opportunities	19,544,868	5.5	5.0	-0.2	-3.5	-3.8	-3.6	2.9	--	--	--
3-Month Libor Total Return USD				0.1	0.4	0.5	0.5	0.8	1.3	1.2	0.9
Bain Capital Senior Loan Fund	18,282,642	5.2	5.0	-2.6	-3.6	-1.1	-0.7	3.4	--	--	--
Credit Suisse Leveraged Loans				-2.5	-2.4	-0.6	-0.2	2.8	3.4	3.6	4.2
Total GAA	28,229,107	8.0	7.5	0.1	-6.1	-3.3	-3.9	3.1	2.6	2.4	3.9
40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91-day T-Bills*				0.3	-7.4	-5.8	-5.2	3.9	4.6	4.6	6.2
Newton Global Real Return	28,229,107	8.0	7.5	0.1	-6.1	-3.3	-3.9	5.1	4.3	--	--
40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91-day T-Bills				0.3	-7.4	-5.8	-5.2	3.9	3.7	--	--
Total Hedge Funds	29,423,048	8.3	7.0	-1.5	-0.8	-2.1	-2.0	9.1	6.3	4.5	4.4
HFRI Fund of Funds Composite Index				-1.0	-4.9	-3.8	-3.2	5.1	4.0	2.8	3.9
Lighthouse	29,423,048	8.3	7.0	-1.5	-0.8	-2.1	-2.0	9.1	6.9	--	--
Credit Suisse Long Shrt Eqt USD				-0.5	-5.6	-2.8	-3.5	5.7	4.6	3.7	5.9
Private Equity	1,976,425	0.6	0.0	0.0	0.0	6.7	12.7	15.3	13.8	12.3	--
Landmark Equity Partners XV	1,976,425	0.6	0.0	0.0	0.0	6.7	12.7	15.3	13.8	12.3	--
CJA US All PE (1 Qtr Lag)				0.0	5.4	25.9	38.7	24.2	20.0	16.8	16.4
Total Cash	340,235	0.1	0.0								
Distribution Account	340,235	0.1	0.0	0.0	0.0	0.0	0.0	0.4	0.8	0.6	0.4
91 Day T-Bills				0.1	0.1	0.1	0.1	0.6	1.0	0.8	0.6

Notes:

Fiscal YTD begins 7/1

Blended Index: 40% Bloomberg Aggregate, 30% Bloomberg U.S. TIPS 1-10YR, 10% S&P 500, 10% Bloomberg High Yield, 10% JPM EMBI+

Emerging Markets Equity Custom Benchmark consists of MSCI EM from Inception to 5/31/2019 and 50% MSCI EM / 50% MSCI EM Small Cap from 6/1/2019 to present.

Returns are net of manager fees

Landmark market value is estimated as of 5/31/2022.

In Sept 2021, the benchmark for Newton Global Real Return changed to 40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91- day T-Bills.

May 31, 2022

DISCLAIMERS & DISCLOSURES

Past performance is no guarantee of future results.

Returns for pooled funds, e.g. mutual funds and collective investment trusts, are collected from third parties; they are not generally calculated by NEPC. Returns for separate accounts, with some exceptions, are calculated by NEPC. Returns are reported net of manager fees unless otherwise noted.

A “since inception” return, if reported, begins with the first full month after funding, although actual inception dates (e.g. the middle of a month) and the timing of cash flows are taken into account in Composite return calculations.

NEPC’s preferred data source is the plan’s custodian bank or record-keeper. If data cannot be obtained from one of the preferred data sources, data provided by investment managers may be used. Information on market indices and security characteristics is received from additional providers. While NEPC has exercised reasonable professional care in preparing this report, we cannot guarantee the accuracy of all source information contained within. In addition, some index returns displayed in this report or used in calculation of a policy index, allocation index or other custom benchmark may be preliminary and subject to change.

All investments carry some level of risk. Diversification and other asset allocation techniques are not guaranteed to ensure profit or protect against losses.

The opinions presented herein represent the good faith views of NEPC as of the date of this presentation and are subject to change at any time. Neither fund performance nor universe rankings contained in this report should be considered a recommendation by NEPC.

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Source of private fund performance benchmark data: Cambridge Associates, via Refinitiv



University of Maine System Pension Plan

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	Fiscal YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Pension Composite	21,454,335	100.0	100.0	-0.4	-8.8	-4.5	-3.5	6.2	5.0	4.4	5.9
Allocation Index				0.0	-7.3	-3.4	-2.3	6.4	5.5	5.1	6.5
Policy Index				0.0	-7.2	-3.3	-2.3	6.4	5.5	5.3	6.6
Total Global Equity	6,270,380	29.2	30.0	-1.1	-17.0	-9.2	-7.8	--	--	--	--
MSCI World				0.1	-13.0	-6.2	-4.8	12.6	9.7	8.6	11.1
Walter Scott Global Equity Fund	6,270,380	29.2	30.0	-1.1	-17.0	-9.2	-7.8	--	--	--	--
MSCI World				0.1	-13.0	-6.2	-4.8	12.6	9.7	8.6	11.1
Emerging Markets Equity	685,946	3.2	3.0	-2.7	-14.7	-13.9	-11.6	8.1	3.9	1.6	2.9
Emerging Markets Equity Benchmark				-1.6	-10.6	-11.4	-9.3	11.2	7.4	6.0	6.0
Mondrian EM Small Cap	685,946	3.2	3.0	-2.7	-14.7	-13.9	-11.6	8.1	3.9	1.6	--
MSCI Emerging Markets Small Cap				-1.6	-10.6	-11.4	-9.3	11.2	6.0	3.7	5.8
Total Fixed Income	9,490,596	44.2	43.0	-0.1	-7.6	-7.0	-6.4	1.1	1.8	2.0	2.5
Bloomberg US Aggregate TR				0.6	-8.9	-8.9	-8.2	0.0	1.2	1.5	1.7
Baird Aggregate Bond Fund - BAGIX	6,281,104	29.3	26.0	0.5	-9.5	-9.5	-8.8	--	--	--	--
Bloomberg US Aggregate TR				0.6	-8.9	-8.9	-8.2	0.0	1.2	1.5	1.7
Vanguard Inflation-Protected Securities	435,200	2.0	3.5	-0.9	-5.7	-2.0	-1.4	4.4	3.6	--	--
Bloomberg US TIPS TR				-1.0	-5.9	-2.0	-1.4	4.4	3.7	3.1	2.0
Vanguard Short-Term Inflation-Protected Securities - VTSPX	455,833	2.1	3.5	0.4	0.1	2.5	2.6	4.1	--	--	--
Bloomberg US TIPS 1-5 Yr TR				0.3	-0.4	2.2	2.1	4.3	3.3	2.7	1.8
BlackRock Strategic Income Opportunities	1,133,367	5.3	5.0	-0.2	-3.6	-3.8	-3.6	2.9	--	--	--
3-Month Libor Total Return USD				0.1	0.4	0.5	0.5	0.8	1.3	1.2	0.9
Bain Capital Senior Loan Fund	1,185,093	5.5	5.0	-2.6	-3.6	-1.1	-0.7	3.4	--	--	--
Credit Suisse Leveraged Loans				-2.5	-2.4	-0.6	-0.2	2.8	3.4	3.6	4.2
Total GAA	1,835,135	8.6	8.0	0.1	-6.1	-3.3	-3.8	5.1	4.2	3.4	4.7
40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91-day T-Bills*				0.3	-7.4	-5.8	-5.2	3.9	4.6	4.6	6.2
Newton Global Real Return	1,835,135	8.6	8.0	0.1	-6.1	-3.3	-3.8	5.1	4.3	--	--
40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91-day T-Bills				0.3	-7.4	-5.8	-5.2	3.9	3.7	--	--
Total Alternative Investments	1,142,736	5.3	5.0	-1.5	-0.8	-2.1	-1.9	9.1	6.3	4.7	4.7
HFRI Fund of Funds Composite Index				-1.0	-4.9	-3.8	-3.2	5.1	4.0	2.8	3.9
Lighthouse	1,142,736	5.3	5.0	-1.5	-0.8	-2.1	-1.9	9.1	6.9	--	--
Credit Suisse Long Shrt Eqt USD				-0.5	-5.6	-2.8	-3.5	5.7	4.6	3.7	5.9



May 31, 2022

University of Maine System Pension Plan

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	Fiscal YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Total Real Assets	1,998,408	9.3	8.0								
Principal	1,998,408	9.3	8.0	1.5	10.1	27.2	30.0	12.0	10.2	10.2	10.9
NCREIF ODCE				0.0	7.4	23.6	28.5	11.3	9.9	10.2	10.9
Total Cash	31,134	0.1	3.0								
Distribution Account	31,134	0.1	3.0	0.0	0.0	0.0	0.0	0.4	0.8	0.6	0.4
91 Day T-Bills				0.1	0.1	0.1	0.1	0.6	1.0	0.8	0.6

Notes:

Fiscal YTD begins 7/1

Blended Index: 40% Bloomberg Aggregate, 30% Bloomberg U.S. TIPS 1-10YR, 10% S&P 500, 10% Bloomberg High Yield, 10% JPM EMBI+

Emerging Markets Equity Benchmark consists of MSCI EM from inception to 5/31/2019 and MSCI EM Small Cap from 6/1/2019 to present.

Returns are net of manager fees.

In Sept 2021, the benchmark for Newton Global Real Return changed to 40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91- day T-Bills.



May 31, 2022

DISCLAIMERS & DISCLOSURES

Past performance is no guarantee of future results.

Returns for pooled funds, e.g. mutual funds and collective investment trusts, are collected from third parties; they are not generally calculated by NEPC. Returns for separate accounts, with some exceptions, are calculated by NEPC. Returns are reported net of manager fees unless otherwise noted.

A “since inception” return, if reported, begins with the first full month after funding, although actual inception dates (e.g. the middle of a month) and the timing of cash flows are taken into account in Composite return calculations.

NEPC’s preferred data source is the plan’s custodian bank or record-keeper. If data cannot be obtained from one of the preferred data sources, data provided by investment managers may be used. Information on market indices and security characteristics is received from additional providers. While NEPC has exercised reasonable professional care in preparing this report, we cannot guarantee the accuracy of all source information contained within. In addition, some index returns displayed in this report or used in calculation of a policy index, allocation index or other custom benchmark may be preliminary and subject to change.

All investments carry some level of risk. Diversification and other asset allocation techniques are not guaranteed to ensure profit or protect against losses.

The opinions presented herein represent the good faith views of NEPC as of the date of this presentation and are subject to change at any time. Neither fund performance nor universe rankings contained in this report should be considered a recommendation by NEPC.

This report may contain confidential or proprietary information and may not be copied or redistributed to any party not legally entitled to receive it.

Source of private fund performance benchmark data: Cambridge Associates, via Refinitiv



University of Maine System Operating Fund

TOTAL PLAN PERFORMANCE

	Market Value (\$)	% of Portfolio	Policy %	1 Mo (%)	YTD (%)	Fiscal YTD (%)	1 Yr (%)	3 Yrs (%)	5 Yrs (%)	7 Yrs (%)	10 Yrs (%)
Operating Funds Composite	316,833,227	100.0	100.0	0.0	-3.3	-2.5	-2.3	3.4	3.0	2.7	2.8
<i>Allocation Index</i>				<i>0.1</i>	<i>-3.3</i>	<i>-2.4</i>	<i>-2.2</i>	<i>2.7</i>	<i>2.6</i>	<i>2.4</i>	<i>2.7</i>
Liquidity Pool Composite	108,125,772	34.1	30.0	0.0	0.2	0.4	0.4	0.9	1.2	1.0	0.7
State Pool	79,179,616	25.0		0.0	0.2	0.5	0.5	1.1	1.3	1.1	0.8
BOA General Fund	4,430,230	1.4		0.1	0.3	0.5	0.5	0.5	0.5	0.4	0.3
Federated Gov't Obligations	5,395,227	1.7		0.0	0.1	0.1	0.1	0.6	1.0	--	--
JP Morgan US Gov't Money Market Fund	19,120,698	6.0		0.1	0.1	0.1	0.1	0.6	1.0	--	--
<i>FTSE T-Bill 3 Months TR</i>				<i>0.0</i>	<i>0.1</i>	<i>0.1</i>	<i>0.1</i>	<i>0.7</i>	<i>1.1</i>	<i>0.9</i>	<i>0.6</i>
Income Pool Composite	142,916,769	45.1	47.5	-0.1	-4.1	-4.1	-4.0	1.2	1.7	1.7	2.1
Income Research + Management	80,335,682	25.4	26.0	0.4	-2.6	-3.2	-3.3	1.3	1.5	1.4	--
<i>Bloomberg US Govt/Credit 1-3 Yr. TR</i>				<i>0.6</i>	<i>-2.4</i>	<i>-2.9</i>	<i>-3.0</i>	<i>0.7</i>	<i>1.2</i>	<i>1.1</i>	<i>1.1</i>
BlackRock Strategic Income Opportunities	20,558,510	6.5	7.0	-0.2	-3.6	-3.8	-3.6	2.9	2.9	2.7	--
<i>3-Month Libor Total Return USD</i>				<i>0.1</i>	<i>0.4</i>	<i>0.5</i>	<i>0.5</i>	<i>0.8</i>	<i>1.3</i>	<i>1.2</i>	<i>0.9</i>
Baird Aggregate Bond Fund - BAGIX	23,648,690	7.5	7.5	0.5	-9.4	-9.5	-8.7	--	--	--	--
<i>Bloomberg US Aggregate TR</i>				<i>0.6</i>	<i>-8.9</i>	<i>-8.9</i>	<i>-8.2</i>	<i>0.0</i>	<i>1.2</i>	<i>1.5</i>	<i>1.7</i>
Bain Senior Floating Rate Fund	18,373,887	5.8	7.0	-2.6	-3.6	-1.1	-0.7	--	--	--	--
<i>Credit Suisse Leveraged Loans</i>				<i>-2.5</i>	<i>-2.4</i>	<i>-0.6</i>	<i>-0.2</i>	<i>2.8</i>	<i>3.4</i>	<i>3.6</i>	<i>4.2</i>
Total Return Pool Composite	65,790,686	20.8	22.5	-0.1	-7.7	-5.1	-4.5	9.5	7.1	6.1	6.2
Lighthouse	15,382,393	4.9	5.0	-1.5	-0.8	-2.1	-2.0	9.1	6.9	--	--
<i>Credit Suisse Long Shrt Eqt USD</i>				<i>-0.5</i>	<i>-5.6</i>	<i>-2.8</i>	<i>-3.5</i>	<i>5.7</i>	<i>4.6</i>	<i>3.7</i>	<i>5.9</i>
Newton Global Real Return	11,886,717	3.8	4.0	0.1	-6.1	-3.4	-3.9	5.1	4.3	--	--
<i>40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91-day T-Bills</i>				<i>0.3</i>	<i>-7.4</i>	<i>-5.8</i>	<i>-5.2</i>	<i>3.9</i>	<i>3.7</i>	<i>--</i>	<i>--</i>
PIMCO All Asset	12,124,123	3.8	4.0	0.1	-5.6	-3.2	-2.5	8.1	6.1	5.6	5.4
<i>PIMCO All Asset Index III</i>				<i>0.3</i>	<i>-5.3</i>	<i>-4.0</i>	<i>-3.2</i>	<i>5.3</i>	<i>4.3</i>	<i>3.6</i>	<i>3.3</i>
Vanguard Total World Stock Index	26,397,454	8.3	9.5	0.5	-12.7	-8.3	-7.2	11.8	9.1	8.1	--
<i>FTSE Global All Cap Index</i>				<i>0.2</i>	<i>-12.6</i>	<i>-8.1</i>	<i>-7.0</i>	<i>12.0</i>	<i>9.3</i>	<i>8.3</i>	<i>10.8</i>

Notes:

Returns are net of manager fees.

The inception date for the allocation index is 07/01/2009

Fiscal YTD begins 7/1

Blended Index: 40% Bloomberg Aggregate / 30% Bloomberg U.S. TIPS 1-10YR / 10% S&P 500 / 10% Bloomberg High Yield / 10% JPM EMBI+

Composite excludes external loans.

Blackrock SIO changed its share class in May 2018 to BSIKX.

In Sept 2021, the benchmark for Newton Global Real Return changed to 40% Bloomberg Agg/30% MSCI ACWI/30% ICE BoA 91- day T-Bills.

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Source of private fund performance benchmark data: Cambridge Associates, via Refinitiv



University of Maine System
Managed Investment Pool, Operating Fund and Pension Fund
Fossil Fuel Divestment Statement

May 23, 2022

The University of Maine System (UMS) Board of Trustees recognizes the grave consequences of climate change, its impact on future generations and our responsibility to address these issues in all our policies. We are mindful of our many fiduciary responsibilities including assuring a sustainable, public University system that provides an affordable education while balancing our policies that address climate.

The UMS has led its peers in divesting in coal and adopting a strategy that applies environmental, social and governance (ESG) factors in investment decision making. This strategy has reduced the Managed Investment Pool's exposure to fossil fuels from 3.2% in 2016 to 1.8% in 2021.

The UMS has chosen an investment strategy that is cost effective to administer and which relies on multiple managers and funds that include many and ever-changing holdings in order to achieve diversification and portfolio risk and return objectives. The fund holdings are at the discretion of the manager, within their particular investment guidelines and may include some fossil fuel investments. While some investments are separate accounts which allow the UMS to provide some direction with regard to the holdings, most investments are commingled and mutual funds, where the UMS does not have the ability to exclude fossil fuel companies. Further, the market availability of funds that exclude fossil fuels has yet to mature. We do, however, have the ability to change managers and will consider alternatives as the market for fossil fuel free energy investments grows.

On April 28, 2022, the UMS Investment Committee approved the following actions:

To meet our commitment to address climate change and our portfolios' objectives, the UMS has set the following goals and action steps with the understanding that, at all times, the Board of Trustees acting through the Investment Committee will act in accordance with sound investment criteria and consistent with its fiduciary obligations:

Short-Term Actions: As of May 31, 2022, UMS will divest from direct fossil fuel investments.

1. Divest all direct equity and fixed income investments in fossil fuels by May 31, 2022.
2. To make no new direct investments in fossil fuels.

Long-Term Goals: Divest from actively managed commingled and mutual fund fossil fuel investments by 2030.

The Investment Committee will:

3. Monitor the actively managed commingled and mutual fund fossil fuel exposure and the growth of fossil fuel free alternative investment funds.
4. Assess investment managers with regard to their commitment to sustainable and fossil fuel free investments and, when prudent and appropriate, select managers with such strategies.
5. Select managers who best meet UMS risk, return, diversification, and fiduciary goals while being mindful of ESG and climate goals.

The Investment Guidelines and Objectives for the Managed Investment Pool, Operating Fund and Pension Plan were amended to include these short-term actions and long-term goals. In addition, the Investment Committee will annually provide the Board of Trustees a progress report on divestment from fossil fuels.

UNIVERSITY OF MAINE SYSTEM

Policy Manual

INTRODUCTION

Section 103 Board of Trustees: Bylaws

Effective: 08/02/1968

Last Revised: 12/09/05; 1/14/08; 7/14/08; 11/15/10; 3/19/12; 7/15/13; 8/24/21; 5/23/22

Responsible Office: Clerk of the Board

ARTICLE I - Board of Trustees

Section 1.1 **Function.** Pursuant to the laws of the State of Maine, and in accordance with the federal statutes governing land grant institutions, the Board of Trustees in consultation with the Chancellor, is the governing and planning body of the University of Maine System.

Section 1.2 **Membership.**

- a. The Board of Trustees consists of sixteen persons. All members are appointed by the Governor in accordance with State statutes. Fourteen members are appointed to five-year terms. A full-time University of Maine System student serves as a voting member for a two-year term, and the Commissioner of Educational and Cultural Services serves as a voting member, ex-officio.
- b. The members of the Board shall serve without monetary compensation, and shall be reimbursed for expenses incurred in the performance of official duties, upon presentation of an expense account.
- c. A Board member shall not vote on a matter in which he or she has a financial interest and each Trustee shall be bound by an appropriate code of ethics, as adopted by the Board of Trustees.

Section 1.3 **Powers and duties.**

- a. The Board of Trustees has final authority over all matters within its jurisdiction. The jurisdiction of the Board relates to, and is exercised over, inter alia, all educational, public service and research policies, financial policy, and the relation of the University System to the state and federal governments.
- b. The Board shall appoint a Chancellor who shall serve at its pleasure and be the Chief Administrative and Education Officer of the University System. The Board shall undertake periodic reviews of the Chancellor's performance. A minimum of nine affirmative votes shall be required to appoint or dismiss a Chancellor. The Board shall consult with the Chancellor, and shall delegate to the Chancellor authority to execute policies established by the Board, together with responsibility for the internal government and administration of the University System, and such

other authority and responsibility as the Board, from time to time, shall deem appropriate.

- c. Presidents of the various institutions and/or units of the University System shall be appointed by the Board on the nomination of the Chancellor and shall serve at the pleasure of the Board. The Chancellor may suspend and/or recommend the dismissal of a President, with final disposition of the matter to be determined by the Board.
- d. The Board of Trustees shall, in consultation with the Chancellor, be responsible for the preparation and approval of all operating and capital budgets, together with University System requests for appropriations, bond issues, and statutory changes, and for their presentation to executive or legislative branches of Maine government in accordance with the provisions of the Maine statutes.

ARTICLE II - Organization of the Board

Section 2.1 **Officers.** At the annual meeting, the Board of Trustees shall elect from among its members a Chair and a Vice-Chair, and such other officers as the Board may determine. The term of office shall commence at the conclusion of the annual meeting. A Chair shall be ineligible to serve more than four (4) successive terms. **The Chair and Vice Chair must have residency in Maine.**

Section 2.2 **Treasurer and Clerk.** The Board shall appoint a Clerk and a Treasurer, both of whom shall be sworn and hold their offices at the pleasure of the Trustees.

Section 2.3 **Duties of the Chair.** The Chair shall preside at all meetings of the Board, and shall be entitled to vote at all meetings of the Board and its Committees. Subject to the approval of the Board, the Chair shall appoint all standing and special committees and shall designate the Chair of such committees. The Chair shall execute all documents on behalf of the Board, except where other provision is made by the Board, and shall exercise the powers and perform the duties set forth in these By-Laws, and such other duties as usually devolve upon the presiding officer of a deliberative body. *(See: Trustee Practice of Annual Evaluation of the Chair)*

Section 2.4 **Duties of the Vice-Chair.** The Vice-Chair shall perform the duties of the Chair at the request, or in the absence or incapacity, of the Chair. The Vice-Chair shall be entitled to vote at all meetings of the Board and its Committees.

Section 2.5 **Duties of the Treasurer** shall be as provided in the Maine Revised Statutes.

Section 2.6 **Duties of the Clerk of the Board.** The Clerk shall prepare the agenda of all meetings of the Board and its committees. The Clerk, or someone the Clerk shall designate, shall attend the meetings, prepare the minutes of such meetings, and forward copies of the minutes to the members of the Board and to such other persons or agencies as the Board may determine. The Clerk shall have charge of all Board records, files, minutes, and official documents, notify

appropriate persons and agencies of the Board's actions, and copies of Board records certified by the Clerk shall be evidence in all cases in which the originals might be used. The Clerk shall send notices of Board and committee meetings to members of the Board, maintain a central calendar for meetings and shall perform related duties assigned by the Chair of the Board.

(See: Trustee Practice of Annual Assessment of the Board of Trustees.)

ARTICLE III - Committees of the Board

Section 3.1 Standing Committees.

- a. The Standing Committees of the Board shall be:
 - Executive Committee
 - Academic & Student Affairs Committee
 - Audit Committee
 - Finance/Facilities and Technology Committee
 - Investment Committee
 - Human Resources and Labor Relations Committee
- b. Membership of committees shall be determined annually.
- c. The Chair and Vice-Chair of the Board and the Chancellor of the University System shall be ex-officio members of all standing committees, but the Chancellor shall have no vote.
- d. Each committee shall have at least three members, apart from the ex-officio members.
- e. The standing committees of the Board shall have such powers, duties and responsibilities as may be assigned to them by the Board Chair and agreed upon by the Board.
- f. The Executive Committee of the Board shall consist of the Chair and Vice-Chair of the Board and the chair of the other standing committees and other Trustees for a total of at least 9 members. The Chair of the Board shall be the Chair of the Committee. It shall have and exercise between meetings of the Board, any and all powers of the latter not specifically reserved to it, except that it may not take action against an expressed policy of the Board.
- g. Except for the Executive Committee, Audit Committee, and Human Resources and Labor Relations Committee, the standing committees may include persons who are not members of the Board, who may not, however, participate where subject matter is otherwise reserved.
- h. Actions taken by the Committee requiring Board approval will be placed on the agenda or the consent agenda of a regular meeting.
- i. See Board of Trustees Policy 215 Remote Public Meetings for detailed information on participation and quorum requirements for Remote Public meetings.

Section 3.2 **Ad hoc Committees** may be established by vote of the Board to undertake special assignments upon completion of which the committee shall be discharged by vote of the Board. The Committees may include persons who are not members of the Board. The Chair may also appoint task forces or

subcommittees in those instances where the appointment of an Ad Hoc Committee would not be practical due to minimal time requirements for its activities or the nature of the subject matter assigned.

Section 3.3 Except as otherwise provided, all committee actions shall be reported to the Board for approval.

Section 3.4 Meetings of all committees ordinarily shall be called by the appropriate Committee Chair, but may be called by the Chair of the Board or a majority of a Committee.

ARTICLE IV - Meetings

Section 4.1 **Regular Meetings.** At the annual meeting, the Board shall establish a schedule of meetings for the ensuing year which shall provide for a minimum of four regular meetings, at least one to be scheduled in each calendar quarter.

Section 4.2 **The annual meeting** shall be the last regular meeting scheduled in each fiscal year.

Section 4.3 **Special meetings** shall be held upon the call of the Chair of the Board or upon the written request of seven members of the Board.

Section 4.4 **Public meetings.** Regular and special meetings of the Board and its committees shall be open to the press and the public, except by vote of the Board for discussion of those matters which are permitted under the statutes to be discussed in executive session.

Section 4.5 **Remote Public Meetings**
Refer to the Board of Trustees Policy 215 Remote Public Meetings.

Section 4.6 **Notices.** Written notice of each regular meeting shall be sent by the Clerk to the members of the Board at least seven days prior to the date of the meeting.

Section 4.7 **Quorum.** A majority of the current membership of the Board shall constitute a quorum for the transaction of business, except as otherwise provided in these By-Laws. Refer to the Board of Trustees Policy 215 Remote Public Meetings for quorum requirements for remote meetings.

Section 4.8 **Parliamentary Procedure.** Robert's Rules of Order, Revised, except as otherwise modified by the rules and regulations of the Board, shall serve as the parliamentary authority.

ARTICLE V - Indemnification

Section 5 Subject to the provisions of law or policies adopted or approved by the Board of Trustees, the University System shall indemnify any person who was or is a party or is threatened to be a party to any threatened, pending or contemplated

action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that such person was or is a trustee, officer, employee or agent of the University System, or was or is acting in the course and scope of such person's duties or at the request of the University System against expenses, including attorney's fees, judgments, fines and amounts paid in settlement actually or reasonably incurred by such person in connection with such action suit or proceeding.

ARTICLE VI - Amendments

Section 6 These By-Laws may be amended at any regular meeting of the Board by approval of a majority of those present provided the proposed amendment shall have been presented in writing at the previous regular or special meeting of the Board, or shall have been sent with the call of the meeting at which the amendments are voted upon.

Related Documents:

Trustee Practice of Annual Evaluation of the Chair
Trustee Practice of Annual Assessment of the Board of Trustees
Trustee Practice on Indemnification

UNIVERSITY OF MAINE SYSTEM Policy Manual

STUDENT AFFAIRS

Section 501 Student Conduct Policy Effective: 3/72

Last Revised: 5/22/00; 5/22/06; 5/18/09; 11/17/14; 5/18/15; 3/19/18;
7/26/21

Responsible Office: Academic Affairs

DRAFT
Second Read

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The purpose of this University of Maine System Student Conduct Policy (this "Policy") is to promote the intellectual, ethical, and physical development of people within the University of Maine System. This Policy shall be implemented through procedures set forth in the University of Maine System Student Conduct Code (the "Code"). The Code will articulate the expectation that students conduct themselves with proper regard for their rights and responsibilities, and the rights and responsibilities of others including the University. All members of the University community share accountability for maintaining an environment where actions are guided by mutual respect, integrity, and reason. The procedures outlined in the Code seek to promote the safety of persons engaging in those pursuits, the free and peaceful expression of ideas, and the integrity of academic processes. The procedures in the Code will reflect the basic concept of procedural fairness and will make certain that no student is subject to disciplinary action for any misconduct without first being given adequate notice of the charge(s) and the opportunity for a hearing before an impartial body or officer.

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In the implementation of this Policy, the University seeks to harmonize its administrative functions in a manner consistent with and grounded in its educational mission with an emphasis on fundamental fairness, due process, personal responsibility, and community relationships.

Governing Law

All members of the University community are governed by University policies, local ordinances, and state and federal laws. For specific governing documents, students and University organizations may refer to: the Code, other University policies and procedures; University student handbooks; University residence hall agreements and manuals; and other official University notices and publications. Individuals who violate state and federal law are subject to prosecution by appropriate state and federal authorities regardless of whether the activity occurs on or off University Property. In addition, students may be subject to disciplinary action by the University pursuant to this Policy and the University of Maine System Student Conduct Code or other applicable University policies, handbooks, catalogs, or standards.

If applicable law or regulation changes in a way that impacts this Policy, this Policy will be construed to comply with applicable law and regulation.

Administration and interpretation of the University of Maine System Student Conduct Code will be solely within the jurisdiction of the University.

Freedom of Expression

The UMS Board of Trustees recognizes that students have, within the limits of the law, the right of free expression and advocacy. The UMS Board seeks to encourage and preserve freedom of expression and inquiry within the University.

Non-Discrimination Statement

In complying with the letter and spirit of applicable laws and pursuing its own goals of diversity, the University of Maine System does not discriminate in employment, education, or any other programs and activities on the basis of race, color, religion, sex, sexual orientation, transgender status, gender, gender identity or expression, ethnicity, national origin, citizenship status, familial status, ancestry, age, physical or mental disability, genetic information, veteran or military status.

The following person has been designated to handle inquiries regarding non-discrimination policies: Director of Equal Opportunity, North Stevens Hall, Orono, ME 04469; voice: (207) 581-1226; TTY 711 (Maine Relay System) email: equal.opportunity@maine.edu.

Training

The UMS Coordinator of Student Conduct will ensure all persons responsible for the oversight or administration of the Code receive required training relevant to their role and responsibility, as described in the Code, and document participation.

Policy Review

Pursuant to the authority of the Board of Trustees, the provisions of this Policy are subject to periodic review and amendment and will include representation of students and other key stakeholders.

Student Conduct Code Review

The Student Conduct Code shall be reviewed a minimum of every two years under the direction of the UMS Coordinator of Student Conduct, and in consultation with the University Conduct Officers, Office of the General Counsel, and including representation from the student body, faculty, staff, and other stakeholders, as appropriate. The UMS Coordinator of Student Conduct will inform the Chair of the Board of Trustees Academic and Student Affairs Committee of any recommendations for major changes. Final approval of the Student Conduct Code will be the responsibility of the Chancellor, in consultation with the Office of the General Counsel.

Related Documents

BOT policy 212 - Gov and Legal Affairs

BOT Policy 402

Student Conduct Code Procedures

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UNIVERSITY OF MAINE SYSTEM Policy Manual

STUDENT AFFAIRS

Section 501 Student Conduct Policy Effective: 3/72

Last Revised: 5/22/00; 5/22/06; 5/18/09; 11/17/14; 5/18/15; 3/19/18;
7/26/21; 07/11/22

Responsible Office: Academic Affairs

DRAFT
Second Read

The purpose of this University of Maine System Student Conduct Policy (this "Policy") is to promote the intellectual, ethical, and physical development of people within the University of Maine System. This Policy shall be implemented through procedures set forth in the University of Maine System Student Conduct Code (the "Code"). The Code will articulate the expectation that students conduct themselves with proper regard for their rights and responsibilities, and the rights and responsibilities of others including the University. All members of the University community share accountability for maintaining an environment where actions are guided by mutual respect, integrity, and reason. The procedures outlined in the Code seek to promote the safety of persons engaging in those pursuits, the free and peaceful expression of ideas, and the integrity of academic processes. The procedures in the Code will reflect the basic concept of procedural fairness and will make certain that no student is subject to disciplinary action for any misconduct without first being given adequate notice of the charge(s) and the opportunity for a hearing before an impartial body or officer.

In the implementation of this Policy, the University seeks to harmonize its administrative functions in a manner consistent with and grounded in its educational mission with an emphasis on fundamental fairness, due process, personal responsibility, and community relationships.

Governing Law

All members of the University community are governed by University policies, local ordinances, and state and federal laws. For specific governing documents, students and University organizations may refer to: the Code, other University policies and procedures; University student handbooks; University residence hall agreements and manuals; and other official University notices and publications. Individuals who violate state and federal law are subject to prosecution by appropriate state and federal authorities regardless of whether the activity occurs on or off University Property. In addition, students may be subject to disciplinary action by the University pursuant to this Policy and the University of Maine System Student Conduct Code or other applicable University policies, handbooks, catalogs, or standards.

If applicable law or regulation changes in a way that impacts this Policy, this Policy will be construed to comply with applicable law and regulation.

Administration and interpretation of the University of Maine System Student Conduct Code will be solely within the jurisdiction of the University.

Freedom of Expression

The UMS Board of Trustees recognizes that students have, within the limits of the law, the right of free expression and advocacy. The UMS Board seeks to encourage and preserve freedom of expression and inquiry within the University.

Non-Discrimination Statement

In complying with the letter and spirit of applicable laws and pursuing its own goals of diversity, the University of Maine System does not discriminate in employment, education, or any other programs and activities on the basis of race, color, religion, sex, sexual orientation, transgender status, gender, gender identity or expression, ethnicity, national origin, citizenship status, familial status, ancestry, age, physical or mental disability, genetic information, veteran or military status.

The following person has been designated to handle inquiries regarding non-discrimination policies: Director of Equal Opportunity, North Stevens Hall, Orono, ME 04469; voice: (207) 581-1226; TTY 711 (Maine Relay System) email: equal.opportunity@maine.edu.

Training

The UMS Coordinator of Student Conduct will ensure all persons responsible for the oversight or administration of the Code receive required training relevant to their role and responsibility, as described in the Code, and document participation.

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Policy Review

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Student Conduct Code Procedures

**UNIVERSITY OF MAINE SYSTEM
STUDENT CONDUCT CODE**

Effective: 1 August 2022

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Amending the Student Conduct Code

STUDENT CONDUCT CODE

The Student Conduct Code ("Code") exists to notify students, faculty, and staff of the specific expectations the University of Maine System ("University") holds related to student behavior and the rights and responsibilities that accompany being a student and participating in student activities and organizations. The University expects students to maintain standards of personal integrity in harmony with its educational goals; to be responsible for their actions; to observe national, state, local laws, and University regulations; and to respect the rights, privileges, and property of others.

The student conduct process is intended to be a learning experience which can yield growth, behavioral changes, and personal understanding of one's responsibilities and the consequences and impacts of one's actions. This process balances the needs and rights of students with the needs and expectations of the University and larger community. The student conduct process offers a continuum of responses to allegations of misconduct. Students are treated with care and respect and are afforded the opportunity to receive a fair hearing. Many sanctions and interventions are designed to be educational and restorative in nature, promoting the University's mission. The Student Conduct Code defines University intervention, resolution options and possible disciplinary actions related to the behavior of both individual students and student organizations.

What constitutes a violation and what sanctions may be imposed will be determined using the definitions set forth in the Code in effect at the time of any alleged violation(s). With regard to the procedures that will be used to resolve any report of an alleged violation, the Code procedures in effect at the time of the report to the University will be used regardless of whether the alleged conduct occurred on or off University Property, and regardless of when the alleged conduct occurred.

Student Rights & Responsibilities

Student rights and responsibilities are outlined throughout this Code. If students have questions or concerns about this Code or the way this Code is being applied, they should contact a Conduct Officer of the University; this may be either the Conduct Officer handling a particular matter or another Student Conduct Officer. If those questions or concerns remain unresolved, the student may contact the Conduct Officer's supervisor, or the UMS Coordinator of Student Conduct. If those questions or concerns remain unresolved following this process, students may contact the Vice Chancellor for Academic Affairs.

Various timeframes, including for response and submission of information and documents, are outlined throughout this Code. If, at any time, a student would like to request an update or additional information about a particular matter under review, the student may contact the University authority handling the matter.

Bias and Conflict of Interest

A conflict of interest may exist when a person or related organization has an existing or future interest or association which conflicts with their role or responsibility within the University. Faculty, staff, and students participating or serving in any role or process under the UMS Student Conduct Code have the obligation to be unbiased and to avoid ethical, legal, financial or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligation to the University or to its welfare. If a faculty, staff or student believes they may have a current bias or conflict of interest or that one may be foreseen, they shall promptly and fully disclose the bias or conflict to the UMS Coordinator of Student Conduct and shall refrain from participating on behalf of the University.

Accessibility Support

The University is committed to providing necessary accommodations to ensure a fair and safe process for participants. Accommodations will take into consideration disabilities, personal safety and language differences.

Student Conduct Amnesty

The University strives to maintain a balance between student support and accountability. The University believes in addressing student health and safety concerns directly, and confronting dangerous behaviors, but also encouraging students to seek help in situations where their own, or another student's health is endangered. As such, a student who seeks assistance on behalf of themselves or another individual experiencing an alcohol and/or drug related incident, may not be subject to disciplinary action for the alcohol and/or drug use under the Student Conduct Code, at the discretion of the Conduct Officer. Students who participate in student conduct investigations may also be eligible for Student Conduct Amnesty at the discretion of the Conduct Officer.

Student(s) involved in reported incidents of sexual misconduct may receive student conduct amnesty for the alcohol and/or drug violation(s) only, unless the report is determined to be without a proper basis and fact. Student Conduct Amnesty is only granted to individual students, not student groups and/or student organizations.

I. JURISDICTION

This Code applies when the University has jurisdiction over both the Responding Party and the alleged conduct.

- A.** The University has jurisdiction over the Responding Party when the Responding Party is, at the time of the alleged conduct, any one of the following:
- 1.** A student who is enrolled at the University.
 - a.** A "student" means any person who has accepted, registered, or enrolled in any course or program offered by the University, including distance courses, and who has not been absent from the University greater than one (1) calendar year.
 - b.** A student is considered to be "enrolled" at the University until such time as the student has:
 - i.** Officially graduated from the University; or
 - ii.** Been officially dismissed from the University; or
 - iii.** Been absent from the University for a period of time greater than or equal to one (1) calendar year.
 - c.** A student who is on probation or suspended from the University at the time of the alleged conduct will be considered to be enrolled for the purposes of determining the University's jurisdiction.
 - 2.** A University-recognized student organization, or any student organization not recognized at the time of the report, but under University probation or suspension.
- B.** The University has jurisdiction over the alleged conduct when the alleged conduct occurs:
- 1.** On any campus of the University, on any property owned or controlled by the University or when the alleged conduct involves University Property; or
 - 2.** At an activity or program sponsored by the University; or
 - 3.** In any context where the University can demonstrate a substantial interest regardless of the location of the conduct, including online or off-campus, and where the conduct threatens:
 - a.** Any educational process; or
 - b.** Legitimate function of the University; or
 - c.** The health or safety of any individual.
 - 4.** It is at the University's discretion to determine whether jurisdiction applies. In general, jurisdiction is determined as of the date of the alleged conduct.

- C. An enrolled student may not graduate if they have a pending conduct case. If a student officially withdraws from the University or does not participate in the disciplinary process, the process will continue and the student may not, at the discretion of the University, be permitted to return to the University or graduate until the student is found not responsible for a violation of this Code or until any imposed sanctions have been satisfied.

II. DEFINITIONS

- A. **Administrative Resolution:** A meeting with a Conduct Officer to determine if a Responding Party has violated any section(s) of the Code.
- B. **Advisor:** A person who is available to advise or support any Party involved in any matter governed by this Code. An Advisor may not serve as a witness or a participant in a hearing. Examples of Advisors include, but are not limited to, family members, friends, University employees, and attorneys.
- C. **Appeal Panel:** A panel that hears appeals from the Administrative Resolution or Student Conduct Hearing Board.
- D. **Conduct Officer:** A person designated by the University to address alleged violations of this Code.
- E. **Conflict of Interest:** When a person or related organization has an existing or future interest or association which conflicts with their role or responsibility within the University.
- F. **Coordinator of Student Conduct:** The University of Maine System person responsible for providing guidance, support and direction in the University conduct process and ensuring compliance with applicable policies, regulations, and laws.
- G. **Consent:** A person's voluntary agreement to engage in specific sexual acts with another person.
1. Consent must be:
 - a. Informed, freely, and actively given, and consist of a mutually agreeable and understandable exchange of words or actions; and
 - b. Clear, knowing, and voluntary; and
 - c. Active, not passive.
 2. Consent may be withdrawn at any time and when outwardly communicated that Consent is withdrawn, sexual activity must cease.
 3. Silence, passivity, or absence of resistance, in and of itself, cannot be interpreted as Consent.
 4. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and conditions of) sexual activity.
 5. Past Consent does not imply future Consent. Even in the context of an ongoing relationship, Consent must be sought and freely given for each sexual act.
 6. Consent to engage in one form of sexual activity does not imply Consent to engage in any other sexual activity.
 7. Consent to engage in sexual activity with one person does not imply Consent to engage in sexual activity with any other person.
 8. There is no Consent when the exchange involves unwanted physical force, coercion, intimidation and/or threats.
 9. If an individual is mentally or physically incapacitated such that one cannot understand the fact, nature, or extent of the sexual situation, and the Incapacitation or impairment is known or should be known to a Reasonable Person, there is no Consent. This includes conditions resulting from voluntary alcohol or drug consumption, being asleep, or unconscious. The assessment is based on objectively and reasonably apparent indications of Incapacitation when viewed from the perspective of a Reasonable Person.
 10. Consent is not valid if the person is too young to Consent to sexual activity under applicable law, even if the minor wanted to engage in the activity.
 11. In evaluating whether Consent was given, consideration will be given to the totality of the facts and circumstances, including but not limited to:

- a. the extent to which a Reporting Party affirmatively uses words or actions indicating a willingness to engage in sexual contact, free from intimidation, fear, or coercion;
 - b. whether a Reasonable Person in the Responding Party's position would have understood such person's words and acts as an expression of Consent; and
 - c. whether there are any circumstances, known or reasonably apparent to the Responding Party, demonstrating Incapacitation or lack of Consent.
- H. Hearing Officer:** A University Official, including, and not limited to, a Conduct Officer or Hearing Board Chair, authorized to facilitate student conduct cases and determine whether a student or an organization has violated the Code and to impose sanctions when it has been determined that a violation has been committed.
- I. Incapacitation; Incapacitated:** An individual who is Incapacitated lacks the ability to make informed judgments. Incapacitation is the inability, temporarily or permanently, to give Consent because an individual is mentally and/or physically unable to understand the fact, nature, or extent of the sexual situation, helpless, asleep, unconscious, or unaware that sexual activity is occurring. Helpless means a person is incapable of appraising or controlling one's own conduct, unable to verbally or otherwise communicate Consent or unwillingness to an act.
 - 1. Where alcohol or other drugs are involved, Incapacitation is a state beyond impairment or intoxication.
 - 2. Where alcohol or other drugs are involved, evaluating Incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness.
- J. Interim Measures or Actions:** Actions taken to promote the safety and well-being of the Parties or the University community, including, but not limited to, interim suspension from activities, University housing or the University, moving either Party to a new living, dining or working situation; issuing a no contact order; changing class or work schedules; changing transportation; financial aid accommodations; immigration assistance; and other academic and/or employment accommodations and support.
- K. Notice:** Official written communication from the University which is considered effective if hand delivered, mailed with signature confirmation of delivery at the person's or entity's last known address, delivered through the use of the student's University email account with confirmation of receipt, or at the University's discretion, another method requested by a Party. Students are expected to regularly monitor their official University email account.
- L. Party(ies):** May refer to the Reporting Party(ies), Responding Party(ies), or both Parties collectively.
- M. Preponderance of the Evidence:** A standard that requires a fact or event to have more likely than not occurred, e.g., a greater than fifty percent (50%) likelihood.
- N. Reasonable Person:** A representative individual under similar circumstances to the person in question, who exercises care, skill, and judgment.
- O. Reporting Party(ies):** Any person who alleges they, themselves, have been harmed by a student, or student organization and directly aggrieved by the incident. If a Reporting Party declines to participate, at the University's discretion, the University may move forward with the process under this Code.
- P. Responding Party(ies):** Any student or student organization that has been alleged to have violated this Code or has been charged with a violation of this Code.
- Q. Student Conduct Hearing Board ('Hearing Board'):** A body of trained University persons providing due process to students accused of violating this Code.
- R. Support Person:** A person who provides emotional or personal support or assistance to a Party during the investigative and hearing proceedings. Examples of a Support Person include, but are not limited to, family members, friends, or University employees.
- S. University of Maine System (the "University"):** Means either collectively or singularly, any of the of following campuses and/or centers: University of Maine at Augusta; University of Maine at Farmington; University of Maine at Fort Kent; University of Maine at Machias; University of Maine; University of Maine at Presque Isle; University of Southern Maine; University of Maine School of Law; and all University Property.

- T. University Official:** Any person employed or engaged by the University to perform assigned administrative or professional responsibilities, including campus police or security staff. University Officials may be full or part-time, or may be student staff members.
- U. University Property:** Includes, but is not limited to, any Real or Personal Property owned, held, rented, licensed, chartered, or used at the University's discretion, Real or Personal Property otherwise engaged by the University in any manner or by University employees or University organizations as a direct result of and in connection with their service to the University.
 - 1. Real Property: Land, buildings, fixtures, improvements, and any interests therein.
 - 2. Personal Property: All property, other than real property, and any interests therein.
- V. VAWA (Violence Against Women Act) Offenses:** Offenses of sexual assault (rape, fondling, incest or statutory rape), domestic violence, dating violence and/or stalking.
- W. Violent Crime:** One of a series of offenses described in the regulations of the Family Educational Rights and Privacy Act (FERPA) which includes, but is not limited to, arson, assault offenses, burglary, criminal homicide, destruction & vandalism, kidnapping, and sex offenses - <https://www.ecfr.gov/current/title-34/subtitle-A/part-99>
- X. Witness:** A person who has directly observed an incident, or has personal knowledge or experience of a possible violation of this Code.

III. VIOLATIONS

Violations are actions that contravene this Code.

Disciplinary action taken under this Code is independent of the awarding of grades (an academic matter), and provisions of this Code cannot be used for changing awarded grades. The violations listed below are considered in the context of the student's responsibility as a member of the academic community; other violations may be defined by other documents, for example, residence hall contracts, student handbooks, academic integrity policies, or codes of conduct, ethics or professional responsibility, specific to certain courses of study or majors.

A. Academic Misconduct

- 1. **Plagiarism:** The submission of another's work as one's own, without adequate attribution. Plagiarism is academic theft.
- 2. **Cheating:** The act or attempted act of deception by which a person, student, or student organization seeks to misrepresent that they have mastered information on an academic exercise that they have not mastered. Cheating is also the use or attempted use of unauthorized assistance in an examination, paper, homework assignment, or other project.
- 3. **Fabrication:** The use of invented information or the falsification of research or other findings in an academic exercise.
- 4. **Contributing to academic misconduct:** Assisting another person's, student's, or student organization's academic misconduct.
- 5. **Other forms of academic misconduct:** Any actions by which one seeks an unfair academic advantage over others, or violations of the Academic Integrity Policy as may be reported by a faculty member or other academic officer.

B. Disruption of University Operations

- 1. **Causing a Disturbance:** Conduct which causes interference with or results in substantial disruption of University activities.
- 2. **Failure to Comply with Sanction:** Failure to comply with a sanction imposed under this Code.
- 3. **Failure to Identify:** Failure to identify oneself accurately to a University employee performing their official duties.
- 4. **Interference with Code Enforcement:** Interference with a Reporting Party, Responding Party, witness, investigation or the carrying out of procedures defined in this Code.

5. **Interference with or Failure to Comply with a University Employee:** Direct interference with or failure to comply with a University employee in the performance of their official duties.
 6. **Supplying False Information:** Knowingly supplying false information to University employees in pursuit of their official duties or in the course of a disciplinary proceeding, or knowingly causing false information to be thus supplied.
 7. **Unauthorized Representation:** Unauthorized representation of the University or University employee(s).
 8. **Violation of Residence Hall Contract:** Violation of residence hall contracts, except when the residence hall contract specifically provides for an alternate procedure or remedy for the violation concerned.
 9. **Violation of Student Activity Rules:** Violation of a University rule, policy, procedure, standard of conduct, or code of ethics.
- C. Health & Safety Violations**
1. **Creating a Dangerous Condition:** Creation of a fire hazard or other dangerous condition, which may cause harm to any individual or to property.
 2. **False Reporting of Dangerous Conditions:** Giving or causing to be given false reports of fire or other dangerous conditions to the University or to local, state or federal authorities.
 3. **Endangering Health or Safety:** Conduct which threatens or endangers the health or safety of any individual.
 4. **Violation of Health or Safety Policies:** Violation of University health or safety regulations.
 5. **Illegal Possession, Use, or Sale of Drugs:** Possession, use, or sale of illegal drugs or drug paraphernalia. The misuse of legal prescription drugs. The University is required to follow federal law which classifies cannabis as an illegal drug.
 6. **Interference with Safety Equipment or Alarms:** Tampering with, or disabling, or causing the malfunction of fire and safety equipment or alarm systems.
 7. **Restricting Traffic Flow:** Restriction of normal traffic flow anywhere on University property, including entrances and exits.
 8. **Unauthorized Use or Possession of Chemicals or Explosives:** Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas, or compressed air.
 9. **Violation of Alcohol, Drug, or Tobacco and Smoke Free Policies or Regulations:** Violations of alcohol beverage, drug, or tobacco and smoke free policies, regulations, or laws.
 10. **Violation of Weapons Policies or Regulations:** Violation concerning possession or misuse of firearms or other dangerous weapons.
- D. Offenses Involving Other People**
1. **Assault:** Intentionally, knowingly, or recklessly causing bodily injury or offensive physical contact to another person.
 2. **Causing Fear of Physical Harm:** Intentionally or knowingly placing another person in fear of imminent bodily injury.
 3. **Dating Violence:** Violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with that person. Whether a dating relationship exists is determined based on the Reporting Party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. All forms of dating violence prohibited by applicable law are also included (for example, Assault).

4. **Discrimination:** Discrimination based on actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, citizenship status, age, disability, genetic information, or veterans status.
5. **Domestic Violence:** A felony or misdemeanor crime of violence committed by:
 - a. A current or former spouse or intimate partner of the victim; or
 - b. A person with whom the victim shares a child in common; or
 - c. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; or
 - d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

All forms of domestic violence prohibited by applicable law are also included (for example, Domestic Violence Assault, Domestic Violence Criminal Threatening, Domestic Violence Terrorizing, Domestic Violence Stalking, and Domestic Violence Reckless Conduct).
6. **Gender Discrimination:** Discriminating against an individual on the basis of that individual's sex, gender, sexual orientation, gender identity, or gender expression.
7. **Harassment:** Severe or pervasive unwelcome conduct, including but not limited to: comments; jokes; acts; other verbal or physical conduct or bullying, that may be based on race, color, religion, sex (including pregnancy), sexual orientation, gender identity, gender expression, national origin, citizenship status, age, disability, genetic information, or veterans status.
8. **Hazing:** Any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any University employee or a person, student, or student organization or any activity expected of a person, student, or student organization as a condition of joining or maintaining membership in a group that humiliates, degrades, abuses or endangers the student, regardless of the student's willingness to participate in the activity.
9. **Interference with Residential Life:** Significant interference with the normal residential life of others.
10. **Intimidation:** The improper use of authority, coercion, or threat for the purpose of compelling or deterring action against that person's will. Intimidation violates this Code when it threatens substantial harm to the other person's membership or status in the community; personal, professional, or academic reputation or opportunities; extracurricular opportunities; or financial security. Intimidation may include, but is not limited to, threatening to accuse someone of illegal activity; threatening to expose a secret that could subject the person to hatred, contempt, or ridicule or otherwise compromise that person's standing in the community; threatening to disseminate sexual images of the other person; or use of a position of authority to take or withhold action against the other person.
11. **Invasion of Privacy:** The violation of another individual's reasonable expectation of privacy where the circumstances justify that expectation.
12. **Indecent Conduct:** Exhibition, including by electronic means, of the genitals, anus, or pubic area of a person other than for legitimate academic purposes. Simulation of a sexual act, sex act in public with or without private parts showing, or public masturbation are also included.
13. **Retaliation:** Action taken by an individual(s) or group or organization against any person or group for any action taken in furtherance of this Code including but not limited to: filing a complaint, testifying, assisting, or participating in an investigation or proceeding under this Code.
14. **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape, as follows:

- a. Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.
 - b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of their age or because of their temporary or permanent mental incapacity.
 - c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. Statutory rape is sexual intercourse with a person who is under the statutory age of Consent under applicable law.
 - e. All forms of sexual assault and sexual contact prohibited by applicable law are also included (for example, gross sexual assault, unlawful sexual contact, incest, sexual abuse of minors).
- 15. Sexual Harassment:** Includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including sexual assault, sexual violence, and any sexual act prohibited by applicable law. Sexual harassment, including Sexual Assault, can involve persons of the same or opposite sex, or any sex.

Consistent with the law, this policy prohibits two types of sexual harassment:

- a. Tangible Employment or Educational Action (quid pro quo): This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity are made an explicit or implicit condition of submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting an individual's employment, education, living environment, or participation in a University program or activity. Generally, a person who engages in this type of sexual harassment is an agent or employee with some authority conferred by the University.
- b. Hostile Environment: Sexual harassment that creates a hostile environment is based on sex and exists when the harassment:
 - i. Is subjectively and objectively offensive; and
 - ii. Is so severe or pervasive as to alter the conditions of a person's employment, education or living situation that it creates an abusive working, educational or living environment.

A hostile environment can be created by anyone involved in a University program or activity, such as an administrator, faculty or staff member, student, or University guest. Offensiveness alone is not enough to create a hostile environment. Although repeated incidents increase the likelihood that a hostile environment has been created, a single serious incident, such as a Sexual Assault, can be sufficient.

Determining whether conduct creates a hostile environment depends not only on whether the conduct was unwelcome to the person who feels harassed, but also whether a Reasonable Person in a similar situation would have perceived the conduct as objectively offensive. The following factors will also be considered:

- i. The degree to which the conduct affected one or more students' education or individual's employment; and
- ii. The nature, scope, frequency, duration, and location of the incident(s); and
- iii. The identity, number, and relationships of persons involved; and
- iv. The nature of higher education; and
- v. Whether the conduct arose in the context of other discriminatory conduct; and

- vi. Whether the conduct altered the conditions of the Complainant's educational or work performance and/or UMS programs or activities; and
- vii. Whether the conduct implicates academic freedom or protected speech; and
- viii. Other relevant factors that may arise from consideration of the reported facts and circumstances.

16. Sexual Misconduct: Includes, but is not limited to, prostituting another person, watching or taking pictures, videos, or audio recordings of another person in a state of undress without their Consent or of another person engaging in a sexual act without the Consent of all parties, disseminating, streaming, or posting images, pictures or video of another in a state of undress or of a sexual nature without the person's Consent; letting others watch you have sex without the knowledge and Consent of your sexual partner, possession of child pornography, voyeurism, and knowingly transmitting an STD or HIV to another person; and any sexual act prohibited by applicable law. Sexual misconduct may constitute Sexual Harassment. All forms of sexual misconduct prohibited by applicable law are also included. (For example, Violation of Privacy, Possession of Sexually Explicit Material, Image-Based Sexual Abuse and Sex Trafficking).

17. Stalking: Engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to:

- a. Fear for the person's safety or the safety of others; or
- b. Suffer substantial emotional distress.

For the purposes of this definition:

- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - b. Reasonable person as defined in Section II.N.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- All forms of stalking prohibited by applicable law are also included.

18. Unauthorized Recording: In general, the unauthorized recording of overall course content, classroom sessions, meetings held under this Code, and confidential university meetings is prohibited and considered a violation of this Code. However, exceptions will be considered on a case-by-case basis where a recording is made for the purpose of documenting inappropriate behavior.

E. Offenses Involving Property

- 1. Defacement, Destruction, or Misuse of Property:** Intentionally, knowingly, or recklessly misusing, tampering with, damaging, destroying, or defacing University Property or the property of others without appropriate authorization.
- 2. Misuse of University Computer Network or Computers:** Misuse of the University computer network or computers including, but not limited to, theft of computer files or data, e-mail, or other electronically stored information, hacking or unauthorized probing, sharing of personal sign on information, spamming, sending out computer viruses, or uploading or downloading copyrighted material for personal use or distribution without appropriate authorization or prohibited by state or federal law, including but not limited to possession or distribution of child pornography.
- 3. Tampering, Destruction, or Falsification of Official Records:** Intentionally or knowingly altering or destroying official documents, or presenting false official documents or information from such documents, to the University, any individual, or to a local, state, or federal agency.

4. **Theft or Unauthorized Use:** Theft, attempted theft, or unauthorized acquisition, removal, distribution, or use of University Property or the property of another.
5. **Trespassing:** Trespassing or unauthorized presence on University Property or the property of another.
6. **Motor Vehicle Violations:** Violation of applicable University motor vehicle policies and/or state, local, or federal laws and ordinances.

F. General Infractions

1. **Aiding Infraction:** Knowingly assisting in a Code violation.
2. **Continued Infraction:** Continued infractions of this Code.
3. **Conviction of a Crime:** Conviction of any crime that threatens: (a) any educational process or legitimate function of the University, or (b) the health or safety of any individual.
4. **Interference with or Failure to Comply with Public Safety Personnel:** Direct interference with or failure to comply with any public safety personnel in the performance of their official duties.
5. **Other Illegal Activity:** Violating any applicable law (e.g., local, state, or federal).

IV. SANCTIONS

If a Responding Party admits to a violation of this Code to the Investigator, Conduct Officer, Hearing Board, or Appeal Panel; or upon determination by the Conduct Officer, Hearing Board, or Appeal Panel that a Responding Party has been found in violation of this Code, one or more sanctions may be imposed:

- A. **Assigned Educational Project(s):** This may include educational programming, research projects, reflective essays, presentations, health and safety assessments, or other related assignments intended to promote learning.
- B. **Community Service:** A type of voluntary service that benefits people, a community, an organization, or the University.
- C. **Deferred Sanction:** A specified period of time during which a sanction has been imposed, but stayed. Any further violation of this Code during that time may, at a minimum, result in the imposition of the deferred sanction, and any new or additional sanction(s) deemed necessary.
- D. **Disciplinary Dismissal:** Permanent separation (subject to a right of review after five years) from the University.
 1. Responding Parties who are dismissed will not be permitted to attend any of the University campuses or centers or to attend any University functions.
 2. **Readmission:** After five (5) years from the date of the Disciplinary Dismissal, the Responding Party may submit a written request to the UMS Coordinator of Student Conduct to be considered for readmission to attend any of the University campuses or centers. The UMS Coordinator of Student Conduct will convene a committee. This committee may draw on the membership of existing committees (such as the Justice Education Development Implementation team); and include representation from any involved University campuses or centers.
 3. **Requests for the removal of letter attached to official transcript:** Responding Parties who have been found responsible for a Violent Crime, including VAWA Offenses, and who request an official transcript from the University, will have a letter attached to their official transcript describing the Disciplinary Dismissal. After five (5) years from the date of the Disciplinary Dismissal, the Responding Party may submit a written request to the UMS Coordinator of Student Conduct to have the letter attached to their official transcript removed. The UMS Coordinator of Student Conduct will convene a committee. This committee may draw on the membership of existing committees, such as the Justice Education Development Implementation team; and shall include representation from any involved University campus or center.

- E. Disciplinary Probation:** A specified period of time when any further violation may result in additional sanctions, up to and including Disciplinary Dismissal from the University.
- F. Disciplinary Suspension:** Separation from the University for a specific period of time and until any stated condition(s) is met.
1. Responding Parties who are suspended will not be permitted to attend any of the University campuses or centers or attend any University functions until all conditions of the Disciplinary Suspension are met and the Disciplinary Suspension period has ended.
 2. Official Transcript Letter: Responding Parties subject to Disciplinary Suspension who have been found responsible for a Violent Crime, including VAWA Offenses, and who request an official transcript for the University, will have a letter attached to their official transcript describing the Disciplinary Suspension. After all conditions of the Disciplinary Suspension are met and the Disciplinary Suspension period has ended, the letter describing the Disciplinary Suspension will no longer be attached to the official transcript.
- G. No Contact Order:** A Party may not initiate direct or indirect contact with a specified person(s), as outlined in the Order.
- H. Loss of Visitation Privileges:** May not visit specified area(s) of any University Property.
- I. Official Warning:** Formal acknowledgment of a violation and the expectation that it will not be repeated.
- J. Reassignment, Suspension, or Removal from University Housing.** Removal from a particular hall or all campus housing buildings on one or more University campuses.
- K. Restitution:** Reimbursement to the owner of the property up to the replacement value of the property damaged, stolen, removed, or used without authority.
- L. Other action(s)** as the Conduct Officer, Hearing Board, or Appeal Panel, may reasonably deem appropriate, examples include but are not limited to:
1. Suspension of an organization's official University recognition.
 2. Suspension of a student from extracurricular activity(ies).
 3. Suspension of guest privileges.
 4. Termination from student employment.
 5. Academic degree revocation.
 6. Loss of visitation privileges to designated area(s) of any University Property.
 7. Monetary fine for recognized student organizations only. Individual Responsible Parties are not subject to monetary assessments.

NOTE: The University may impose a more severe sanction on a Responding Party when the Conduct Officer, Hearing Board, or Appeal Panel, determines that a Responding Party intentionally selected the person or organization against whom the violation was committed, or selected the property damaged or stolen, because of the race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, citizenship status, age, disability, genetic information, or veterans status of that person, or the persons in the organization or the owner of the property.

V. RESOLUTION PROCEDURES

NOTE: For any alleged violation that is within the jurisdiction of and involves matters covered by Board of Trustees Policy 402, the regulations and procedures provided in Board of Trustees Policy 402 and the UMS Title IX Procedures are required to be followed.

NOTE Regarding VAWA Offenses: If any of the alleged violations reported to the University under this Code is a VAWA Offense, all of the rights and responsibilities which this Code provides to a Responding Party must be provided simultaneously to the individual allegedly harmed by the violation.

NOTE Regarding Violent Crimes: If any of the alleged violations reported to the University under this Code is a Violent Crime, the final results of any disciplinary proceeding or appeal conducted by the University with respect to that alleged crime, regardless of whether the Responding Party was found in violation or not, shall be disclosed to the individual who was the subject of the Crime of Violence. "Final results" is limited to the name of the Responding Party, the violation alleged or committed, and any sanction imposed by the University against the Responding Party.

NOTE Regarding Gender Discrimination and Sexual Harassment: If any of the alleged violations reported to the University under this Code is Gender Discrimination or Sexual Harassment and any interim measure(s) or action(s) and/or sanction(s) is imposed on the Responding Party, the individual harmed by the Gender Discrimination or Sexual Harassment shall be notified of any such interim measure(s) or action(s) and/or sanction(s) that affects such individual.

A. Reporting Violations

1. Alleged violations of this Code may be brought to the attention of the University by University employees, students, or members of the general public and will result in the initiation of a Preliminary Inquiry.
2. Reports may be made anonymously, however anonymous reporting may limit the University's ability to investigate and respond.
3. In accordance with Title IX, reports of Sexual Harassment, as defined by Title IX and which fall within the jurisdiction of Title IX, are required to follow the Title IX Procedures which implement University of Maine System Board of Trustees Policy 402.

B. Preliminary Inquiry

1. The purpose of the Preliminary Inquiry is to determine whether the circumstances alleged warrant further review.
2. A Preliminary Inquiry will be conducted by a Conduct Officer.
3. Following the Preliminary Inquiry and a determination that there is sufficient information to proceed, and before interviewing or questioning of the Responding Party occurs, Notice must be provided to the Responding Party and copied to the Reporting Party, unless doing so would likely jeopardize the health or safety of any person, or the integrity of the investigation, or lead to the destruction of evidence.

Notice will include:

- i. Reporting Party(ies);
 - ii. Date(s) of alleged occurrence(s); and
 - iii. Description of the alleged conduct; and
 - iv. Maximum possible sanctions which may be imposed; and
 - v. Right to have an Advisor and a Support Person of their choice present; and
 - vi. Right to review the information to be used in the determination; and
 - vii. Any Interim Measure(s) and Action(s), if applicable; and
 - viii. The procedures that will be used to resolve the matter.
4. If there is no reasonable cause to conclude that the Code has been violated, the disciplinary process will end and Notice will be provided to the Parties.

C. Conflict of Interest

1. Any Party has the right, for demonstrated bias and conflict of interest, to request the removal of an Investigator, Conduct Officer, Hearing Board member, or Appeal Panel member. Requests for removal must be submitted to the UMS Coordinator of Student Conduct stating the grounds for the removal at least three (3) days prior to the first date of the scheduled resolution process.
2. Removal of an Investigator, Conduct Officer, Hearing Board member, or Appeal Panel member, for demonstrated bias or conflict of interest, will be within the authority and at the discretion of the UMS Coordinator of Student Conduct with an alternative(s) appointment provided, as necessary.
3. All Investigators and decision makers are required to avoid both apparent and real conflicts of interest and decline assignments to serve. Each is required to affirm no existing or future interest or association conflicts with their role or responsibility, or bias, prior to participating in each matter.

D. Interim Measures or Actions

1. An Interim Measure may be assigned to any Party.
2. A Responding Party may have privileges revoked or may be suspended from the University pending the outcome of a disciplinary process if, in the judgment of the Conduct Officer, the Responding Party's continued presence or use of privileges at the University is likely to pose:
 - i. A substantial threat to the Reporting Party or other people; or
 - ii. Significant risk of property damage; or
 - iii. Significant risk of disruption to or interference with the normal operations of the University.
3. Interim Measure(s) or Action(s), including but not limited to: interim suspensions; University Property usage restrictions; University account holds; and academic degree holds, will be implemented immediately with the goal of mitigating negative impact on the Parties while maintaining the safety of the University community and integrity of the conduct process.
4. A Responding Party who has been issued an Interim Measure(s) or Action(s) may request a review of that decision within five (5) business days of notification.
5. The review of Interim Measures will be conducted by a University Official appointed by the UMS Coordinator of Student Conduct and a meeting will be scheduled within five (5) business days of receipt of the request.
6. The review will include an opportunity for a Party to provide information and for the University Official to ask questions and seek clarification of the information used in the initial decision.
7. A written determination will be promptly provided to a Party. The decision of the reviewer is final and may not be appealed.
8. Interim Measures or Actions are to remain in place until all University hearings and appeals are final or all University appeal periods have ended unless indicated otherwise in writing.

E. Formal Investigation

1. For more serious or complex cases, the Conduct Officer, at their discretion, may initiate a Formal Investigation and identify a trained investigator, as soon as reasonably practicable.
2. The University may, where appropriate, temporarily delay the Formal Investigation when criminal charges on the basis of the same conduct are being investigated. The University may move forward with the conduct process and does not have to wait for the resolution of the criminal case.
3. Prior to commencement of a Formal Investigation, the Conduct Officer will provide written Notice to the Responding Party. Notice will include the following:
 - i. Alleged Code violation(s) and a description of the alleged conduct constituting each alleged violation; and
 - ii. Reporting Party(ies); and
 - iii. Date(s) of alleged conduct; and
 - iv. Right to have an Advisor and Support Person; and

- v. Maximum possible sanction(s) which may be imposed; and
 - vi. The name of the investigator; and
 - vii. The procedures that will be used to address the alleged Code violation(s).
4. Investigation Process
- i. Will follow applicable standards for objectivity, reliability, thoroughness, impartiality, timeliness, and fairness.
 - ii. Will entail recorded interviews with relevant Parties and witnesses, obtaining and reviewing available evidence, and identifying other sources of reliable and relevant information, as applicable or otherwise deemed necessary.
 - iii. Will, at the discretion of the investigator, be summarized in a written report by the investigator that identifies the relevant evidence, both inculpatory and exculpatory, gathered through the Formal Investigation.
 - iv. Will not make determinations as to whether the Responding Party is responsible for any Code violation(s).
5. While Formal Investigation times may vary, in general, an investigation is completed within ninety (90) calendar days. If a Formal Investigation is going to take longer than ninety (90) calendar days, an update will be provided to relevant Parties indicating the estimated timeframe for completion.
6. Upon the conclusion of the Formal Investigation, the Responding Party will be provided Notice of whether any charge(s) will be filed; and if so, the resolution format that will be used to proceed under the Code.

F. Resolution Formats

There are many ways to resolve an alleged violation of the Conduct Code. The resolution format is determined by the Conduct Officer and based on the seriousness of the matter, the impact to the Parties and the community, the severity of likely sanctions, and other relevant circumstances.

1. **Alternative Resolution** is a voluntary agreement process between the involved Parties which allow the individuals involved in a conflict to have significant influence over the resolution process. An Alternative Resolution will be considered when:
- i. At the discretion of the Conduct Officer, the facts in the case are determined to be suitable for the alternative processes, such as conflict coaching, mediation, facilitated dialogue or restorative practices. The nature of some conduct matters, for instance, those involving VAWA Offenses and Violent Crimes, may not be suitable for an Alternative Resolution; and
 - ii. The Parties voluntarily agree to pursue participation and engagement willingly, freely, and openly.
 - iii. If determined to be an appropriate format, the Conduct Officer will make arrangements for the resolution process that best fits the circumstances of the matter and may appoint a facilitator.
 - iv. If and when, a mutually satisfactory resolution is reached by the Parties and the Conduct Officer, and an Alternative Resolution agreement is entered into by the Parties, the case is resolved.
 - v. Alternative Resolutions may not be appealed.
 - vi. Violations of the Alternative Resolution agreement are a violation of this Code.
 - vii. If a resolution is not achieved through an attempt at an Alternative Resolution process, the Conduct Officer and the Parties retain their right to pursue formal resolution through processes outlined elsewhere in this Code.
2. **Administrative Resolution** is an official meeting involving a Responding Party and a Hearing Officer to resolve less complex or serious matters, and matters not likely to result in a sanction of suspension,

dismissal, removal from housing, academic degree revocation, or loss of recognition of a campus organization.

- i. An Administrative Resolution will be considered when:
 - a) There is sufficient evidence to charge a Code violation that has not been disposed of through an Alternative Resolution process; and
 - b) The facts are not in dispute; or
 - c) The facts are less complex or serious; or
 - d) A University employee directly observed the conduct violation.
- ii. All the procedures set forth below in G, H, and J, shall apply to Administrative Resolution.

3. Student Conduct Hearing Board ('Hearing Board') is a fact-finding and decision making body designated to adjudicate cases involving more serious violations of this Code.

- i. A Hearing Board may be appointed to hear a case when:
 - a) Facts are serious or more complex; or
 - b) Alleged violation(s) are anticipated to have higher impact to the Parties and the community. For example, cases which could reasonably result in suspension, dismissal, or removal from housing; or
 - c) Alleged violation(s) involve serious physical, emotional, or psychological harm or the threat thereof; or
 - d) A VAWA Offense, Gender Discrimination or Violent Crime is alleged.
- ii. Composition of the Hearing Board:
 - a) The UMS Coordinator of Student Conduct is responsible for appointing the Hearing Board for each matter.
 - b) The Hearing Board is composed of five (5) individuals consisting of:
 - (1) A chair, who is either a faculty or staff member; and
 - (2) At least one (1) enrolled student; and
 - (3) At least one (1) additional faculty or staff member.
 - c) The composition of the Hearing Board will represent the diversity of the University community whenever reasonably practicable.
 - d) Alternate Hearing Board member(s) will be appointed as applicable and appropriate.

G. Timing and Attendance

- 1. The Party(ies) must receive Notice of the resolution format to be used, as identified above, within five (5) business days of the scheduled hearing or resolution format. A hearing or resolution is typically held within twenty (20) business days of the completion of the preliminary inquiry or formal investigation, if any. If extenuating circumstances exist that preclude holding the meeting within 20 business days, a scheduling update will be provided.
 - i. Notice will include the following:
 - a) Alleged Code violation(s); and
 - b) Reporting Party(ies); and
 - c) Date(s) of alleged conduct; and
 - d) Maximum possible sanction(s) which may be imposed; and
 - e) Names of witnesses requested to appear, if applicable; and
 - f) Right to have an Advisor and a Support Person of their choice present; and
 - g) Right to review the evidence; and
 - h) Date and time of the scheduled proceeding; and

- i) Name(s) of the appointed presiding Officer(s).
2. If a relevant Party is unable to attend due to the constraints of a legal process (for example, a protective order) or is unable to attend related to concerns about trauma or future violence, then the Party may be provided alternative means of participation consistent with applicable law and due process.
3. If any relevant Party is not present as scheduled, the presiding Officer, taking into account the reason for the absence, concerns with health and safety, timeliness of the process, and taking into account the totality of the circumstances, may, within their sole discretion:
 - i. Proceed in a normal manner without a Party's attendance; or
 - ii. Hear only a portion of the testimony and adjourn to a later date; or
 - iii. Postpone the entire hearing to a later date.
4. A Hearing Officer may not rely solely on the absence of any Party in determining the outcome of the matter.
5. The Responding Party and the Reporting Party may be accompanied by an Advisor and a Support Person of their choice. Questioning by any Advisor or Support Person will not be permitted, and they may only speak with their advisee, unless otherwise permitted by the Hearing Officer.

H. Evidence and Recording

1. Any relevant information may be considered as evidence.
2. A Responding Party has the right to remain silent, if a criminal prosecution relating to the same violation(s) is being conducted, or such action appears likely. The Hearing Officer(s) will not draw any negative inference from the Responding Party's silence, including the refusal to give information or consent to a search.
3. Only the University is permitted to video or audio record any disciplinary proceeding and the Conduct Officer will make arrangements for the recording, as needed. Disciplinary matters are considered confidential unless otherwise indicated by law, and the record will be the property of the University.
4. A Party, generally, shall have the opportunity to present information or evidence to be considered in the resolution of the matter.
5. The name(s) of any witnesses requested, written statements, or other information from a Party should be submitted to the Hearing Officer at least two (2) business days prior to the hearing for inclusion in the materials presented to the Hearing Board.
6. The Parties may submit additional names of witnesses, written statements, or other information, at the time of the hearing, at the discretion of the presiding Officer.

I. Student Conduct Hearing Board Procedures

1. Responsibility for recognizing and permitting persons to speak is the exclusive purview of the Hearing Board Chair.
2. At the discretion of the Chair, persons disruptive at any stage of the hearing may be asked to leave.
3. Each Party will be permitted to make an opening statement.
4. The available evidence to be considered will be presented, including the results of any Formal Investigation report and shall be provided by the investigator, if feasible.
5. The Hearing Officer(s) may ask questions of any Witness and/or Party.
6. The Parties may pose questions to each other and to any witnesses through the Hearing Board Chair. The Chair will ask the witness or a Party the question posed, if determined to be relevant and appropriate.
7. Questioning by any Advisor or Support Person is not permitted.

8. A Party will have the opportunity to make a closing statement, which may include recommendations regarding appropriate sanctions.
9. After the closing statements, the Hearing Board will go into a closed session to determine if the Responding Party, by the Preponderance of the Evidence standard, has violated this Code. This closed session is not recorded.

J. Determination and Finding(s)

1. Using the Preponderance of the Evidence standard, the Hearing Officer(s) will determine if the Responding Party is responsible or not responsible for each allegation.
2. If the Responding Party is found not to have violated this Code, the case will be dismissed. Such dismissal will not affect any appeal rights of any Party.
3. If the Responding Party is found to have violated this Code, the appropriate sanction(s) will be imposed.
4. Upon completion of the deliberative process, the Responding Party will receive Notice of the determination and outcome. Notice will include:
 - i. The finding outcome; and
 - ii. The reasoning and facts that support the finding; and
 - iii. Any sanction(s) imposed; and
 - iv. The reasoning and facts that support the sanctions; and
 - v. Any specific right of appeal.
5. In a case of a Violent Crime, the University may disclose the final results of the disciplinary proceeding to a Reporting Party.
6. If the case involves an alleged VAWA Offense, simultaneous Notice will be provided to the Reporting Party and the Responding Party.
7. If the case involves alleged Gender Discrimination, the Reporting Party will be notified of any sanctions impacting the Reporting Party.

K. Appeals

1. Right of Appeal

In the event a Hearing Officer imposes a sanction of Disciplinary Suspension, Disciplinary Dismissal, removal from University Housing, academic degree revocation, or loss of recognition of a University organizations, the Responding Party has a right to appeal any finding(s) or sanction(s) to an Appeal Panel.

2. Grounds for Appeal

- i. The Appeal Panel is not intended to be a full rehearing of the allegation(s) and will be limited to the following grounds:
 - a) An alleged substantive error, including a procedural error or omission that substantially impacted the investigation or the outcome of the Administrative Resolution, or Hearing Board, (for example, bias or failure to follow applicable procedures); or
 - b) To consider new evidence, not reasonably available during the investigation, Administrative Resolution, or Hearing Board that could impact the finding(s) or sanction(s). A summary of this new evidence and its potential impact must be included in the request for appeal; or
 - c) The sanction imposed is disproportionate to the severity of the violation, considering the totality of circumstances.
- ii. Appeals must be submitted in writing to the UMS Coordinator of Student Conduct within five (5) business days after the appealing Party has received written Notice of the determination and findings.

- iii. Appeals must clearly state the issue(s) to be reviewed based on at least one of the grounds identified; and be no longer than ten (10) pages in length, plus attachments, unless granted a timely request for additional pages.
- iv. Appeals by Multiple Parties: Appeal requests will be shared with all Parties. Such other Parties may file a response with the Appeal Panel within five (5) business days; this response will be shared with all Parties.
- v. Absent extenuating circumstances, the finding(s) and sanction(s) will stand if the request for appeal is not submitted within five (5) business days or is not based on permissible grounds. Extenuating circumstances are at the discretion of the University Official and in consultation with the Office of General Counsel.

NOTE: Absent a substantial threat to health, safety, or well-being of the University, University community, or individuals on University Property, sanctions will take effect only after all University appeals are final or all University appeal periods have ended. Applicable threat assessment procedures will be used as appropriate. Interim Measures or Actions are to remain in place until all University appeals are final or all University appeal periods have ended unless indicated otherwise in writing by the Hearing Officer.

3. Composition of the Appeal Panel

- i. The UMS Coordinator of Student Conduct is responsible for appointing the Appeal Panel.
- ii. The Appeal Panel is composed of three (3) officials, not previously directly involved in any way, with the matter. The Appeal Panel is composed of:
 - a) A chair who is either a faculty or staff member; and
 - b) At least one (1) enrolled student; and
 - c) At least one (1) additional faculty or staff member; and
 - d) Alternate official(s), as applicable and appropriate.
 - e) The composition of the Appeal Panel will represent the diversity of the University community whenever reasonably practicable.

4. Function of the Appeal Panel

- i. Conduct an initial review for stated grounds.
- ii. Review the conduct matter file including but not limited to: the investigative report; Conduct Officer or Hearing Board files and recordings; and
- iii. Review any new information provided; and
- iv. Ask written clarifying questions as applicable, including but not limited to, as appropriate, asking questions of: the investigator; Conduct Officer; Hearing Board member; individuals who presented information to the Conduct Officer or Hearing Board; and other individuals who have information relevant to the process; and
- v. Make a determination based on the information reviewed. Determinations are based on majority vote.

5. Timing and Attendance

- i. If a request for an appeal is submitted consistent with the parameters identified, the UMS Coordinator of Student Conduct will provide written Notice within five (5) business days from the submitted request. Notice will include:
 - a) The issue(s) to be reviewed and the ground(s) for appeal; and
 - b) Right to review the information that will be used by the Appeal Panel; and
 - c) Date and time of the initial Appeal Panel meeting; and
 - d) Names of the Appeal Panel officials.

- ii. The Appeal Panel will have an initial meeting not earlier than five (5) business days and not later than ten (10) business days after issuance of the Notice of Appeal. If extenuating circumstances exist that preclude the initial Appeal Panel meeting from occurring within ten (10) business days, an update will be provided indicating the estimated timeframe for the hearing.

6. Determinations

- i. The Appeal Panel may make the following determinations:
 - a) Determine if the stated grounds of the appeal meet the requirements, as outlined above.
 - (1) if grounds are not met, the appeal will be dismissed;
 - b) Uphold or change the findings of the Conduct Officer or Hearing Board; or
 - c) Uphold or change the sanctions of the Conduct Officer or Hearing Board; or
 - d) Remand for a new or additional Formal Investigation with a new or same investigator; or
 - e) Remand to the same Conduct Officer or Hearing Board for a new hearing; or
 - f) Remand to a different Conduct Officer or Hearing Board for a new hearing.
- ii. The Appeal Panel's decision, including a decision to remand to the same or a different Hearing Officer or Hearing Board is final (as to the remand decision only and not to the substance of the underlying claim) and not subject to appeal. The decision in a remanded case, can not be appealed.
- iii. The Appeal Panel will provide Notice to the Parties of the determination(s) within a timely manner. Notice will include:
 - a) The decision; and
 - b) The reasoning and facts that support the decision; and
 - c) Any modifications to the sanction(s), including the reasoning and facts that support the modification(s), if applicable.
- iv. If the alleged conduct is a VAWA Offense, the Parties will receive simultaneous written Notice of:
 - a) The decision; and
 - b) The reasoning and facts that support the decision.
- v. If the alleged violation is Gender Discrimination, Sexual Harassment, Discrimination or Harassment, the Reporting Party shall receive written Notice of any sanction that affects the Reporting Party.
- vi. In a case of a Violent Crime, the University may disclose the final results of the disciplinary proceeding to the victim(s), regardless of whether the University concluded a violation was committed.

VI. TRAINING

- A. All persons responsible for the oversight or administration of the Student Conduct Code shall receive annual training relevant to their role and responsibility.
- B. The Conduct Officer(s) and the UMS Coordinator of Student Conduct will identify and invite all persons representing the University community, including enrolled students, faculty and staff to receive training.
- C. Annual training will include understanding the processes and procedures that protects the safety of individuals involved and promotes accountability. In addition, training on issues related to Dating Violence, Domestic Violence, Gender Discrimination, Sexual Assault, Sexual Harassment, Stalking, Discrimination, or Harassment; trauma informed practices, and how to conduct an investigation will be provided.

VII. STUDENT CONDUCT CODE INTERPRETATION AND REVISIONS

Under the authority of the Chancellor, any question of interpretation or application of the Student Conduct Code will be referred to the UMS Coordinator of Student Conduct for final determination.

Student Conduct Code Review

The Student Conduct Code shall be reviewed a minimum of every two years under the direction of the UMS Coordinator of Student Conduct, and in consultation with the University Conduct Officers, Office of the General Counsel, and including representation from the student body and other stakeholders, as appropriate. The UMS Coordinator of Student Conduct will inform the Chair of the Board of Trustees Academic and Student Affairs Committee of any recommendations for major changes. Final approval of the Student Conduct Code will be the responsibility of the Chancellor, in consultation with the Office of the General Counsel.

Effective Date: August 1, 2022

DRAFT

UMS Named Chairs and Professorships FY2022 Annual Report

Campus	Chair/Professorship/ Libra	Name	Position Title	Annual Compensation	Start Date	End Date	Expires (FY)
USM	Edward S. Godfrey Professor	Peter Pitegoff	Professor of Law	\$10,000.00	6/27/1905	-	ongoing
USM	USM Distinguished Professor	Burt Loudon	Professor of Philosophy	\$2,500.00	7/4/1905	-	ongoing
UM	Bailey Professorship	Dr. Daniel Bilodeau	Associate Professor of Theatre	\$2,000.00	9/1/2018	6/1/2022	2023
UM	Trustee Professorship	Dr. Ramesh Gupta	Professor of Mathematics and Statistics	\$12,500.00	9/1/2018	8/31/2023	2024
UM	Libra Professorship	Dr. Jeffrey Gauthier	Libra Assistant Professor of Management	\$200,000.00	9/1/2019	8/31/2023	2024
UM	Trustee Professorship	Dr. David Handley	Professor of Horticulture	\$12,500.00	9/1/2021	6/1/2022	2022
UMF	Trustee Professorship	Dr. Cara Furman	Professor of Literacy	\$5,000.00	9/1/2022	8/31/2023	2023
USM	Trustee Professorship	Dr. Malinda Haslett	Director of Vocal Services	\$12,500.00	9/1/2022	8/31/2023	2023
UM	Trustee Professorship	Dr. Wilhelm Friess	Associate Professor of Mechanical Engineering	\$12,500.00	9/1/2022	8/31/2023	2023
UMA	Trustee Professorship	Dr. Ellen Taylor	Associate Professor of English	\$15,000.00	9/1/2022	6/1/2023	2022
UMFK	Libra Professorship	Tia McNair	Vice President of the Office of Diversity, Equity , and Student Success	\$6,000.00	1/1/2022	1/31/2022	2022
UMA	Libra Professorship	Erin Clough (co-share with Karen Groat)		\$25,000.00	9/1/2022	5/31/2023	2023
UMA	Libra Professorship	Karen Groat (co-share with Eric Clough)		\$25,000.00	9/1/2022	5/31/2023	2023



**University of Maine System
Management Group Appointments/Changes
Board of Trustees Meeting July 2022**

Campus	Name	Position Title	Effective Date	Prior Salary	New Salary	Previous Position Title	Notes
USM	Idella Glenn	Vice President Equity, Inclusion and Community Impact	12/1/2021	\$ 133,900	\$ 148,500	Associate Vice President Equity, Inclusion and Community Impact	Promotion
USM	Meaghan Arena	Vice President of Enrollment Mangement, Marketing, and Student Retention	6/13/2022	\$ -	\$ 148,500	-	New Hire
SWS	Rowena Clukey	Executive Director of the Chancellor's Office	4/1/2022	\$ 73,491	\$ 110,000	Special Assistant to the Chancellor	Job Reclassification
SWS	Carolyn Dorsey	Associate Vice Chancellor for Academic Affairs	5/1/2022	\$ 154,500	\$ 179,353	Associate Vice Chancellor for Academic Affairs	Equity Increase

Capital Projects Status Report and Bond Projects Update, UMS

Executive Summary

Overview:

Attached is the Capital Project Status Report for the July 11, 2022, meeting of the Board of Trustees. The report reflects a total of 33 projects, with 7 new projects and no removals since the last report. Note that the projects highlighted in yellow reflect current P3 projects. Additionally, projects which are at Board approval level utilizing Harold Alfond Foundation (HAF) grant and matching money are highlighted in green. HAF projects below Board approval level are noted in a separate table at the end of the report as well.

COVID-19 and Market Impacts on Capital Construction:

Many projects continue to move forward however, impacts continue.

- Previously reported COVID-19 impacts continue to be relevant.
- Market instability is creating very difficult conditions for the bidding climate.
 - Recent bidding for projects planned to begin during the Spring and Summer of 2022 has proven to be very unpredictable.
 - In multiple cases we have received no bids, regardless of the effort from CPPM to solicit interested firms.
 - While in some cases bids have come in within the expected and available budgets, in a number of cases the bids received have exceeded the estimated and available budget by 30% to 60%. Additional such projects are before the Committee today for increase authorizations.

Bond Project Status Report:

The special portion of this report calling out only projects funded with the 2018 State bonds reflects fifty-six (56) projects; an increase of one project; the FRC Façade project at UMF. The projects are currently estimated to account for over \$46 million of the \$49 million in voter approved general obligation bond funding. Over \$27 million of that has been expended.

Supplemental funding is being leveraged for some of these projects and the total estimated project value across all funds is nearly \$65 million, including the bond funding and other project resources.

- Twelve (12) of the active bond projects also appear on the Capital Project Status Report with approved budgets above Board threshold.
- The remaining bond funded projects do not have budgets that meet the threshold for Board of Trustees consideration and are therefore not present on the Capital Projects Status Report.
- As projects are closed, they will be moved to the completed projects section on this report and will remain on the report for documenting purposes until all Bond Projects are completed.
- The Completed project section reflects 13 projects that are complete. There are another nineteen projects in the active projects table listed as complete and substantially complete. These will move to the completed section once closeout is finalized.

Research space approvals:

This report provides timely and appropriate disclosure of Chancellor-approved increases in

07/01/2022

University owned or occupied space when the space is for research purposes, as approved by the Board of Trustees at the January 2020 Board Meeting: none

Harold Alfond Foundation (HAF) Grant funded projects:

Athletics

Work on the Softball complex project has begun. The Soccer and Field Hockey project scopes are being reviewed to determine next steps.

MCECIS

The master plan report has been delivered by the design team.

UM Ferland Engineering Education & Design Center Project:

Interior finish work continues. Final site work and paving are underway. The project continues to track with the aim of occupancy for the fall semester.

300 Fore Street Renovation:

Construction continues with a focus on concrete slab prep, framing and MEP rough-ins last month. Drywall has begun on the upper floors.

USM Portland Development Projects:

Portland Commons

The north wing exterior walls have been set to the roof. The east wing has been installed to level 7. South and West wing second-floor framing is in progress. Continued installation for mechanical, electrical and plumbing on the north and east wings. All windows have been installed for these areas. A temporary elevator is operational to level 5. The exterior brick veneer is 50 % complete. Two cranes are in operation for the pre-manufactured framed walls.

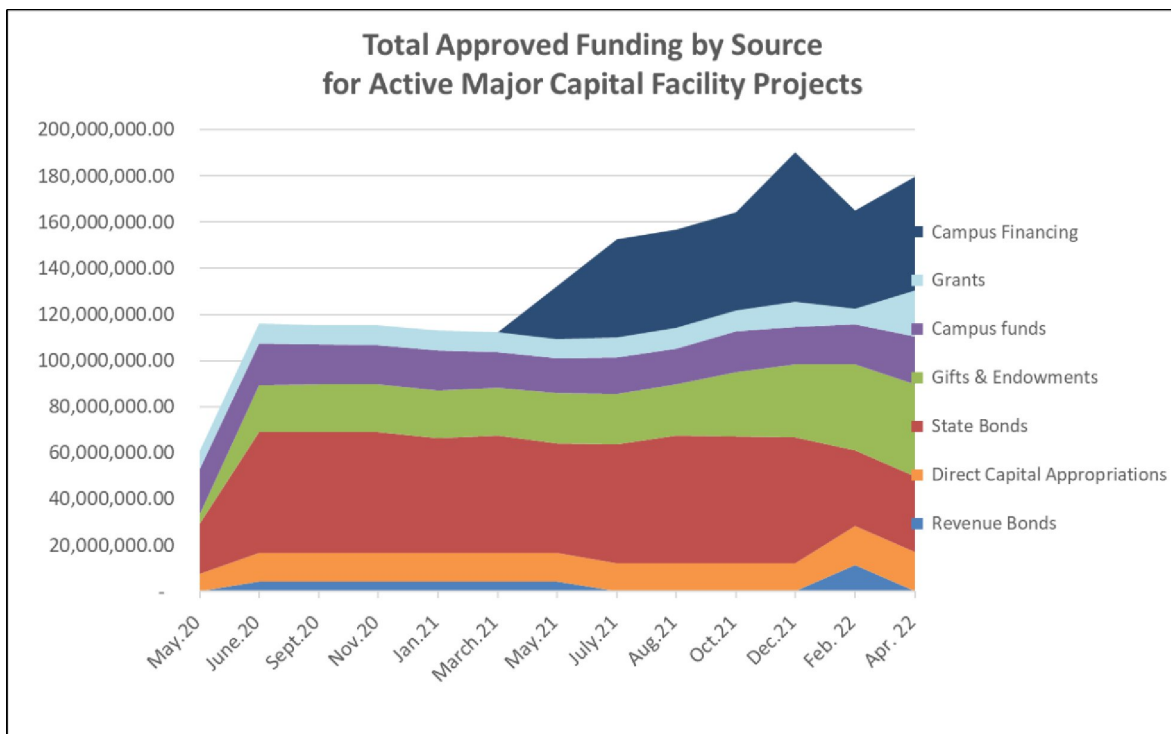
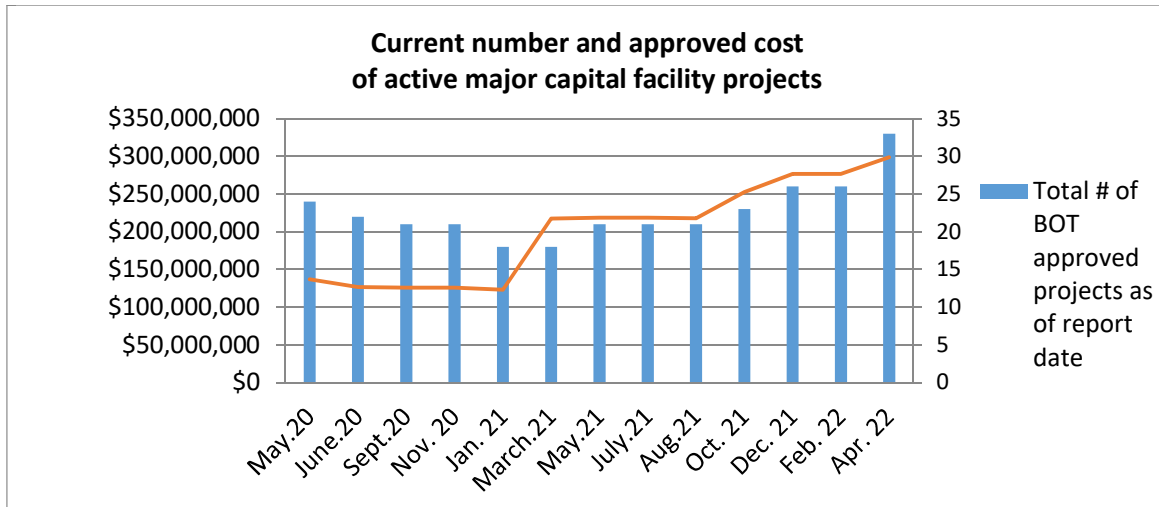
Career and Student Success Center

All floor slabs are complete. Interior wall framing is in progress for all floors. 80- 90 % complete.

Parking Garage

A building permit was obtained and work is in progress. Included is the installation of foundation piles and the stormwater filtration system. Utility tie-ins for the building are in progress. Concrete placement is in progress with footings at 40% complete.

07/01/2022



*Direct Capital Appropriations funds consist of capital appropriations in anticipation of revenue bonding, as well as MEIF funds.

** Campus Financing demonstrates the use of interim financing in the form of a Bond Anticipation Note as approved at the March 2021 meeting of the Board.

***Note that the marked rise and fall in the Campus Financing category is due to an incorrect categorization of the how the budget for the USM Parking Garage Project would be funded. The total project budget is currently reduced to reflect actuals as we prepare to issue bonds to cover the total project costs.

07/01/2022

Board of Trustees Meeting -July 2022 - Reports

Capital Project Status Report
Board Approved Projects
July 2022 - Board of Trustees Meeting
With Grand Totals and % of Current Approved

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Estimates Current Est. Completion	Original Approved Estimate	Current Approved Estimate	Total Expense to Date	% Expended of Current Approved Estimate	Prior Actions, Information & Notes
UMA									
**Katz Library HVAC Repairs (1200061)	HERFF (100%)	Construction in Progress	2021	2022	\$1,100,000	\$1,100,000	\$57,715	5%	Board approved \$1.1M Sept 2021.
Randall Welcome Center (1100085)	2018 State Bond (100%)	Complete	2021	2022	\$2,150,000	\$2,150,000	\$1,721,448	80%	Board approved \$2.15M May 2021. The approval of 1100085 in May of '21 replaces 1100077.
**Handley Hall A/C replacement (1200029)	E&G (77%),HEERF(23%)	Bidding	2020	2022	\$575,000	\$1,230,000	\$34,409	3%	Board approved \$575K in September, 2019. Board approved \$1.2M in Emergency Relief Funds and up \$30k in E&G funds in Sept '21.
*Medical Laboratory Technology (1100093)	E&G(100%)	Design in Progress	2023	2023	\$1,650,000	\$1,650,000	\$2,820	0%	Board approved \$1,650,000 in March, 2022.
*Camden Hall Vet Tech (1100095)	E&G(100%)	Bidding	2023	2023	\$1,600,000	\$1,600,000	\$49,918	3%	Board approved \$1,600,000 in March, 2022.
UM									
ASCC Building Addition GEM Lab (5100579)	Operating Reserves (100%)	Pre-Design in Progress	2025	2025	\$1,500,000	\$1,500,000	\$46,024	3%	Board approved \$1.5M May 2021.
Darling Marine Center Waterfront Infrastructure (5100459, 5100460, 5100461, 5100574)	Grants (60%), Campus E&G Funds (34%) Gifts (4%) State Appropriations (2%)	Substantially Complete	2017	2022	\$3,000,000	\$5,475,000	\$5,468,294	100%	Board approved \$3M in July, 2017. Board approved increase of \$2.2M in September, 2019. Additional \$210k approved by Chancellor in December. In March 2022, Chancellor approved an additional 1% increase (\$65k) bringing the total authorized project
UM Ferland Engineering, Education and Design Center (5100458, 5100493, 5100546, 5200604)	Campus Funds (4%), State Approp (37%) Gifts (10%) Campus Financing/Rev Bond (49%)	Construction in Progress	2024	2024	\$1,000,000	\$78,000,000	\$46,358,448	59%	Board approved \$1M in September, 2017. Board approved additional \$8M in May, 2018. Additional \$63M BOT approved March, 2020 Initial occupancy of this facility is expected in 2022; final completion in 2024. Board authorized up to \$78M in Jan' 22.
ASCC Renovation - Mezzanine Office Expansion (5100525)	Campus E&G Funds (14%) Grants (86%)	Substantially Complete	2020	2022	\$450,000	\$1,400,000	\$1,047,639	75%	Board approved \$1,400,000 March, 2020
UM Energy Center Phase II (5100516, 5100517)	Campus E&G Funds (69%) Grants (31%)	Pre-Design in Progress	2023	2022	\$5,700,000	\$5,700,000	\$809,340	14%	Board approved \$5.7M March, 2019.
Neville Hall Renovations (5100534)	State Bond (100%)	Construction in Progress	2021	2022	\$1,500,000	\$1,500,000	\$489,503	33%	Board approved up to \$1.5M expenditure in March 2021.
**UM Adaptive Reuse project/Historic P3 (5200661)	Campus Funds (100%)	Design in Progress	2023	2023	\$2,000,000	\$3,000,000	\$411,505	14%	Board authorized for UM contribution of up to \$2M in October 2021. Board authorized additional \$1M in March 2022.
*ASCC Secure Clean Lab Suite (5100560)	Grants (100%)	Design in Progress	2023	2023	\$2,451,268	\$2,451,268	\$80,900	3%	Board authorized \$2,451,268 in March 2022.
*Steampit SA10 (5100563)	E&G (100%)	Construction in Progress	2022	2022	\$640,000	\$640,000	\$3,856	1%	Board authorized \$640,000 in May 2022.
*HVAC Systems & Controls Upgrades (TBD)		Pre-Design in Progress			\$10,000,000	\$10,000,000			Board authorized up to \$10M in May 2022.
UM Priority 1 Athletics fields (5100593, 5100594, 5100597)	Gifts (18%) HAF Grant (82%)	Construction in Progress (5100597); Others -	2023	2023	\$14,000,000	\$14,000,000	\$861,055	6%	Board authorized \$14M in January 2022.
UMF									
Dearborn Gym HW Upgrades (2100087)	2010 State Bond (10%) 2018 State Bond (90%)	Complete	2019	2022	\$600,000	\$850,000	\$888,267	105%	Board approved \$600K in March, 2019. Board approved additional \$250K in May, 2019.
**274 Front St Renovation (2100096)	2018 State Bond (100%)	Construction in Progress	2020	2022	\$450,000	\$3,100,000	\$86,796	3%	Board approved up to \$3.1M in January 2022.
*FRC Façade Replacement (2100112)	2018 State Bond (100%)	Design in Progress	2022	2022	\$925,000	\$925,000	\$24,621	3%	Board approved up to \$925,000 in May 2022.
UMFK									
UMFK Enrollment/Advancement Center (3100042)	2018 State Bond (100%)	Substantially Complete	2022	2022	\$3,249,000	\$3,249,000	\$2,712,200	83%	Board approved \$2.99M in Bond Funding, March, 2020. Plus, \$259K for a total of

Capital Project Status Report
Board Approved Projects
June 2022 - Finance, Facilities and Technology Committee
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Current Est. Completion	Original Approved Estimate	Current Approved Estimate	Total Expense to Date	% Expended of Current Approved Estimate	Prior Actions, Information & Notes
USM									
Bailey Hall Fire Protection and Electrical Upgrades (6100316, 6100323)	2018 State Bond (35%), Campus E&G (65%)	Project 6100316 is Substantially Complete, Project 6100323 is Complete	2019	2022	\$2,580,000	\$4,388,000	\$4,141,923	94%	Board approved \$2.58M in January, 2019. Additional authorization of \$1,808,000 for a total of \$4,388,000 in January 2020
Career and Student Success Center and Portland Residence Hall (6100325, 6100338)	2018 State Bond (28%), Campus Financing (72%)	Construction in Progress	2020	2023	\$1,000,000	\$99,400,000	\$37,551,883	38%	Board approved \$1M in January, 2019. Board approved predevelopment expenditures of up to \$5.7M combined for the two projects in January 2020. Board approved an increase by \$93.7M in February 2021.
USM Center for the Arts (6100300)	Gifts (100%)	Design in Progress	2022	2023	\$1,000,000	\$4,200,000	\$1,112,742	26%	Board approved \$1M in January, 2018. Board authorized an additional \$3.2M for a total of \$4.2M in November 2021.
Structured Parking Garage (6100331)	Campus E&G Funds (3%) Campus Financing (97%)	Construction in Progress	2022	2023	\$1,200,000	\$23,000,000	\$2,227,073	10%	Board approved in March 2020 with initial spending limit of \$400,000; addtl \$800,000 authorized by the Chancellor and Vice Chancellor for Finance and Administration and Treasurer in April, 2021. Board authorized a new total of \$23m in November, 2021.
Fitness Equipment Purchase and Space Renovation USM Gorham Costello Gym Reno (6100370), Sullivan Gym Equip Repl (6100371), LAC Gym Equip Repl (6200295)		Design in Progress	2020	2022	\$700,000	\$770,000	\$0	0%	Board Approved March, 2020. No expenditures as of yet. An increase of \$70k was authorized by the Chancellor to \$770k in December 2021.
USM Steam Line (6100361)	Campus E&G Funds (100%)	Complete	2021	2021	\$600,000	\$600,000	\$599,932	100%	Board approved \$600K in May 2021
USM Dubyak Center (6100342)	Gifts (100%)	Design in Progress	2022	2022	\$2,500,000	\$2,500,000	\$89,700	4%	Board approved up to \$2.5 million in January, 2022. \$1M of bond funds to cover the total \$2.5m project budget. Addtl \$1.5M funding is from Maine Jobs Recovery funds.
*Hannaford Field Turf Repl (6100362)	E&G (100%)	Construction in Progress	2022	2022	\$900,000	\$900,000	\$18,662	2%	Board approved up to \$900,000 in March 2022.
USM IPE Lab (6200286)	Gifts (100%)	Design in Progress	2022	2022	\$482,000	\$900,000	\$100,825	11%	Board approved up to \$900,000 in January 2022.
UMS/Law School									
300 Fore St Portland Renovation (8100152)	Gifts (100%)	Construction in Progress	2022	2022	\$6,000,000	\$12,827,396	\$1,916,002	15%	Board approved \$6M September 2021. Board approved increase to \$11.5M in Jan '22. Board authorized additional \$1,327,396 in March

Capital Project Status Report
Board Approved Projects
June 2022 - Finance, Facilities and Technology Committee
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Current Est. Completion	Original Approved Estimate	Current Approved Estimate	Total Expense to Date	% Expended of Current Approved Estimate	Prior Actions, Information & Notes
UMPI									
**Wieden Renovation Bond (7100025)	2018 State Bonds (100%)	Construction in Progress	2020	2023	\$3,757,000	\$7,652,280	\$624,372	8%	Board approved \$3.7M May 2021. Board approved an addtl \$2.5 million Jan 2022. Bond funded portion remains at \$3,757,000. Board authorized additional \$1,395,280 in May 2022.
Folsom 105 Nursing Renovation (7100026)	2018 State Bonds (100%)	Complete	2020	2022	\$800,000	\$760,000	\$719,300	95%	Board approved \$800K March, 2020. Budget reduced by \$40K due to funds to Wieden Renovation.
UMPI Solar Array (7100023)	Campus E&G (100%)	Construction in Progress	2020	2022	\$700,000	\$1,144,240	\$630,688	55%	Board approved \$700K June, 2020. Board approved an increase to \$1,144,240 during the August 2021 Executive Committee.

HAF projects which are currently below board level

Campus, Project Name (Project ID)	Funding Source(s) & each source's share of expenditures to date	Status	Original Estimated Completion	Current Est. Completion	Total Expense to Date	Prior Actions, Information & Notes
UM - Engineering Ph III - MCECIS Master Planning (5200692)	HAF Grant/HAF Match (100%)	Pre-Design	TBD	TBD	\$199,613	HAF Funded project. Below Board level.
UM - HAF Athletics Master Plan (5200696)	HAF Grant/HAF Match (100%)	Pre-Design	TBD	TBD	\$159,621	HAF Funded project. Below Board level.
UM - Morse field Turf Replacement (5100559)	Campus Funds (59%) Gifts (41%)	Complete	2021	2021	\$445,517	HAF Funded project. Below Board level.

Explanatory Notes: * Project is new as of this report. ** Details of this project include updates since the last report. *** This project has been completed since the last report and is not expected to appear on the next report. Highlighted: Board level HAF and P3 Projects	Funding source(s) reflects primary source(s) for project.		Calendar Year unless otherwise noted.					Percentage expended reflects total expended as of April 30, 2022 as a percentage of the current approved project estimate.
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Bond Project Status Report
Active Bond Projects
July 2022 - Board of Trustees Meeting
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Status	Original Estimated Completion	Current Est. Completion	Funding Source(s) & each source's share of expenditures to date	Estimated Bond Funding for Project	Bond Funding Expended	Total Estimated Project Cost	Prior Actions, Information & Notes
UMA								
Randall 2nd Floor Renovations (1100083)	Construction in Progress	2021	2022	Bond (100%)	\$100,000	\$77,127	\$100,000	
Randall Center Student Lounge (1100084)	Complete	2021	2022	Bond (100%)	\$150,000	\$143,675	\$150,000	
Randall Welcome Center (1100085)	Complete	2021	2022	Bond (100%)	\$1,750,000	\$1,721,448	\$2,150,000	Board approved \$2.15M May 2021. The approval of 1100085 in May of '21 replaces
Bangor Campus Welcome Center (1100534)	Complete	2021	2022	Bond (95%) Campus (5%)	\$475,000	\$450,880	\$475,000	
ACC Nursing Upgrades (1200082)	Construction in Progress	2022	2022	Bond (0%) Campus (0%)	\$50,000	\$24,812	\$50,000	
**Randall Admissions Renovations (1200083)	Bidding	2021	2022	Bond (100%)	\$154,096	\$22,088	\$154,096	
Total Bond for Campus					\$2,679,096	\$2,440,030	\$3,079,096	
UMF								
Dearborn Gym Hot Water Upgrades (2100087)	Complete	2019	2022	Bond (99%) Campus Funds (1%)	\$850,000	\$792,998	\$876,994	
Scott Hall Renovations (2100092)	Complete	2019	2022	Bond (100%)	\$200,000	\$193,660	\$200,000	
Dakin Hall Shower Renovations (2100093)	Complete	2019	2022	Bond (100%)	\$200,000	\$95,707	\$200,000	
Lockwood Hall Shower Renovations (2100094)	Complete	2019	2022	Bond (100%)	\$200,000	\$87,103	\$200,000	
Stone Hall Renovations (2100095)	Complete	2019	2022	Bond (100%)	\$200,000	\$181,117	\$200,000	
274 Front St Renovation (2100096)	Design in Progress	2020	2022	Bond 100%	\$1,400,000	\$86,796	\$3,100,000	Board approved up to \$3.1M in January 2022. \$1.4m in 2018 bonds, the remaining is from gifts, Maine Jobs Recovery Act funds and other congressional earmarks.
Olsen Center Renovations (2100102)	On Hold	2023	2023	Bond (100%)	\$425,000	\$71,385	\$425,000	
Mantor Library Renovations (2100103)	Complete	2021	2022	Bond (100%)	\$300,000	\$246,223	\$300,000	
Campus ADA Ramps (2100104)	Construction in Progress	2021	2022	Bond (100%)	\$115,000	\$24,094	\$115,000	
Roberts HVAC Upgrade (2100106)	Design in Progress	2021	2022	Bond (100%)	\$150,000	\$30,661	\$150,000	
Merrill Hall HVAC Upgrade (2100107)	Complete	2021	2022	Bond (100%)	\$400,000	\$35,127	\$400,000	
Ricker Addition Renovation (2100108)	Design in Progress	2021	2022	Bond (100%)	\$175,000	\$52,769	\$175,000	
Scott North Renovation (2100109)	Complete	2021	2022	Bond (100%)	\$150,000	\$97,735	\$150,000	
Scott West Renovation (2100110)	Construction in Progress	2021	2022	Bond (100%)	\$175,000	\$57,341	\$175,000	
FRC Roof Replacement (2100111)	Construction in Progress	2021	2022	Bond (100%)	\$180,050	\$180,050	\$180,050	
*FRC Façade Replacement (2100112)	Design in Progress	2022	2022	Bond (100%)	\$60,000	\$24,621	\$60,000	

UMF								
Exterior Painting Merrill Hall (2200096)	Design in Progress	2020	2022	Bond (100%)	\$40,000	\$4,454	\$40,000	

Bond Project Status Report
Active Bond Projects
June 2022 - Finance, Facilities, and Technology Committee
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Status	Original Estimated Completion	Current Est. Completion	Funding Source(s) & each source's share of expenditures to date	Estimated Bond Funding for Project	Bond Funding Expended	Total Estimated Project Cost	Prior Actions, Information & Notes
Scott South Renovations (2200102)	Complete	2022	2022	Bond (100%)	\$133,092	\$133,092	\$125,000	
Mallet Front Porch Painting (2200103)	Complete	2021	2021	Bond (100%)	\$25,000	\$11,715	\$25,000	
UMF Purington Front Porch Painting (2200104)	Complete	2021	2021	Bond (100%)	\$22,000	\$7,250	\$22,000	
UMF Preble/Ricker Flooring (2200105)	Complete	2021	2021	Bond (100%)	\$35,000	\$24,775	\$35,000	
Stone Hall Suite Conversion (2200109)				Bond (100%)	\$275,000		\$275,000	
Total Bond for Campus					\$5,710,142	\$2,438,674	\$7,429,044	
UM								
Neville Hall Renovation (5100534)	Construction in Progress	2021	2022	Bond (100%), Campus E&G (0%)	\$1,500,000	\$489,503	\$1,500,000	Board approved up to \$1.5M expenditure in March 2021.
UMM Science Bldg Rm 010 Renovation (5100575)	Design in Progress	2021	2022	Bond (100%)	\$100,650	\$100,885	\$100,650	
R-UMM Science Bldg Reno (5100581)		2022	2022	Bond (100%)	\$50,000	\$8,260	\$50,000	
R-Dorward Hall Access Upgrade (5100596)		2022	2022	Bond (0%)	\$187,111	\$133,276	\$187,111	
UMM Reynolds Renewal (4100047)	Construction in Progress	2021	2022	Bond (100%)	\$400,000	\$320,475	\$400,000	
UMM Dorward Hall Roofing (4200048)	Construction in Progress	2021	2022	Bond (100%)	\$45,000	\$32,939	\$45,000	
Total Bond for Campus					\$2,282,761	\$1,085,339	\$2,282,761	
UMFK								
UMFK Enrollment/Advancement Center (3100042)	Substantially Complete	2022	2022	Bond (100%)	\$2,990,000	\$2,712,200	\$3,249,000	Board approved \$2.99M in Bond Funding, March, 2020. Plus, \$259K for a total of \$3,249,000.
Total Bond for Campus					\$2,990,000	\$2,712,200	\$3,249,000	
USM								
Bailey Hall Fire Protection and Electrical Upgrades (6100316, 6100323)	Project 6100316 Substantially Complete, Project 6100323 is Complete	2019	2022	Bond (39%), Campus E&G Funds (91%)	\$1,460,000	\$1,460,000	\$4,388,000	Board approved \$2.58M in January, 2019. Board approved additional \$1.808M in January, 2020.
Career and Student Success Center (6100325)	Construction in Progress	2022	2023	Bond (100%)	\$19,000,000	\$10,598,036	\$26,551,000	Board approved \$1M in January, 2019. Board approved predevelopment expenditures of up to \$5.7M combined with the residence hall project in January 2020. Board approved an increase by \$93.7M in February 2021, of that amount, the specific budget for the CSSC is \$26.6M.
Nursing Simulation Lab Science (6100327)	Complete	2021	2022	Bond (100%)	\$1,500,000	\$1,305,265	\$1,500,000	Board approved \$1.5M in January, 2020.
USM Dubyak Center (6100342)	Design in Progress	2022	2022	Gifts (100%)	\$1,000,000	\$59,233	\$2,500,000	Board approved up to \$2.5 million in January, 2022. \$1M of bond funds to cover the total \$2.5m project budget. Addtl \$1.5M funding is from Maine Jobs Recovery funds.
*Upper Class Pipe Insul Replmnt (6100366)					\$112,584	\$629	\$112,584	
LAC Deferred Maint Projects (6100367)		2022	2022	Bond (0%)	\$300,000	\$0	\$300,000	
*Philippi Hall Online Locks (6100368)								
Upper Class Hall Online Locks (6100369)		2022	2022	Bond (0%)	\$360,000	\$0	\$360,000	

Bond Project Status Report
Active Bond Projects
June 2022 - Finance, Facilities, and Technology Committee
With Grand Totals and % of Current Approved Estimates

Campus, Project Name (Project ID)	Status	Original Estimated Completion	Current Est. Completion	Funding Source(s) & each source's share of expenditures to date	Estimated Bond Funding for Project	Bond Funding Expended	Total Estimated Project Cost	Prior Actions, Information & Notes
UMPI					Total Bond for Campus	\$23,732,584	\$13,423,163	\$35,711,584
**Wieden Renovation Bond (7100025)	Construction in Progress	2020	2023	Bond (100%)	\$3,757,000	\$624,372	\$7,652,280	Board approved \$3.7M May 2021. Board approved an addtl \$2.5 million Jan 2022. Bond funded portion remains at \$3,757,000. Board authorized additional \$1,395,280 in May 2022.
Folsom 105 Nursing Renovation (7100026)	Complete	2020	2022	Bond (100%)	\$760,000	\$719,300	\$760,000	Board approved \$800K March, 2020. Reduced by \$40K due Wieden funding.
Total Bond for Campus					\$4,517,000	\$1,343,671	\$8,412,280	
Totals:					\$41,911,583	\$23,443,076	\$60,163,765	

Completed Bond Projects								
Augusta Campus Welcome Center (1100077)	Closed	2021	2021	Bond (100%)	\$350,388	\$350,388	\$350,388	UMA
Jewett Hall Boiler Design Work (1200062)	Complete	2021	2021	Bond (100%)	\$305,000	\$321,287	\$321,287	UMA
274 Front St Acquisition (2100089)	Complete	2019	2019	Bond (100%)	\$850,820	\$850,820	\$850,820	UMF
UMF Campus Paving (2100097)	Complete	2019	2019	Bond (100%)	\$97,338	\$97,338	\$97,338	UMF
FRC Floor Renovation (2100098)	Complete	2019	2019	Bond (100%)	\$209,503	\$209,503	\$209,503	UMF
Dakin Flooring, Ceiling, Light (2100105)	Complete	2021	2021	Bond (100%)	\$206,187	\$206,187	\$206,187	UMF
UMM Science Building Roof Replacement (4100042)	Complete	2020	2020	Bond (100%)	\$280,487	\$280,487	\$280,487	UMM
UMM Dorward Hall Roof Replacement (4100043)	Complete	2020	2020	Bond (100%)	\$296,092	\$296,092	\$296,092	UMM
UMM Sennett Roof Replacement (4100044)	Complete	2020	2020	Bond (100%)	\$201,257	\$201,257	\$201,257	UMM
UMM Reynolds Center Roof Repair (4200044)	Complete	2020	2020	Bond (100%)	\$154,226	\$154,226	\$154,226	UMM
UMM Site Work (4200045)	Complete	2020	2020	Bond (100%)	\$57,365	\$57,365	\$57,365	UMM
Woodward Hall Renovations (6100301)	Complete	2019	2019	Bond (86%), Campus E&G Funds (14%)	\$1,008,395	\$1,008,395	\$1,172,840	USM
Ricci Lecture Hall Renovations (6100308)	Complete	2019	2020	Bond (31%), Gifts (43%), Campus E&G Funds (26%)	\$172,010	\$172,010	\$564,197	USM
Totals:					\$4,189,068	\$4,205,355	\$4,761,987	
GRAND Total (Active and Completed Projects)					\$46,100,651	\$27,648,431	\$64,925,752	

Explanatory Notes: * Project is new as of this report. ** Details of this project include updates since the last report. Completed projects will remain on this report unless otherwise specified.	Funding source(s) reflects primary source(s) for project.	Calendar Year unless otherwise noted.						Bond Funding expended reflects total expended as of April 30, 2022.
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UMS Employment Search Process Review Summary

On May 12, 2022, University of Maine System Chancellor Dannel Malloy tasked the UMS Chief Procurement Officer, Chief Human Resource Officer, and Interim General Counsel to lead an immediate review of all UMS policies that apply to employment searches (whether supported by an outside consultant or not) and offer recommendations:

- To ensure that searches are managed with integrity;
- Best practices regarding all searches are followed;
- All relevant applicant information is made available to those vetting and recommending candidates for hire.

The following provides an overview of current contract activity related to recruitment and staffing, findings from the review of policies and procedures that apply to our conduct of employment searches, and any recommendations offered as a result of the policy review process.

Current Contract Activity

In December 2019, the UMS Strategic Sourcing Office and the Human Resource Office publically advertised a Request for Qualifications (RFQ) for consulting services in relation to a broad range of human resource related initiatives that included, but were not limited to, executive recruitment and placement services.

The RFQ remained advertised for two months and resulted in 22 respondents. After evaluation by a cross-departmental committee, 17 respondents were pre-qualified and will remain on the System's list for consultation and professional services for three years, with possible options to renew existing contracts for two additional one-year terms.

Of the 17 respondents qualified, 16 would be regarded as traditional leadership development consultants or executive recruitment firms. The remaining organization, The Registry, is a membership-based organization that places former executives in interim presidential or other senior-level posts while the institution prepares for a permanent search process. Since completion of the RFQ process, the UMS has used three firms from the approved vendor list for concluded or current recruitment and executive staffing initiatives:

• Academic Search

University of Southern Maine President Search (October 2021, completed)

• Storbeck Search

University of Maine at Augusta President Search (October 2021, completed)

University of Maine Dean of the College of Engineering, Information & Computer Science (February 2022, ongoing)

University of Maine Vice President of Finance & Administration & CBO (February 2022, ongoing)

• The Registry (Interim Senior Level Positions)

Betsy Sawhill-Espe as University of Maine at Presque Isle Interim CBO (November 2020, completed)

Buster Neel as Interim University of Maine at Augusta CBO and previously at USM (May 2020, completed)

Joanne Yestramski as Interim University of Maine CBO & VP of Finance (November 2020, completed)

David Tracy as Interim University of Maine at Fort Kent Dean of Enrollment UMFk (January 2022, completed)

King Godwin as Interim University of Maine at Fort Kent Dean of Arts, Sciences & Professional Studies (January 2022, completed)

Scope of Review and Findings

At the Chancellor's request, an extensive review was conducted between May 13 – June 13, 2022 of all UMS policies and procedures that apply to employment searches. The review was led by the Human Resource Office in consultation with UMS General Counsel, and included analysis of the employee handbook, UMS Board of Trustees Policies, UMS Administrative Practice Letters (APLs), contracts, and for assurance of compliance with the Maine Human Rights Act (MHRA) and other applicable Maine laws.

The review of search committee policies and procedures indicated the Board of Trustees policy, Human Resources and Labor Relations- Section 415 Employment Background Screening Policy (effective date 3/18/2013) was not followed in the recent executive search for the University of Maine at Augusta President. The policy states the following:

*Negative information that is received through background screening about a finalist who has been recommended for a position or an employee who is assigned special responsibilities is not an automatic bar to employment, transfer, or promotion. The applicant or employee will be provided with an opportunity to explain or refute the information obtained. An individualized decision about suitability for employment, transfer, or promotion will be made by the hiring or employing department in **consultation with the University of Maine System Human Resources Office** based on relevant job-related considerations and the nature of the information.*

Recommendations

In light of the policy review, the Human Resource Office and Office of General Counsel propose the following recommendations:

1. The current UMS process for executive searches does not include human resources. It is recommended that the Chief Human Resources Officer or designee, and the Office of General Counsel be involved in the executive search process and any personnel matters when reviewing finalist background screenings.
2. That the employee handbook be disseminated to all employees upon onboarding during new hire orientation, and when the policies and procedures are updated and amended. The employee must sign an acknowledgment form that they have reviewed and read the policies. The employee handbook for the non-represented faculty and staff is currently under review. Upon completion, all employees will receive an electronic copy of the handbook along with a signature page to be retained on file.

3. After careful review of the current UMS Procurement contracts, it is recommended that all executive searches and other employment search contracts are in compliance with Board of Trustee Policy 415, and include a statement of integrity standards. Attached is a proposed Integrity Standards for Executive Search Firms. Additionally, it is recommended that all applicants be required to submit responses to relevant questions regarding involvement in prior investigation of sexual harassment, violent or non-violent sexual assault, or any other type of misconduct along with the application for employment.
4. When an applicant moves to the finalist stage of the search process, the Search Committee will advise the candidates that the names of all candidates will become public information before being invited for an on-campus interview.
5. The Search Committee will conduct public open forums engaging faculty, staff, students, and the community. A curriculum vitae of each finalist will be made available for public review. After each public forum, the campus community will have the opportunity to provide feedback on each finalist. Campus community feedback will be considered in the final selection process.
6. Search policies for president and provost positions will require a declaration from candidates as to whether they have ever been the subject of a no-confidence vote.

In furtherance of the findings, a request will be made at the July 2022 Board of Trustees meeting that the Board consider revision to the Board of Trustees policy, Human Resources and Labor Relations- Section 415 Employment Background Screening Policy.

DRAFT: Office of General Counsel

University of Maine System Integrity Standards For Executive Search Firms

Expectations

The Executive Search Firm has been engaged to identify potential candidates for the Board. The Search Firm and the Board have mutually agreed on the appropriate background, experience, credentials, and other qualifications to identify suitable candidates. Within the search process, integrity is a key component. The Chief Human Resources Officer and General Counsel, following the procedures outlined here, will review the results of the search with an eye toward integrity to inform the selection of final candidates.

The responsibility of the Search Firm Consultant is to work diligently to ensure good candidates are identified, appropriate confidentiality is maintained, and a fair and ethical process is conducted, resulting in a selection and successful recruitment.

The Search Firm is to present information giving a thorough assessment of a candidate's strengths and weaknesses. The Consultant and any other representatives of the Search Firm are expected to maintain fair and thorough professionalism in the search process.

Reference Checks- Search Firm Role

Job-related reference information is required as part of the recruitment and selection process for all prospective employees. At a minimum, before hiring, reference checks must be performed on all final candidates for any UMS position. Reference checks must include the candidate's most recent employer and any previous institutions or state agencies where the candidate was employed in the 7 years preceding the search.

Applicants must complete and sign a disclosure form in order to be considered for participation in the search process.

When checking references, it is a best practice to ask whether disciplinary problems were encountered with the candidate. At a minimum, the following reference check questions must be asked about a final candidate prior to hire:

- Has the candidate ever received a vote of no confidence?
- Was the candidate ever found to have engaged in any forcible or non-forcible sexual assault or sexual harassment? Was the candidate ever investigated for complaints involving forcible or non-forcible sexual assault or sexual harassment even if there was a finding of No responsibility?

- Is the candidate currently under investigation or have they ever left employment during an active investigation for any type of misconduct?

Background Screenings

The Executive Search firm will conduct background screenings of all Semi-finalists selected. Upon completion of the background screening and reference checks, the Search Firm must forward confidential copies of the reports to the Chief Human Resources Officer or designee and General Counsel for their review.

Prior to any finalist moving forward in the search process, the Search Firm, and Chief Human Resources Officer or designee along with the Search Committee members will review the documents and make a determination regarding the suitability of the candidates to move forward as a finalist.

Confidentiality of Candidates' Names

It is the intention of the UMS to maintain the integrity of search processes by protecting candidate confidentiality. To encourage applications from those reluctant to “go public” with their interest in UMS employment, the names of candidates should only be released to the University community or to the general public when a candidate becomes a finalist and confirms their intention to proceed with the selection process.

When inviting the finalist to interview on-site, the Search Committee Chair will inform the candidate that their name will be made public and that their curriculum vitae shall be open for review. If a candidate has reservations about going public, allow the candidate a short, but reasonable, time to decide to withdraw from consideration.

Search Committee - Open Forum Invitations

Engaging the University community in the search process to fill a key position can provide the search committee with valuable feedback about candidate viability and give the candidate an opportunity to assess the University’s climate. To engage the broader University community, Search Committees **must** announce the schedule of open forums and invite a wide range of constituent groups to attend including students, staff, faculty, and interested members of the campus community. After the finalist list has been made public, the curriculum vitae of each candidate should be made available for public review. Evaluation forms should be provided to all parties involved and responses should be included in search committee discussions. Open forums should be held at an accessible location.



Student Conduct

Section 501: A Separation of Policy and Procedures

Presented to: The University of Maine System Board of Trustees

July 11, 2022

Board of Trustees Policies

- Approved policies establish direction for the UMS and its universities
- The Board establishes the overarching mission and values of UMS and is not burdened with the operational tasks necessary to achieve that mission and set of values.
- Responsibility for implementation of Board approved policies rests with the Chancellor and his designees
- This Policy is out of sync with other Board Policies. Most Board policies utilize this effective and efficient division of responsibilities with the exception of Policy 501 which historically has included both policy and procedures. The recommendation before you separates the Board policy from its implementing procedures, in line with other Board approved Policies.

Board of Trustees: Procedural Implementation

- The Chancellor and his designees, in consultation with the Office of General Counsel and System and campus offices responsible for day-to-day operations, create and periodically revise Administrative Practice Letters and other procedural documents in order to implement Policy established by the Board. The Student Conduct Code is the procedural document that implements the Student Conduct Policy.

Policy 501

Current State

- **Combined Policy and Procedures**
 - Reviewed and Approved by Board of Trustee every 3 years
 - Lengthy and Complex revision process

Proposed State

- **Separate UMS Policy Statement**
 - Short and Clear
 - Provides Foundational Principles
 - Allows Ease of Review and Revision
 - Aligns with other Board approved policies
- **Separate Student Conduct Procedures**
 - Detailed Action Steps
 - Less Complex Revision Process
 - Allows More Frequent Review and Revision - minimum of every 2 years

Benefits of Separating

Aligns with other Board approved policies

Adaptability to changing laws and regulations

Flexibility to make corrections and clarifications

Supports continuous process improvement

Key Policy Provisions

“emphasis on fundamental fairness, due process, personal responsibility and community relationships.”

Governing Law

Freedom of Expression

Non-Discrimination

Training

Policy and Procedure - Standards for Review

Conduct Procedures Amendments

- **Reorganization and Removal of Duplicated Language**
 - Conflict of Interest
 - Consolidated Administrative Resolution and Conduct Officer Hearing
- **Presidential Appeal Elimination**
- **More Robust Definitions**
 - ◆ eg. Violent Crime, VAWA, Witness, Reporting Party



Questions?



Research & Innovation Update: Federal Appropriations FY2022 and FY2023

July 11, 2022

Joan Ferrini-Mundy

UMS Vice Chancellor for Research & Innovation

University of Maine System Board of Trustees Meeting

There are two processes for federal funding.

- Federal Programmatic Funding Increases
- Congressionally Directed Spending/Community Project Funding



Federal Programmatic Funding

- University of Maine
- 20+ years
- Successes: offshore wind, biofuels, ocean observing buoy systems

Congressionally Directed Spending/ Community Project Funding

- University of Maine System
- 2 years (20-21 and 21-22)
- Successes: ALL UMS universities, including the law school, led or partnered on projects that were advanced



Common Features

- Critical resources to impact Maine
- National visibility and reach
- Deep gratitude to Senator Collins, and to Senator King, Representative Pingree, and Representative Golden, as well as their staff and others



FY22 Federal Programmatic Funding increase requests

UMaine R&D	Agency	Amount
Polar Proving Ground	Department of Defense	\$2.0M
Rapid Prototyping using Digital Manufacturing	Department of Defense	\$25.0M
Additive Manufacturing for Unmanned Maritime Systems	Department of Defense	\$6.0M
Advanced Materials and Structures for Expeditionary Soldier Support	Department of Defense	\$6.0M
Thermoplastic composites for hybrid composite secure container	Department of Homeland Security	\$2.0M
Additive Manufacturing of Bio-Based Composites	Department of Energy	\$20.0M
Sustainable, Scalable Aquaculture Powered by Offshore Renewables	Department of Energy	\$5.0M
Aqua Ventus DeepLAB: Comprehensive Offshore Test and Evaluation	Department of Energy	\$10.0M
Harsh Environment Materials and Wireless Sensors Systems for Energy and Defense Applications	Department of Energy	\$1.5M
Additive Manufacturing of Large Offshore Wind Blades	Department of Energy	\$4.0M
Advancing Forest Biorefineries Towards Commercial Applications	Department of Energy	\$3.0M



FY22 Federal Programmatic Funding increase requests (cont'd)

UMaine R&D	Agency	Amount
Lobster Gear Program	NOAA	\$2.0M
Sustainable Aquaculture	Department of Agriculture	\$1.0M
New Potato Varieties for Environmental & Economic Sustainability	Department of Agriculture	\$3.0M
Forest Products Program	Department of Agriculture	\$3.5M
Advancing Forest Based Nanomaterials	Department of Interior	\$2.0M
Nano-Sensors for Environmental Monitoring	Department of Interior	\$1.5M
Forest Ecosystem Services	Department of Interior	\$2M



FY22 Congressionally Directed Spending/Community Project Funding

Project	Amount	UMS Participants
Green Engineering & Materials (GEM) Factory of the Future	\$10M	UMaine
Strengthening Local and Regional Seafood Systems for Resilient Communities	\$2M	UMaine
Wood-fiber Insulated Panels for Modular Construction and Retrofit Applications	\$2M	UMaine
Climate Coordination Center	\$1M	UMaine
Pediatric & Obstetric Mobile and Stationary Simulators for Nursing Education & Training	\$1M	All (UMaine lead)
Sweatt-Winter Early Childhood Education Center Expansion	\$1M Total	UMF
Teacher Residency Program	\$989,000	USM lead, UMF, UM/UMM, UMPI
Adult Transitions, Learning and Success Pilot Program (ATLAS)	\$945,000	UMA lead, all
Managing Invasive Emerald Ash Borer	\$300,000	UMaine
Business, Agriculture and Rural Development Technical Assistance Pipeline	\$292,000	UMaine



The delegation advanced numerous FY23 CDS/CPF projects on behalf of UMS.

Project	Amount*	Selected	Participants
Extension Tick-Borne Disease Prevention in Northern New England	\$10M	Collins, King	UMaine
UMaine PFAS Research Center	\$10M	Collins, King	UMaine
Green Engineering and Materials (GEM) Factory of the Future	\$10M	Collins, King	UMaine
Fox and Wieden Auditorium Renovations	\$9M	Collins, King	UMFK, UMPI
Industry 4.0 Readiness System	\$8M	Golden	UMaine
Improving Access to Care and Patient Outcomes Across Maine (Nursing Simulation)	\$4.5M	Collins, King	All (UMA)
ME-METAL: Maine Microbial and Environment Testing and Analysis Laboratory	\$4.1M	King	UMaine
UMaine Child and Elder Care Center	\$4M	Collins, King	UMaine
Creating the LAC Early Childhood Education Center	\$3.2M	Collins, King	USM, UMF

**Highest amount requested by at least one member of the delegation*



The delegation advanced numerous FY23 CDS/CPF projects on behalf of UMS.

Project	Amount*	Selected	Participants
Wild Blueberry Production for Changing Markets and Climates	\$3M	Collins, King	UMaine
Seawater Supply Infrastructure for Nat'l Cold Water Marine Aquaculture Center & UMaine Center for Aquaculture Research	\$2.75M	Collins, King	UMaine
UMaine Food Innovation Center	\$2.5M	Collins, King	UMaine
Maine Environmental Monitoring and Data Framework	\$2.1M	King	UMaine
Composites Materials for Transportation Infrastructure and Resilience	\$2M	Collins	UMaine
Medical Laboratory Tech Expansion for Augusta, PI & Lewiston	\$1.4M	King	UMA, UMPI, USM (LAC)
Sawing Operations Training Facility	\$1M	Collins, King, Golden	UMaine
Maine Agriculture Roadmap	\$1M	Collins, King	UMaine
Maine Entrepreneurship Fellowship and Incubator	\$825,000	Collins, King	UMaine



The delegation advanced numerous FY23 CDS/CPF projects on behalf of UMS.

Project	Amount*	Selected	Participants
Dental Workforce Development and Community Dental Health Services in Aroostook County	\$750,000	Collins, King	UMA, UMPI
New England Environmental Finance Center - Supporting Maine Communities to Sustainably Finance a Clean Energy Transition	\$550,000	King	USM
Maine Law Humanitarian Legal Aid Services Expansion	\$524,000	Collins, King	Maine Law
UMA Aviation Maintenance Technician School	\$500,000	Collins, King	UMA
Cyber Attack Prevention and Mgmt Training for Maine Municipalities	\$500,000	Collins, King	UMA
Cohen Institute Public Service Education Partnership	\$464,000	Collins	UMaine
Building the Outdoor Recreation Economy Workforce for Maine	\$356,000	King	UMaine, USM, Maine Law
Improve UMaine and Community Trail System	\$194,000	Collins, King	UMaine



FY23 Federal Programmatic Funding Increase requests

UMaine R&D	Agency	Amount
Polar Proving Ground & Training Program	Department of Defense	\$5.0M
HPC-Enabled Large-Scale Advanced Manufacturing	Department of Defense	\$30-50.0M
Advanced Textiles and Shelters for Soldier Mission Sustainment	Department of Defense	\$6.0M
Additive Manufacturing of Unmanned Maritime Systems	Department of Defense	\$10.0M
Structural Thermoplastics for Army Ground Vehicle Systems	Department of Defense	\$6.0M
Maine State-wide Partnership for Manufacturing Training Innovation	Department of Defense	\$8.0M
Additive Manufacturing of Bio-Based Composites	Department of Energy	\$5.0M
Aqua Ventus DeepLAB: Comprehensive Offshore Test & Evaluation Program	Department of Energy	\$20.0M
Sustainable, Scalable Aquaculture Powered by Offshore Renewables	Department of Energy	\$5.0M
Additive Manufacturing of Large Offshore Wind Blades	Department of Energy	\$5.0M
Sustainable Aviation Fuels from Woody Biomass	Department of Energy	\$6.0M



FY23 Federal Programmatic Funding Increase requests (cont'd)

UMaine R&D	Agency	Amount
Secure Thermoplastic Composite Maritime Shipping Containers	Department of Homeland Security	\$2.0M
Nano-Sensors and Nano Catalysts for Environmental Monitoring and Mitigation	Department of the Interior	\$1.5M
Improving Sustainable Land-based Fish Farming	Department of Agriculture	\$5.0M
Forest Products Research	Department of Agriculture	\$3.5M
Sustainable Aquaculture	Department of Agriculture	\$3.0M
New Potato Varieties	Department of Agriculture	\$3.0M
Federal Base Funded Support for Agriculture and Forestry Research	Department of Agriculture	Support APLU recommended increase base funding
Cooperative Extension Federal Formula Funds	Department of Agriculture	Support APLU recommended increase base funding



FY22 and FY23 Timeline



- Requests coming from agencies to campuses for FY22 projects

- Dollars possibly coming in FY22

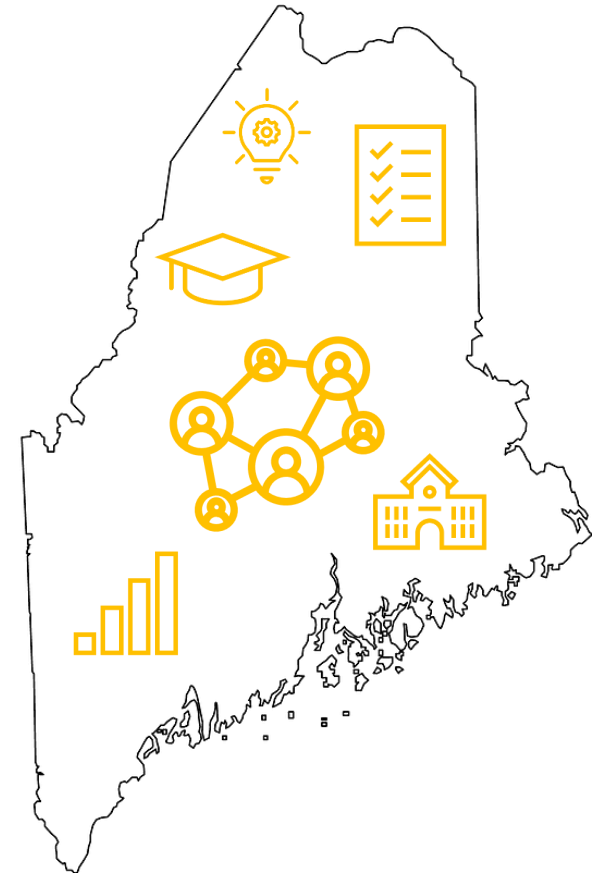


- Appropriations bill mark-ups have begun and will continue through August
- Negotiations and enactment on the FY23 federal budget to follow



We are building on strengths and opportunity within the UMS and the state.

- Proposal processes will be merged to maximize opportunities that align with state needs and university system campus strengths.
- Thank you to the Maine delegation and their staff, led by Senator Collins, and Senator King, Representative Pingree, and Representative Golden.





Thank you!



Strategic Planning Timeline



Summer-Fall 2022 Activities

- ▶ Conduct external stakeholder engagement
- ▶ Develop range of strategic options and test hypotheses
- ▶ Present at Presidents' Council meeting August
- ▶ Update/orient new presidents to strategic planning work to date
- ▶ Assess emerging priorities and initiatives to identify gaps
- ▶ Draft preliminary university and Law school visits
- ▶ Update/orient new trustees to strategic planning work to date