

UNIVERSITY OF MAINE SYSTEM  
Board of Trustees Meeting

hosted by the University of Maine at Presque Isle  
September 11-12, 2022

**Board of Trustees Meeting**

**Present:** Trish Riley, Chair; Kelly Martin, Roger Katz, Barbara Alexander, Patrick Flood, Donna Loring, Beth Dobson (by technology), James Donnelly (by technology), Emily Cain, David MacMahon, Sven Bartholomew, and Michael Michaud. **Chancellor:** Dannel Malloy. **University Presidents & Law School Dean:** Leigh Saufley, Joan Ferrini-Mundy, Ray Rice, Joe Szakas, Joe McDonnell, Jacqueline Edmonson and Deborah Hedeem. **Faculty Representatives:** Kennedy Rubert-Nason, Lisa Leduc, Matthew Bampton, Patrick Cheek, Clyde Mitchell, William Otto, and Michael Scott. **Student Representatives:** Katie Ashley, Samantha Morton, and Aidan Mulrooney. **System Staff:** Robert Placido, Ryan Low, Ellen Doughty, Jeff St. John, Carolyn Dorsey, Rosa Redonnett, Loretta Shields and Carolyn Dorsey.

**Absent:** Lisa Eames.

**Sunday, September 11, 2022**

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

**EXECUTIVE SESSION**

On a motion by Trustee Michaud, which was seconded by Trustee Katz, and approved by all Trustees present, the Board of Trustees meeting went into Executive Session under the following provisions:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, evaluations, employment and duties.
- 1 MRSA Section 405 6-C to discuss the condition, acquisition or disposition of real property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the UMS.
- 1 MRSA Section 405 6-D to discuss planning for negotiations and communications with AFUM, UMPSA, ACSUM, Police, PATFA, and Service and Maintenance Units.

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

Trustee Riley, Chair, called the public meeting to order and welcomed everyone. Chair Riley stated that Trustees Cain and Dobson were participating in the meeting by telephone. The Clerk performed a roll call of the members of the Board of Trustees participating by phone.

**UMPI Campus Presentation**

University of Maine at Presque Isle (UMPI) President Ray Rice provided a re-introduction to UMPI and their new marketing campaign:

Expect the unexpected

Expect an education that defies expectations

Expect programming that meets state/local needs and programming free from geographic confines

Expect exceptional programs affordable for all learners

Expect an Ethic of Care  
Expect a culture of true belonging for braving the wilderness of higher education

UMPI provides programming that meets the state and local needs through the YourPace CBE program, Title II “Strengthening Universities” grant, Agricultural Science/Agribusiness programs through the Zillman Family Greenhouse and Early College programming with local districts. UMPI students graduate with the least debt of any four-year institution in Maine. UMPI has an emphasis on relationships rather than autonomy.

UMPI Faculty Representative to the Board of Trustees Professor Lisa Leduc and UMPI Student Representative to the Board of Trustees Samantha Morton lead attendees through an interactive exercise that captured key words to describe UMPI’s greatest strengths and challenges. Some of UMPI’s strengths were described as community, caring, innovation, commitment, flexibility, engagement, faculty, dedication and passion. Some of UMPI’s challenges include location/demographics, resources, funding/budget, facilities, enrollment and decreasing population.

### **Monday, September 12, 2022**

Trustee Riley, Chair, reconvened the meeting and welcomed everyone. She stated that Trustees Donnelly and Dobson were participating in the meeting by technology. The Clerk performed a roll call of the members of the Board of Trustees participating by technology.

#### **CITIZEN COMMENT**

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

Stephen Richards – UMPI athletics funding

#### **CHAIR’S REPORT**

Chair Riley welcomed everyone and thanked President Rice and the UMPI campus for hosting the Board meeting. She also thanked the UMPI faculty for the campus tour and dialog. Chair Riley thanked Trustee Kelly Martin for serving as Vice Chair pro tem for the meeting.

#### **Resolution for Timothy L. Doak**

Chair Riley provided a brief overview of Timothy Doak’s time on the Board and thanked him for his service and dedication to the University of Maine System.

On a motion by Trustee Cain, which was seconded by Trustee Katz and approved by all Trustees present, the Board of Trustees approved the following resolution:

Whereas, Timothy L. Doak served the University of Maine System with distinction as a Trustee from June 10, 2019 to March 17, 2022.

Whereas, Trustee Doak has a Bachelor of Science in Education from the University of Maine at Presque Isle; a Masters of Education from the University of Maine and a Certificate of Advance Study in Educational Leadership from the University of Southern Maine.

Whereas, Trustee Doak has been an active voice and advocate for higher education. He was a member of the following Board of Trustees committees: Academic & Student Affairs; Finance,

Facilities & Technology Committee and served as the Trustee representative on the BOT/BOV Executive Committee.

Whereas, his professional experience as a Superintendent of Schools for the Eastern Aroostook RSU #39 for Caribou and Stockholm and M.S.A.D. #20 in Fort Fairfield along with a strong background in school finance, school construction and education leadership added great value to Board of Trustees' discussions and deliberations.

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

Approved on the 12<sup>th</sup> day of September, 2022, by the University of Maine System Board of Trustees, acting as stewards of Maine's public universities and their nearly 30,000 students, 5,000 employees and more than 200,000 living alumni.

Chair Riley stated and she and Vice Chair Eames have been meeting with the Chancellor on a weekly basis and the conversations have been very productive. She shared that the Board is working on a Bylaw amendment to include a statement that a Faculty Representative to the Board of Trustees will have a seat at the Board table as a non-voting member for all regularly scheduled Board meetings. It is anticipated that this will be presented as an information item at the November Board meeting and an action item at the January Board meeting. The Board will engage with the Faculty Representatives on the language for this bylaw change. Chair Riley reminded the Board that a Board Retreat is scheduled for December 4-5, 2022. A Retreat Planning Team has been established to develop the agenda which will have a focus on the UMS Strategic Planning Process and the budget.

#### President's Round Table

Chair Riley asked the Presidents to provide a brief – 2 minute – update on what's new and exciting on their campuses.

Maine School of Law President/Dean Leigh Saufley commented that the Chancellor has visited the University of Maine School of Law twice recently. The Law School hopes to transition to the new building soon, which is on time and on budget. President Saufley thanked President Hedeem who has been working with Maine Law to help establish Maine's first rural justice clinic. The clinic will be in Fort Kent where lawyers and law students are desperately needed. President Hedeem has been working with the Law School to provide space for the clinic and the clinic students. They expect this will be a very successful experiment with getting clinics into our rural counties and hope to move into other rural areas.

UMA President Joseph Szakas stated that as a veteran friendly campus, their veteran enrollment has increased by 35% and their housing is at full capacity. UMA has received a generous and substantial donation establishing a scholarship for their aviation students. The donor saw the new SR20 airplane and wanted to provide aid to this academic program. This donation will be the largest in UMA's 57-year history.

USM President Jacqueline Edmondson commented that she has been pleased to be part of the campus as they have welcomed students back. USM has received \$350,000 from the U.S. EPA to work with the craft beer industry on pollution prevention practices. USM is the first campus to have kiwibots which are little robots that go across the campus and deliver food. She has had wonderful interactions with students

who are programming the robots. USM is about to launch their biggest campaign in USM history, and the launch event is on September 21<sup>st</sup> in the Abromson Community Center starting at 4:30 pm. Everyone is invited to join USM for the event. Megan Marino who is an alumna of the USM School of Music and a world-famous opera singer will be performing that evening. The Portland project continues on time and on budget. USM's current residential occupancy subscription is at 110%. They welcomed their freshman class with the highest GPA in years and a record number of honors students this fall.

UMPI President Ray Rice stated that the campus is pleased with the construction work on the Wieden gymnasium which was initiated just before graduation and is on schedule to be completed by January 1, 2023. He thanked the System staff who participated in the UMPI convocation.

UM/UMM President Joan Ferrini-Mundy commented that it has been a great start to the academic year for both campuses. UM had the grand opening of the Ferland Engineering Education and Design Center this summer. This project came in on time and on budget and is absolutely spectacular. Students are using the building, the classrooms and the laboratories. That incredible Center was made possible by the generosity of several key donors, particularly the Ferland family. The P3 project for the building a boutique hotel at UM, using two of the historic buildings – Holmes Hall and Coburn Hall – is moving forward with construction. There has been a great deal of interest among faculty, staff and students for how the campus can take advantage of a facility like this on campus for more conference and events. The UM Foundation had a record year with \$43 million in donations which is a tribute to the generosity and support of the donors, alums and UM community. UMM had a good opening. One issue that is being explored between UM and UMM, as well as more broadly across the System, is if UM graduate students could be useful for UMM in ways that are beneficial mutually, UM is trying to coordinate that effort. There are six graduate students placed at UMM for this semester.

UMFK President Deborah Hedeon shared that the campus is very energized by a very successful homecoming weekend which started off with a well-attended pep rally Thursday night followed by a reception on Friday and on Saturday. UMFK had two successful wins for men and women's soccer teams. The theme from homecoming was the year of the Bengals, from the Japanese calendar. Saturday evening featured a Hall of Fame recognizing four inductees. An alumni brunch was on Sunday to recognize and honor the outstanding alumni award recipient. UMFK has had two generous gifts given by the Simon family. A \$300,000 gift to light the soccer field which will be named the Michael Simon soccer field. In addition, the Simon family contributed additional funds to the Simon Scholarship fund to increase the fund to \$300,000. Fort Kent's First Mile Brewery has introduced the "Bengal Brew" and it was an incredible hit during homecoming weekend.

UMF President Joseph McDonnell commented that the new graduate program in counseling has just received permission for its graduates to have a pathway to licensure. This was a new program that UMF had not received accreditation for, therefore, there was some doubt that students would have this pathway. Now that there is a pathway, it will allow the campus to expand as a full-time and part-time program. The UMF Alpine ski racing coach Andrew Willihan has been named the USCSA 2022 coach of the year. This speaks to the strength of Alpine ski team. UMF has received a 4.5 out of 5 stars for the campus Pride index for LGBTQ friendly. The campus has been working on DEI initiatives and has hired three DEI employees, so the strengthening of this effort has been recognized.

**Amendment to the Chancellor's Contract, Section 6i**

Chair Riley commented that the provisions of the Chancellor's contract are made public, it is a personnel matter, and the Board takes this responsibility seriously. The Board is working closely with the Chancellor and work is aggressively underway by the Chancellor to meet each of the elements in his

contract. As the Board reviews the Chancellor's performance again this year, input will be solicited from the same people who provided it last year. The issue of coaching for the Chancellor is time sensitive. The Chancellor Review Team had a series of networking discussions and looked at the UMS robust list of pre-approved consultants that allows for expedited contracting. There was a very qualified individual identified who submitted a very strong proposal. During discussions and negotiations with the individual it became clear that the cost was prohibitive. While this is an important initiative, the cost and the timing became excessive and inappropriate, which required the development of next steps. There were not other individuals on the pre-approved list that would meet the qualifications that were needed. Therefore, it was recommended that the Chancellor's contract be amended to eliminate this condition.

Subsequently, just this weekend there is a commitment from an individual with deep qualifications in public and private higher education. Negotiations look promising and the Board is pleased with this affordable, appropriate option, but more time is needed. Therefore, Tab 3 – Amendment to the Chancellor's Contract, Section 6i is being withdrawn from the agenda.

Professor Leduc expressed appreciation on behalf of the faculty for the transparency for this difficulty and awkward situation. She commented that it is a matter of balancing the personnel confidential issues as well as public-facing accountability and that the transparency is greatly appreciated.

### **CHANCELLOR'S REPORT**

Chancellor Malloy stated that prior to the start of the fall semester he met individually with each president to discuss the elements in his contract which impacts them. The fall campus visits have started and will continue through October. The campus visit format has been modified to include "office hours" with the Chancellor and a town hall style open session with the President. In an effort to provide more communication to the Board, the Chancellor has asked the Vice Chancellors to share more information with the Trustees on an ongoing basis.

The Chancellor provided clarity to the comments provided by the individual who spoke during citizen comment. The monies that are being discussed on today's agenda are projects funded by the Harold Alfond Foundation. The Alfond Foundation decides where they want to give their money. It is not a decision the System or campuses make. UMPI has received an allotment of \$3.4 million for capital expenditures and the plan for how those monies will be spent is being developed. \$662,000 has already been committed to the cost overruns of a current project under construction. All universities have the obligation to raise money through philanthropy as well as other appropriate endeavors to fund projects.

### **Unified Accreditation Update**

Chancellor Malloy provided context on the significance of unified accreditation. Four years ago, the Board authorized the Chancellor to do a study which led to a decision to move forward on seeking unified accreditation with the New England Commission on Higher Education (NECHE). The previous Chancellor had been in regular contact with NECHE regarding their concerns about the ability of all our universities to meet all of the NECHE standards separately that they require for accreditation of an educational institution of higher learner in the New England region. This accreditation allows UMS to access federal dollars include scholarships and financing for students' families, during this time that several universities and colleges across the nation are closing due to the distress of the communities in which these institutions were located.

UMS moved forward with the concept of unified accreditation. Each of our universities were accredited on their own and had the obligation to meet all the standards, under unified accreditation every university is accredited but it is under the System's accreditation by which they operate. The NECHE visit in

October is specifically not to determine whether UMS can and should operate under unified accreditation; that has already been determined. This NECHE visit is in keeping with the normal calendar of visits by NECHE to universities on a ten-year cycle with a required five-year update after the major visit.

To answer the question “*What does unified accreditation allow UMS to do that we might not otherwise be in a position to do?*”, the Chancellor explained that NECHE’s primary concern was some of the small universities would not be able to be accredited on a freestanding basis because of the financial commitments required to meet all the standards on an ongoing basis. UMS is the first separately accredited University System to go to a unified accreditation. As a result, UMS has been approached by several State Systems who are looking at this model as a tool. Our universities range in size from 600 students to just under 12,000 students, which results in great diversity. UMS views unified accreditation as a tool that will allow us to do things that were previously not possible, including extensive work to allow students to access programs on other campuses. A System-wide program on tourism hospitality and outdoor activities, which is vital to the State’s economy, will be available to all the universities through unified accreditation. Another example is several of our universities have eliminated foreign languages, while some of the universities have a foreign language program. Unified accreditation allows for those programs to be available to a larger number of students. Unified accreditation has the potential for breaking down so many of the barriers that currently exist between our institutions.

#### NECHE Visit

Associate Vice Chancellor for Accreditation and Strategic Initiatives Jeffrey St. John explained that in early October UMS will have a visit by 10-member team appointed by NECHE. The team will be visiting all of our individual universities and the Law School and hold a series of meetings as part of their primary evaluation. Every NECHE evaluation visit is intended to be constructive and will identify and encourage areas where the institution is already performing well and areas where improvements could be made. The focus of the team that visits us will not be on our model of accreditation but rather on our fidelity to NECHE’s nine standard for accreditation just as it would be anywhere else. One or two members of the NECHE team will visit every one of our campuses and the Law School. Cumulatively members of the team will meet with over 70 groups of faculty, students, staff, university leaders, System leaders and Board leaders during their time with us. NECHE traditional practice is one open forum for faculty, however, that was not going to work for our situation. There will be three open forums for faculty and a meeting for every faculty senate or assemblies executive committee as part of the individual campus visit. UMS tried to provide much more than normally done to ensure broad, deep, wide and diverse opportunities for faculty to participate.

On the last day of the NECHE visit, October 5<sup>th</sup>, the evaluation team Chair will deliver a brief verbal exit report to include a summary of the team’s findings. The substance of the Chair’s exit report typically forms the spine of the subsequent written report that the team will produce. The post visit timeline is as follows:

- Four to six weeks after the visit the team chair will share a written report with the team members and NECHE staff who will review the report
- That report will be shared with the Chancellor. The Chancellor and his staff will review the report for factual accuracy only. UMS is not invited at that point to take issue with matters of interpretation but just make sure that what is stated is factually consistent.
- Once the report is final and formally submitted, the Chancellor will be invited to respond to the report on substantive and qualitative grounds. Usually that occurs in any one or more of three areas. First, UMS can say that we concur with the report with nothing wrong. The second is to report that we have a difference of interpretation on a specific point or points, which is noted in developing a polite counter argument. Thirdly, UMS can share an update about area(s) where it

was discovered along with the NECHE team during their visit that we need to make improvements. This is a very effective way to show good faith with the commission.

- NECHE normally addresses comprehensive evaluations in the semester following the physical visit to the institution. It is likely in March or April of 2023 NECHE will invite the Chancellor and the evaluation team chair to a meeting of the commission at its headquarters in Wakefield, Massachusetts.
- In NECHE's review of UMS' evaluation, they look at five elements: the self-study, the NECHE team report, a confidential recommendation that the team chair shares directly with NECHE staff, UMS' written response to the team's report, and the team takes into account any adverse actions that are currently facing the institution under review (which UMS has none).
- Following the meeting with the Chancellor and team chair, the commission will send the Chancellor and Board Chair Riley a letter articulating its findings and outlining any areas it would like us to see work on over the next one, two, three or five years. This letter concludes the formal phase of the evaluation process, which will likely be May or June of 2023. If there are areas that will need work, the commission might ask for a follow up report to be submitted a year or two later.

Associate Vice Chancellor St. John stated that within a few days the complete master schedule spreadsheet as well as the schedules for each individual team member will be shared with the team chair. In mid-August invitations were issued System-wide to faculty, administrators, students and staff to attend meetings. UMS has been as transparent as possible in how we invite people to these meetings seeking participation from all constituencies at all of universities and the Law School. The Chancellor shared his first System-wide message about the October visit on August 25<sup>th</sup> and next message will be distributed on September 15<sup>th</sup>. That message will be refined by the campuses communications staff and shared specifically with student groups to make sure the open forums for the undergraduate and graduate students has strong participation. A final Chancellor message will be sent on September 29<sup>th</sup> encouraging participation in the meetings.

#### Unified Catalog Update

Associate Vice Chancellor St. John provided a brief update on the unified catalog. He stated that the unified catalog is not a lumping or merging of the individual university catalogs. With the unified catalog a series of barriers that have been identified by many people over the years around course registration and transfer activities will be done in a more strategically and coordinated way. By the end of September, a one-stop website for faculty who are involved in multi-university programs will be available. Several new unified catalog initiatives have been identified and work will begin on those next year.

Trustee Katz asked for clarification about how the tuition would be processed from students who are based at one campus but taking courses on another campus. Chancellor Malloy explained that there are several committees working on the best way to distribute the tuition funds to the collaborating campuses. Trustee Katz also asked if there is a limitation to how many credits a student can earn from a campus other than their home campus. Vice Chancellor for Academic Affairs stated that there are residency requirements for many of the programs and that it depends on the program or the campus but there are limitations.

UMPI Faculty Representative to the Board Lisa Leduc asked if the student in this scenario would pay their home campus price of the course or the price that the other campus charges for the course. Vice Chancellor Placido explained that if a student goes out on their own and enrolls in a course at another institution, they will be charged the course fee of that institution; however, if the campus has set up a

course to be offered at another campus and the student works through their academic advisor to enroll in one of those courses, they will pay their home campus course fee.

### Semester Opening and Covid Update

Chancellor Malloy commented that all campuses had an outstanding semester opening and thanked the staff on all the campuses for their efforts. UMS has changed its approach to the covid pandemic to keep in line with what is happening at the state and national level.

### Enrollment Update

Enrollment is being tracked closely leading into our census date in October. UMS did exceptionally well in the first two years of the covid experience far outpacing the average on a retention and admissions basis. Currently, there are 1.5 million fewer students in college and university than in the fall of 2019. With the increase in wages from \$12 to \$20 for some positions has caused challenges with attracting students, particularly with the male population.

### **VICE CHANCELLOR FOR ACADEMIC AFFAIRS' UPDATE**

Vice Chancellor for Academic Affairs (VCAA) Robert Placido thanked the Board for the initiative to include a Faculty Representative to the Board of Trustees at the Board table. Dr. Placido talked about “systemness” and the university systems in the US educate 75% of public four-year students. UMS belongs to a National Association of System Heads and they have a new initiative – The Power of Systems ([powerofsystems.org](http://powerofsystems.org)). Vice Chancellor Placido stated that working with this group has shown him that UMS has accomplished more than most Systems. Much of the development for UMS has happened within the last ten years and for that everyone should feel good about what has been accomplished. UMS has unified the IT operations, government relations, academic calendars, human resources, procurement, facilities, emergency management, labor relations, legal counsel and many more operations. These changes have occurred due to collaborative initiatives.

Dr. Placido provided an update on unified accreditation (UA) and wanted to provide context on what UMS already has in place. Most of the operations that have been unified are operational in nature and a the more significant change in our UA approach is with our academic programs. UMS has had collaborative models between our institutions likely before we became a system. Research at our institutions has always been a collaborative process. Part of the innovation with the academic programs is transitioning from a manual process to a digital, seamless process. After UMS received confirmation from NECHE that UMS could operate in a unified accredited environment, all UMS leaders were asked to review their processes and update their thinking about everything to take advantage of UA. This meant many of the policies and procedures needed to be changed. UMS needed a better way to engage and communicate with faculty before we could change. The Faculty Senate leaders met and were asked for ideas to come up with a solution. One recommendation was to form a Faculty Governance Council and this group has been meeting for nearly two years. This self-led group has reinvented themselves and they don't always agree on issues. This is exciting because they are developing something that doesn't exist in the rest of the country. Systemness is widespread but operating in a unified accredited environment, like UMS, is completely innovative. The first UA accomplishment with assistance from the Faculty Governance Council's, Presidents and the Provosts was to develop a new framework for considering changes to our academic program portfolio. Dr. Placido explained the academic program portfolio process as an inclusive, methodical, thoughtful, collaborative process. This details of this process are available on the UMS website in the Administrative Practice Letters section, under the Academic Affairs, Section X, and option P for Academic Program Approval. This section has a workflow chart outlining the details for the academic program process. Dr. Placido commented that UMS should anticipate more requests for collaborative programming with the advantage of UA to address markets not being served.

### Lewiston-Auburn Campus Update

Vice Chancellor for Strategic Initiatives Carolyne Dorsey, USM President Jacqueline Edmonson and Vice Chancellor Placido provided a brief update on the Lewiston-Auburn Campus. Vice Chancellor Dorsey indicated that she and Vice Chancellor Low were asked to work with a group at USM to look at options for repurposing or reusing some of the space at the Lewiston-Auburn Campus (LAC). Over the past year incredible work has been done including a community needs assessment, which was presented to the Board at the May Board meeting. President Edmonson has reviewed the work from the assessment to determine what would make sense for USM or what other campuses may provide.

President Edmonson shared a written statement on LAC. Her statement had input from Jeanne Paquette, Vice President of Corporate and Workforce Engagement and LAC Administrator; Rebecca Conrad, who led the needs assessment; and members of the USM cabinet. LAC is important to USM as well as the Lewiston-Auburn region. It is the second largest urban area in the State with the most diverse population of any city in Maine. The needs assessment pointed to needs in health care and education. The conversations with community members are ongoing. USM is committed to working with the other sister universities to determine the best slate of programs that best address the community needs with a focus on health care and education needs that involve clinical and field placements that can be accommodated in the region. UMS has had success with existing programs and those should continue at LAC, including programs offered by USM, UMA and UMPI. USM has a commitment to the employer community and workforce needs. LAC should be an incubator for ideas and a pipeline for the workforce. There is also opportunity to offer additional impactful programs.

Vice Chancellor Placido stated that this topic is an example of collaboration. UMS has a resource in our State in a community that has outstanding need. That resource cost a single institution a great deal, however, there are community members that can be served. This can be accomplished through a unified approach for new solutions. He expressed appreciation to USM for their openness to explore other opportunities with multiple universities to meet the needs of the community.

Chancellor Malloy clarified that a few years ago USM changed the name of LAC from Lewiston-Auburn College to Lewiston-Auburn Campus. It was recommended that LAC work very closely with the Central Maine Community College (CMCC).

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

Vice Chancellor for Research and Innovation (VCRI) and UM President Joan Ferrini-Mundy provided an update on the FY2023 \$53 million put forward for congressional earmark requests spanning the State. She expressed thanks to Senator Collins and the entire delegation as well as faculty, staff and students who have ideas that may fit into the Earmark process. Another major source of funding that is benefiting the System is the \$35 million through the Maine Jobs and Recovery Plan Projects. This is the federal recovery dollars that are now being passed on through the State. All the projects have now been fully approved by the State, except for one project. These projects have a very strong emphasis on economic development and prosperity of the State.

Vice Chancellor Ferrini-Mundy also provided an update on the research and innovation support provided to all UMS universities and the Law School. The UM research initiatives available to all of UMS include the areas of space, marine, arts, forest, art, AI and the Institute of Medicine. The database to aid in seeking grants has been expanded across UMS. A standardize process for submission of concept papers has been developed System-wide and a pilot project has been established for consistent due dates of October 20, 2022 and February 16, 2023 for the concept papers. In advance of the October deadline, a workshop will be provided to Presidents and Provosts to understand priorities, engage campus-level

personnel and facilitate concept and project development. The concept papers would be funded by the Maine Economic Improvements Fund Small Campus Initiative, the UMS Research Reinvestment Fund, congressional earmark requests or the potential of matching dollars with other funding sources such as UMS Transforms.

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

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

#### Investment Update

Vice Chancellor Low explained that the investment update includes results for July. The Managed Investment Pool (MIP), with a market value of \$349 million, saw a gain of 4.8% in July followed by an estimated loss of 2.6% in August. The Pension Fund, with a market value of \$21 million, saw a gain of 3.7% for July with a loss 3.8% in August. The Operating Fund, with a market value of \$310 million, and a more conservative asset allocation, saw a loss of 1.2% in July and a loss of .9% for August, which brings the investment income to \$1.1 million and we have a budgeted net return of \$2.6 million for fiscal year 2023. The Operating Fund closed out fiscal year 2022 with a loss of 3.9% or a loss of \$13.6 million that compares with a net gain of \$22 million in fiscal year 2021.

#### Budget Update

Vice Chancellor Low provided a brief budget update. The campuses and the System are working on closing out fiscal year 2022 and in the first quarter of fiscal year 2023 and getting ready to prepare for fiscal year 2024. He will have more information on the budget results for fiscal year 2022 at the November Board meeting and more about fiscal year 2024 in January. Vice Chancellor Low explained the schedule or changes for the current fiscal year 2023 budget. Campuses make fall enrollment predictions almost a full year before students arrive on campus; therefore, it is not unusual for budget adjustments to be made. There are several weeks before the census date in October, but most of the campuses have a good idea of how enrollment is compared to budget and campuses have started to discuss some of the options they have available to close the budget gap. He has been working with Trustee Katz, chair of the Finance, Facilities & Technology (FFT) Committee, on a plan for campuses that need to make budget adjustments to present those at the October 26<sup>th</sup> FFT Committee meeting. Typically, the Committee would be presented a summary of the shortfalls that are occurring along with options for closing the gap on a campus-by-campus basis. Those budget adjustments will be presented at the November Board meeting.

#### 5-Year Capital Plan

Vice Chancellor Low introduced the 5-year Capital Plan, which was presented at the last FFT Committee meeting. He was pleased that UMS is at the point of presenting a plan at this level of detail, although there is caution whenever putting together plan where funding sources are sometimes years away or unknown. He acknowledged the great work the campuses have done to identify a variety of funding sources. UMS is committing more of our own internal resources, more successful in convincing the State to increase investments, have captured more federal funds and have raised more dollars from private sources.

UMS Associate Director of Capital Planning Nate Harris presented a summary of the FY2023 5-Year Capital Plan. The 5-year Capital Plan is part of a three-tier capital planning process, which includes the Master Plans that are developed to look at the overall long-term development and each year a single fiscal year capital plan is developed to show improvements in infrastructure over the coming year. The 5-year

Capital Plan is more aspirational than the one-year plan, so there are funding sources that have not been determined.

Over 400 projects totaling \$1.5 billion are included in the 5-Year Capital Plan, which is a 5% increase over last year. The Plan is a snapshot in time so some projects would not be included. The funding categories include obligation bonds, revenue bonds, fundraising, campus auxiliary and E&G funds, grants, P3 initiatives, strategic initiatives other sources and sources yet to be determined. The revenue bonds and grants have increase over 200% from last year's 5-year Plan. The funding from campus auxiliary and E&G funds have increased 84% from last year's 5-Year Plan.

Looking across all funding sources for the five-year period from FY2023 through FY2027, the broad categories of anticipated investment include: \$317 million in space renewal and renovations; \$31, million in building envelope projects (roof and façade); \$68 million in building systems; \$35 million in grounds infrastructure improvements; \$148 million in utility infrastructure improvements; \$5 million for safety/code improvements; \$15 million for building demolition/removal projects; \$31 million set aside as reactive projects; \$415 million in new space; and \$39 million in athletics.

Funding for building systems have increased by 99% over last year. The Gordian investment target to "keep up" with building needs is projected to be just over \$44 to \$71 million in FY2023 and from \$53 to upwards of \$85 million by FY2027. This translates to a five-year target of between \$244 and \$394 million without capturing the impact new space coming online will have on the "keep up" need. To meet the goal of this target, the University must spend that amount on existing building needs and not on new construction or infrastructure.

With that, the amount projected in the five-year capital plan, which would be applicable to the Gordian target, is approximately \$434 million, not including all the small campus deferred maintenance funded projects under development. While this value reflects an adequate amount of planning, over \$234 million of the \$434 million is identified with funding sources such as grant or grant match which is still in development, fundraising, revenue bonds, or other sources to be determined. To meet the target significant funding mechanisms are still needed.

Looking forward to future capital plan development, the System is examining several initiatives that look to improve the mechanism by which the Universities and System articulate and link priorities, how the capital plan is monitored, and how the timing of funding availability informs project timelines.

Vice Chancellor Low explained there are two revenue streams that are used for revenue bonds. One is internal, which are not guaranteed because the budget situation on the campuses is flexible. He is very encouraged by the legislature's support for debt service at \$7.5 million per year for ten years, which is supported separate from general obligation bonds. Until the System finalized the Strategic Plan, the investments in capital planning are somewhat limited.

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

Vice Chancellor for Strategic Initiatives Carolyn Dorsey and Trustee Emily Cain provided the Board with an update on the UMS strategic planning process. Trustee Cain reported that the Strategic Planning Committee is now a standing Board committee and had its first meeting on August 29<sup>th</sup> to provide a basis line understanding of the strategic planning process, next steps and the Committee's role. There are representatives of faculty, staff, students and presidents as members of the Committee. UMS's consultant for the Strategic Plan, Huron, is scheduling campus visits this fall. Trustee Cain encouraged everyone to visit the [Strategic Planning website](#) for more information. There people can review the Data Book and

submit questions or comments. A comment was raised that it will be important for UMS to collaborate with the Maine Community College System as part of the strategic planning process.

Vice Chancellor Dorsey shared there are two other groups working on the strategic planning process. One group is a working group and the other is an executive team, which meets weekly with Huron to review the timeline, budget, and tracking progress. Huron has compiled a list of themes that have emerged resulting from the conversations and interviews. They will be sharing these themes during their fall campus visits to see if the information has been captured correctly and if additional themes should be included. Huron is working closely with the Presidents Council to continue that engagement. Huron is also reaching out to external stakeholders for feedback. UMS is working toward a deadline for the Plan by fall of 2023.

### **ACTION ITEMS**

#### **Priority 1 Athletic Field Improvements Increase, UM Athletics 10-year Master Plan funded by Harold Alfond Foundation**

Vice Chancellor for Research and Innovation/UM President Joan Ferrini-Mundy provided information on the University of Maine (UM) request to increase the authorization for the completion of priority 1 athletic field improvements by an additional \$26 million, and to expand the scope to include the start of phase 2 improvements and continued planning and design of the overall Athletics 10-Year Master Plan. The Board of Trustees approved \$14 million in January 2022 for priority 1 athletic field improvements; thus, this additional request would bring the total approval to expend up to \$40 million.

Funding for this work will be from the Harold Alfond Foundation (HAF) grant and matching contributions. The HAF has made a \$90 million commitment to UM for major upgrades to the athletic facilities over a ten-year timeframe and the University is expected to match these funds with \$20 million. As agreed in the HAF Grant, UM plans to use interim funding (either internal borrowing, internal resources, and/or short-term debt) of up to \$21 million as determined by the Vice Chancellor of Finance and Administration while waiting for sufficient HAF grant funds to be received to fund this portion of the work.

On a motion by Trustee Cain, which was seconded by Trustee Katz, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend an additional \$26,000,000 for a total of \$40,000,000 to construct and make improvements to the phase 1 priority projects and to continue design work under the Athletics 10-year Master Plan, with all final terms and conditions subject to review and approval of the University of Maine System Treasurer and General Counsel. Additionally, the Board of Trustees approves issuance of an internal University of Maine System loan to the University of Maine for up to \$21,000,000, as determined by the Treasurer for the purposes of funding the above noted projects which total \$40,000,000.

#### **ASCC Building Addition Increase, UM; Green Engineering and Materials (GEM) “Factory of the Future”**

Vice Chancellor/UM President Ferrini-Mundy provided information on the UM request to increase the authorization for the Green Engineering and Materials (GEM) Factory of the Future project by up to \$13,800,000, for a new total of \$15,300,000. The scope of this phase will include the full design of facilities and equipment and ancillary pre-construction costs for the GEM, a proposed addition to the ASCC at UM. An Architectural & Engineering team has been competitively selected to complete this

design and has recently concluded the visioning and technical definition phase and is now prepared to start the full design.

Funding for the \$13,800,000 is from external funds the University has received from the Maine Jobs & Recovery Act to support the GEM project, including design, construction and workforce development activities. In May of 2021, the Board authorized an initial \$1,500,000 in campus reserves. Based on recently completed preliminary design of the GEM, the total project is estimated to cost \$95 million of which approximately \$69 million is for design and construction of the building and \$26 million for equipment. The University has identified the funding sources, however not all have been secured; the University is seeking funds up to approximately \$107 million.

On a motion by Trustee Michaud, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance Facilities and Technology Committee and authorized the University of Maine System, acting through the University of Maine to expend up to \$13,800,000 in Maine Jobs & Recover Act funds, in addition to the previously authorized \$1,500,000 campus reserves, for a total of \$15,300,000 to complete design for facility and equipment and ancillary pre-construction costs of a Green Engineering and Materials (GEM) “Factory of the Future,” with all final terms and conditions subject to review and approval of the University of Maine System Treasurer and General Counsel.

**Tenure Request Professor in the Department of Literacy, Language and Culture, USM**

Vice Chancellor Placido presented the tenure request on behalf of Chancellor Malloy and USM. The request is that Dr. Jacqueline Edmondson be awarded tenure at the rank of Professor in the Department of Literacy, Language and Culture at USM upon the conclusion of her services as USM President.

On a motion by Trustee McMahon, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Academic & Student Affairs Committee and approved the granting of the rank of Professor with tenure, to be effective upon Board approval, to Dr. Jacqueline Edmondson and that Dr. Edmondson has the right to return to the University of Southern Maine faculty with the rank of Professor with tenure in the Department of Literacy, Language and Culture upon the conclusion of her service as the University of Southern Maine President.

**Confirmation of Faculty and Student Representatives to the Board**

Chair Riley thanked the Faculty Representatives to the Board of Trustees who are being reappointed for their dedication and service to UMS and the Board looks forward to our continue engagement. Vice Chancellor/UM President Ferrini-Mundy introduced and provided brief remarks on Rachael Smith who is the proposed new UMM Student Representative to the Board of Trustees.

On a motion by Trustee Alexander, which was seconded by Trustee Bartholomew, and approved by all Trustees present, the Board of Trustees approved the appointments of the Faculty and Student Representatives to the Board of Trustees as presented:

**Faculty Representatives:**

Matthew Bampton, USM – Reappointed for a 1 year term – September 2022 to September 2023  
Patrick Cheek, UMA – Reappointed for a 1 year term – September 2022 to September 2023  
William Otto, UMM – Reappointed for a 2 year term – September 2022 to September 2024

**Student Representative:**

Rachael Smith, UMM – Appointed for a 1 year term – September 2022 to September 2023

**Confirmation of Boards of Visitors Appointments**

On a motion by Trustee Cain, which was seconded by Trustee Martin, and approved by all Trustees present, the Board of Trustees confirmed the Boards of Visitors' appointments at the University of Southern Maine and the University of Maine at Machias for 2022-2023, as presented.

**CONSENT AGENDA**

On a motion by Trustee Martin, which was seconded by Trustee Cain, and approved by all Trustees present, the items on the Consent Agenda were unanimously approved by the Board of Trustees as follows:

**Acceptance of Minutes**

The following meeting minutes were approved as presented:

July 11, 2022 – Board of Trustees Meeting

August 22, 2022 – Academic & Student Affairs Committee Meeting

August 22, 2022 – Human Resources and Labor Relations Committee Meeting

The Board of Trustees reviewed the following agenda item as forwarded by the Academic & Student Affairs Committee to the Consent Agenda from its meeting on August 22, 2022:

**New Academic Program Proposal: BS Sustainable Food Systems, UM**

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the Bachelor of Science in Sustainable Food Systems at the University of Maine at Orono.

**New Academic Program Proposal: MS Engineering Technology, UM**

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the Master of Science in Engineering Technology at the University of Maine at Orono.

**New Academic Center Proposal: USM Scontras Center**

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the Scontras Center at the University of Southern Maine at Portland.

The Board of Trustees reviewed the following agenda item as forwarded by the Finance, Facilities, & Technology Committee to the Consent Agenda from its meeting on August 24, 2022:

**Real Property Disposition, UMS – 16 Central Street, Bangor**

The Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee and authorized the University of Maine System to sell its interest in the real property located at 16 Central Street, Bangor, Maine, subject to review and approval of the final terms and conditions of the purchase and sales agreement by the University's General Counsel and Treasurer.

**DISCUSSION ITEMS**

**Proposed Changes to Board of Trustees Policy 401 – General Equal Opportunity**

Chief Human Resources Officer Loretta Shields explained the proposed changes to Board of Trustees Policy 401 *General Equal Opportunity*. The changes are being made to include protected classes outlined in Federal and State law and the American Bar Association standards. These changes will provide alignment and clarity for the UMS community. Additionally, these changes support the Chancellor's

*Imperative for Change* initiative in that it supports the goal to “rebuild systems that are fair and just for all people.

The revised Policy was presented as an information item at the August 22<sup>nd</sup> Human Resources and Labor Relations (HR/LR) Committee and was presented to the Board, as an information item at the September 11-12, 2022 meeting. The proposed revisions to the Policy will then be presented as an action item at the October HR/LR Committee meeting and the November Board of Trustees meeting.

**Proposed New Board of Trustee Policy 315 – Commemorative Naming and Renaming of Academic Units or Programs**

Board of Trustees Clerk Ellen Doughty explained the proposed new Board of Trustees Policy 315 - Commemorative Naming and Renaming of Academic Units or Programs. At the request of the former Board Chair Mark Gardner, a small work group was established to develop a new Board Policy related to naming and remaining of academic units and programs.

The proposed new Board Policy 315 *Naming and Renaming of Academic Units and Programs* was based on Board Policy 803 *Naming of Physical Facilities* which was revised in March 2021. The working group solicited broad stakeholder input from the following areas: campus Chief Academic Officers, Faculty Representatives to the Board of Trustees, Faculty Governance Council and UMS General Counsel’s office.

This proposed Policy was presented as an information item at the August 22, 2022 Academic & Student Affairs (ASA) Committee meeting and was presented as an information item for the September 11-12, 2022 Board meeting. The feedback received will be incorporated into the proposed Policy and will be presented as an action item at the October ASA Committee meeting and the November Board of Trustees meeting.

**Proposed Changes to Board of Trustee Policy 803 – Naming and Renaming of Physical Facilities**

Board Clerk Doughty explain the proposed changed to Board of Trustee Policy 803 – *Naming and Renaming of Physical Facilities*. In March 2021 substantial changes were made to the Board Policy 803 *Naming and Renaming of Physical Facilities* to incorporate the process for removal of names.

The Policy is now being revised to align with the naming and renaming approval process for the new Board Policy 315 *Commemorative Naming or Renaming of Academic Units or Programs*. The most significant change for Board Policy 803 is to incorporate the Vice Chancellor for Finance and Administration in the naming and renaming approval process.

The Policy was reviewed on August 24<sup>th</sup> by the Finance, Facilities & Technology (FFT) Committee and was being presented as an information item to the Board at the September 11-12, 2022 meeting. The proposed revisions to the Policy will then be presented as an action item at the October FFT Committee meeting and the November Board of Trustees meeting.

**Proposed Changes to Board of Trustee Policy 301.3 – University of Southern Maine Mission**

University of Southern Maine President Edmondson explained the proposed changed to Board of Trustee Policy 301.3 – *University of Southern Maine Mission*. The current mission statement for USM is:

“The University of Southern Maine, northern New England’s outstanding public, regional, comprehensive university, is dedicated to providing students with a high quality, accessible, affordable education. Through its undergraduate, graduate and professional

programs, USM faculty members educate future leaders in the liberal arts and sciences, engineering and technology, health and social services, education, business, law and public service. Distinguished for their teaching, research, scholarly publication and creative activity, the faculty are committed to fostering a spirit of critical inquiry and civic participation. USM embraces academic freedom for students, faculty, and staff, and advocates diversity in all aspects of its campus life and academic work. It supports sustainable development, environmental stewardship, and community involvement. As a center for discovery, scholarship and creativity, USM provides resources for the state, the nation, and the world.”

The proposed new mission statement is:

“Committed to equity and excellence, the University of Southern Maine advances a culture of inquiry and belonging in which research, creativity, and innovation accelerate transformational development in our students, on our campuses, and in our communities.”

The proposal was reviewed at all appropriate faculty and administrative levels at USM. Chancellor Malloy signed his approval of the proposed University of Southern Maine mission on July 27, 2022. This item was presented at the August 22nd Academic and Student Affairs Committee meeting as information and was presented as an information item at the September Board of Trustees meeting. The proposed USM mission statement will be presented at the October Academic & Student Affairs Committee and November Board meeting for approval.

### **EXECUTIVE SESSION**

On a motion by Trustee Michaud, which was seconded by Trustee Bartholomew, and approved by all Trustees present, the Board of Trustees meeting went into Executive Session under the following provisions:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, evaluations, employment and duties.

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

### **DATE OF NEXT MEETING**

The next meeting of the Board of Trustees will be held on November 13-14, 2022 hosted by the University of Maine at Farmington.

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

Adjournment  
Ellen N. Doughty, Clerk