

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

hosted by the University of Southern Maine
May 22-23, 2022

Board of Trustees Meeting

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

Absent: None.

Sunday, May 22, 2022

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

EXECUTIVE SESSION

On a motion by Trustee Cain, 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-E to consult with its attorney concerning legal rights and duties of the university.

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

Trustee Gardner, Chair, called the public meeting to order and welcomed everyone. He thanked President Cummings and his team for hosting the Board meeting at USM. He welcomed the three incoming Trustees: Donna Loring, Pat Flood, and Barbara Alexander and thanked them for attending the meeting as guests.

Chair Gardner stated that Trustees Cain, Katz and Donnelly are participating in the meeting by telephone. The Clerk performed a roll call of the members of the Board of Trustees participating by phone.

Engagement with Faculty & Student Representatives to the Board of Trustees

To follow up on the discussion with the Faculty & Student Representatives from the March Board meeting, UMS Associate Vice Chancellor for Academic Affairs, Carolyn Dorsey provided information

about how the engagement with the Board Representatives for this Board meeting was developed based on the conversations in March. Three brief presentations were provided to share outcomes from the key issues discussed in March.

EAB-Navigate

Rosa Redonnett, Associate Vice Chancellor for Student Success and Credential Attainment, Shara Page, Interim Director of Advising at the University of Maine at Presque Isle, and Sheri Fraser, Dean of Students at the University of Maine at Augusta, provided an overview of their use of EAB-Navigate in supporting student success. EAB's (formerly Education Advisory Board) Navigate is a student success management system that includes technology that links administrators, advisors, deans, faculty, other staff, and students in a coordinated care network designed to help schools proactively manage student success and deliver a return on education. The software, support and best practice guidance provided by EAB is one part of a multi-part student success strategy for UMS campuses and was mentioned at the March Board discussion related to student success. EAB Navigate has the ability to be tailored to each campus, which is integral to successful implementation and strategic adoption across the System. It allows faculty and staff to streamline and triage student support, which is tied to increased retention. Ms. Page and Ms. Fraser provided information on EAB implementation, major wins, and upcoming initiatives for UMPI and UMA.

UMS Mental Health Services

Associate Vice Chancellor Dorsey explained that during the Faculty & Student Engagement discussion at the March Board of Trustees meeting, it became apparent that there was a need for a greater understanding of the challenges that UMS students are facing, the services we currently have to support their needs, and any possible gaps in services. Originally a student from UMFK was supposed to present findings from her research titled "International Students, A Population at Risk" to address this topic in specific as it pertains to international students; however, she was unable to attend the meeting due to covid. Associate Vice Chancellor Dorsey explained that issues relating to national and global events, combined with the isolation and stressors of the pandemic, have taken a toll on college students, with some student populations being hit harder than others. Recent mental health statistics indicate depression rates for college students doubled over the past decade with more than 66% of college students experiencing overwhelming levels of anxiety, and 80% of college students reporting "considerable" amounts of stress. UMS contracted with and pays for the SilverCloud mental health platform. It offers a range of personalized digital tools on the computer, tablet, and cell phone and focuses on topical areas such as stress, anxiety, depression, sleep issues, and resilience. The platform is secure, and privacy is ensured. It provides helpful guidance on strategies and nudges along the way. Based on cognitive behavioral therapy principles, the self-guided program is available at any time, on any device. Aimed at helping to address mild to moderate issues, SilverCloud allows individuals to manage day-to-day stressors personally and anonymously. Approximately 1200 students have activated SilverCloud accounts. 49% of the usage is for depression and anxiety, 21% focused on stress, and 17% on anxiety only. Other usage includes resilience (8%), only depression (7%), insomnia and sleep issues (6%), and covid-19 (only 2%). On a satisfaction scale for the various modules, 92% of the respondents agreed or strongly agreed that the program was helpful. There are several needs to be addressed to improve UMS mental health services including gaps in staffing, funding for programming and shared programming, availability of training and professional development, and opportunities for cost savings. The Chief Student Affairs Officers are interested in exploring possible collaborations across the System to mitigate some of these needs. The Associate Vice Chancellor Redonnett plans to convene a group of health and counseling professionals this summer to address opportunities for improvement.

Diversity, Equity, & Inclusion (DEI)

Megan Clough, Director of Learning and Organizational Development, Associate Vice Chancellor Redonnett, Idella Glenn, USM Vice President for Equity, Inclusion and Community Impact, and Susan Baker, UMA Professor of Science and Co-Chair of the UMA DEI Council (UMA) provided an update an overview of UMS Diversity, Equity, & Inclusion (DEI) collaborative work. A UMS DEI Steering Committee was formed and charged with oversight of the System-wide application of this work, coordination and collaboration with campus-based DEI Councils, and liaise with the UMS Transforms Action Team associated with the effort to embed DEI principles in the initiatives that comprise UMS Transforms. All universities have active Diversity, Equity and Inclusion initiatives underway. Central to this important UMS focus are the significant and impactful strategies and initiatives of our universities in addressing systemic oppression and building capacity to provide an inclusive culture grounded in equity that is welcoming to faculty, staff and students. The collaboration between our universities, and between the universities and the System, will be a critical component of the progress and sustainability for this work, all done through the lens of the goals of unified accreditation. The presenters provided an overview of highlights the DEI work at USM and UMA.

Faculty & Student Representative Discussion

In follow up to the presentations, Associate Vice Chancellor Dorsey asked the Faculty and Student Representatives to the Board, if you had to identify one priority or initiative to address and expand upon, which one would it be? Several faculty and student representatives stated that there should be a marked increase in communication about the mental health programs available to students. Many of them had never heard of SilverCloud and did not know it was available to help students. One of the student representatives mentioned that after coming back from academic probation and having two academic advisors to help her get back on track, it was extremely helpful to have the EAB Navigate platform available for both of her advisors to collaborate and share information. She also mentioned that she thinks that the text reminders for academic appointments would be extremely beneficial for students. The Trustees asked for much more communication to faculty and students about the mental health services and other student success programs available to them. They also asked the System to perform an analysis to find best practices for communicating and implementing mental health services to share across the campuses.

USM Athletics Presentation

USM President Glenn Cummings and USM Athletic Director Al Bean provided an overview of USM Athletics and in specific in relation to student success and retention. The 25 year average retention rate for USM student athletes is 79.3% and the current average is 64.6%. The 20 year average graduation rate for USM student athletes is 45% and the current average is 32%. The overall GPA for USM student athletes is 3.24. The USM athletic department works closely with admissions to recruit excellent student athletes. USM Athletics provides opportunities for student-athletes to realize their full potential through a commitment to Academics, Athletics, Personal Development, Career Development and Service to the Community. The USM Athletic Department is committed to the fair and equitable treatment of everyone participating in intercollegiate sports and promotes and incorporates Diversity, Equity, & Inclusion (DEI). The USM Athletic Department functions with the utmost integrity and with an adherence to institutional, conference, and NCAA guidelines and compliance. USM Athletics aspires to regularly challenge for conference honors, compete at the highest possible level of NCAA Division III, earn national recognition for program excellence and deliver an exceptional student-athlete experience that provides all participants with the knowledge, skills and experiences to prepare for a lifetime of success. Mr. Bean provided information about how the USM Gorham campus, including the Costello Sports Complex, enriches the Gorham community. USM works with the Town of Gorham to provide shared facilities, special programming for residents, community service opportunities, early college courses for Gorham high

school students, and assistance with the town emergency response plan. Mr. Bean also provided an overview of the current and future USM priority athletic facilities renovation plans.

Update on the UMA President

Chair Gardner stated that he would like to briefly address a matter that's received public attention in recent days. He explained that UMS released a public statement this afternoon confirming that Dr. Michael Laliberte will voluntarily withdraw from his contract to be the next president of the University of Maine at Augusta. Current interim President Joe Szakas has agreed to remain at UMA as the interim president through next June, and UMS will be launching a new president search next fall. Chair Gardner stated that additional information on this topic is available in the UMS press release.

Monday, May 23, 2022

Trustee Gardner, Chair, reconvened the meeting and welcomed everyone. He stated that Trustees Cain, Katz and Donnelly are participating in the meeting by telephone. The Clerk performed a roll call of the members of the Board of Trustees participating by phone.

CITIZEN COMMENT

Citizen Comment is a time regularly set aside for comments from the public. Chair Gardner stated that due the large amount of people signed up for Citizen Comment, more time has been allocated for this topic and that Citizen Comment would run for one hour. He explained that there were many people who were not able to attend the meeting to provide their Citizen Comment due to covid concerns and a concession had been made for this meeting only to allow people to submit a letter to be read during the Citizen Comment period.

The following individuals were present and spoke during the Citizen Comment period:

Elizabeth Powers – UMS Concerns
James Cook – UMS Concerns
Jon Reisman – UMS Concerns
Lisa Leduc – UMS Concerns
Michael Grillo – UMS Concerns
Jim McClymer – UMS Concerns
Carlos Luck – UMS Concerns
Susan Feiner – UMS Concerns
Eve Raimon – UMS Concerns
Grace Leavitt – UMS Concerns
Paul Johnson – UMS Concerns
Chris Bates – UMS Concerns
Mehrdaad Ghorashi – UMS Concerns
Tamara Benson – Fossil Fuel Divestment
Max McDonough – Fossil Fuel Divestment
Ryan O'Leary – Fossil Fuel Divestment
Kennedy Rubert-Nason – UMS Concerns

Additionally, James Cook and Susan Feiner read several Citizen Comment letters from individuals unable to attend the meeting due to covid concerns. All letters that were submitted for Citizen's Comment prior to the meeting are attached to the meeting minutes (Appendix A).

CHAIR'S REPORT

Following Citizen's Comment, Chair Gardner explained that although time ran out and not all Citizen Comment letters that were submitted prior to the meeting were able to read aloud today, all Trustees did have an opportunity to read all of the letters prior to the meeting. He stated that all Citizen's Comment letters that were submitted to the Board for this meeting would be attached to the meeting minutes (Appendix A). Chair Gardner expressed thanks to everyone who participated in Citizen's Comment and assured the participants that they are being heard. He stated that one of the major themes he is hearing from these comments is that there is a serious lack of communication across the System and that he is certain that the Board and new Chair of the Board will be following up on that issue with System leadership. He acknowledged the concerns about the recent UMA Presidential Search and stated that mistakes were made and the Trustees are in the process of looking into this search, along with improvements for all searches going forward. He also stated that he believes that an additional person from UMA knew about the no confidence vote for the selected UMA President, but did not report it to the search committee. Chair Gardner stated that while no one was happy about the cuts that were made at UMF, unfortunately they were needed due to a large financial deficit for the campus. He explained that it was not the Chancellor that chose which programs would be cut and that it was a UMF campus leadership decision.

Chair Gardner explained that the System has had a continuing financial struggle and that campuses are running in a deficit and depleting campus and System reserves to stay out of deficit. He explained that many of the changes that Chancellor Malloy have made, such as unified accreditation are changes that the Board has asked him to bring forth to help UMS recover financially. He stated that had the System not pursued unified accreditation, some UMS campuses would have lost their accreditation, with others to follow thereafter. He explained that the role of the Board is to ensure that our universities are funded and remain operational and in order to ensure that, changes must occur. Chair Gardner explained that the Trustees are working on having better engagement with faculty, students, and staff to receive more feedback on strategies to bring UMS out of this financial situation. He stated that all of the campuses, the System staff, and Trustees must work together to remedy the financial deficit we are operating under. He encouraged everyone to look at the [Data Book](#) that was developed by Huron, the UMS strategic planning consultant, to gain a better understanding of the issues we are facing. There was some additional discussion with several members of the public concerning the issues that were raised by Chair Gardner.

Election of Board Officers

Trustee David MacMahon, Chair of the Nominating Committee, explained that Trustee Eames stepped down from the Nominating Committee after being nominated for the Vice Chair role. Trustee Martin joined the committee and the committee met with the Trustees interested in taking on a Board leadership role. After discussions with the nominated Trustees, the Nominating Committee recommend Trustee Trish Riley for Chair of the Board and Trustee Lisa Eames for Vice Chair of the Board for one year.

On a motion by Trustee Erwin, which was seconded by Trustee Dobson, and approved by all Trustees present, the Board of Trustees approved the Board of Trustees slate of officers for 2022-2023, as presented. Trustee Trish Riley will serve as Chair for one year and Trustee Lisa Marchese Eames will serve as Vice Chair for one year.

Investment Committee Update

Trustee Kelly Martin, Chair of the Investment Committee, provided an update on the progress of the Investment Committee. She stated that 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. In continuance with 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.

These actions and goals fall within committee purview and were approved at the May 23, 2022 Investment Committee meeting. 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.

Trustee Katz and Trustee Rotundo thanked the Investment Committee for all of their diligent work to bring the System even closer to complete fossil fuel divestment. Both Trustees stated that although the changes made by the Investment Committee fall within committee purview, they would like to ask that the approval of the UMS Divestment statement be brought back to the July Board of Trustees meeting for endorsement by the full Board. Chair Gardner stated that he would no longer be on the Board at that point and that Chair Riley would need to endorse that recommendation. Chair Riley agreed that the UMS Divestment Statement could be brought back to the full Board at the July Board meeting for endorsement.

Acknowledgement of Outgoing Student Representative to the Board

Chair Gardner stated that Salvatore Cardinale is being presented with a certification of appreciation for his dedication and leadership as the Student Representative to the Board from the University of Maine at Augusta. Salvatore's term was May 2020 to May 2022.

CHANCELLOR'S REPORT

Covid Update

Chancellor Malloy stated that the campuses are continuing to experience low covid positivity rates and substantially lower than State of Maine numbers. He stated that he is thankful that faculty, staff, and students have continue to be vaccinated, boosted, and adhere to covid/vaccine protocols. He explained that he is grateful that we made it to the end of the semester amidst rising covid cases in the State. He stated that the System is already looking at what the covid/vaccine protocols will be for the Fall 2022 semester and that he plans to release an advisory statement on June 15th.

FY2023 Budget

Chancellor Malloy stated that the proposed FY2023 budget would be presented later in the meeting for approval and that he wanted to provide some comments about the budget prior to that approval. He explained that many UMS campuses are seeing financial deficits and have had to use campus and System reserves to present balanced budgets. Even with reserve help, some campuses are unable to present a balanced budget and some measures of mitigation had to take place, such as the retrenchment at UMF. In hopes to prevent as many retrenchments as possible, UMS did offer a faculty retirement incentive for faculty who fell within a certain age and years of service criteria. As of this meeting, approximately 113 faculty members across the System opted to take advantage of the retirement incentive. There is a second tier of faculty members who will be offered the retirement incentive and it is expected approximately 40 faculty members will take that offer.

Board of Visitors Engagement

Chancellor Malloy explained that there has been a change in how engagement with campus Board of Visitors (BOV) is handled. Going forward, the Chancellor and his team will meet with the BOV in the weeks following each Board of Trustees meeting to keep them more informed about important issues that are discussed at the Board meetings and to obtain feedback from the BOV. This is a change from how BOV engagement was handled in the past and the Chancellor is hopeful it will provide much more meaningful and timely dialog.

VICE CHANCELLOR FOR RESEARCH AND INNOVATION REPORT

Vice Chancellor for Research and Innovation (VCRI) and UM President Joan Ferrini-Mundy provided an update on UMS research and innovation initiatives. Vice Chancellor Ferrini-Mundy explained that the UMS research and innovation team are focusing on three key areas:

Expanding access to research & innovation infrastructure at UMaine and beyond

The Office of Research Development is conducting System-wide outreach to provide grant writing training; facilitation and matchmaking of interdisciplinary research teams; project management for proposal writing teams including co-writing; individual and research team consultation; and oversight of UMS/UMaine internal grant programs.

Building capacity for faculty to engage undergraduates in research

UMaine's National Science Foundation's (NSF) Innovation Corps (I-CorpsTM) opportunities are being expanded System-wide. The NSF I-Corps program uses experiential education to help researchers gain valuable insight into entrepreneurship, starting a business or industry requirements and challenges. Additionally, UMS is advancing I-Corps graduates into the Maine Innovation, Research and Technology Accelerator (MIRTA), which is a competitive commercialization accelerator program.

Maximizing funding opportunities that are managed through the VCRI office

UMS is realizing the Research Reinvestment Fund's (RRF) ability to promote intercampus collaborations. There are currently over 50 faculty members involved in 10 funded projects System-wide. The VCRI Office is soliciting feedback for ideas for internal funding System-wide. They are planning to establish two standing due dates and common application for FY2023 in October 2022 and February 2023. They will also be expanding the longstanding UMaine congressional appropriations 'concept paper' call, which will be subject to the October due date. Additionally, UMS is pursuing Congressional funds. \$155.9 million in one-time projects have been submitted or are in process.

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 April results and preliminary May results. For the calendar year to date, UMS continues to see significant market volatility with negative equity and fixed income returns due to inflation, rising interest rates, and geopolitical events. The Managed Investment Pool (MIP), with a market value of \$435 million, saw a gain of 0.5% in March, with a Fiscal Year to Date (FYTD) loss of 2.3%. The MIP is estimated to have lost an additional 5.5% in April and 2.4% in May. The Pension Fund, with a market value of \$23 million, was flat in March and had a FYTD loss of 0.5%. The Pension fund is estimated to have lost an additional 4.5% in April and 1.7% in May. The Operating Fund, with a market value of \$344 million, and a more conservative asset allocation, saw a loss of 0.3% in March, and estimated losses of 1.3% in April and an additional 0.8% in May through this past Thursday, bringing the FYTD market loss to \$11.2 million. After factoring in the annual budget, of \$2.4 million, the loss is \$13.6 million. By way of comparison, last year the market returned \$21 million through the end of May, exceeding budget by \$18 million. This is a \$32 million negative swing in our budget from the prior year to date.

Budget to Forecast

Vice Chancellor Low provided a brief overview of the FY2022 forecast to budget. Vice Chancellor Low explained that at the time the FY2022 budget was approved by the Board last year, UMS was projecting a budget gap of approximately \$10.1 million; however, since the budget was approved, the gap has grown to nearly \$23.9 million, which is an improvement from the forecast in January at nearly \$26.7 million. The campuses are using monies to mitigate their deficit from one or a combination of the following three funding sources: HEERF (\$10.4 million), Campus Reserves (\$15.2 million), and System Budget Stabilization funds (\$6.3 million). Budget Stabilization Fund transfers were approved for use at year end up to \$1,552,147 for UMF and \$1,926,386 for the Law School to offset any deficits. This forecast depicts an additional \$1,447,853 needed for UMF & \$2,569,630 for UMPI. The Law School's need is projected to be \$164,037 less than approved limit.

FY2023 Updated Proposed University and System Office Operating Budget and Student Charges – Final Approval, UMS

Vice Chancellor Low presented the FY2023 updated proposed University and System Office operating budget and student charges. This is the second reading of the FY2023 proposed operating budget for the full Board. The proposed budget was approved by Finance, Facilities, & Technology Committee at its May 4th meeting and forwarded to today's meeting for final approval. Vice Chancellor Low thanked the Presidents, the Chief Business Officers, the campus communities, and members of his team for their engagement, comments, and suggestions through the entire budget process. The result is a better document due to this engagement.

The FY2023 proposed budget for E&G and Auxiliary is up by 2.3%. The dining and residence hall revenue has increased by 9.6% and 10.4%, respectively. Many of the increases in the expenses reflect a return to pre-covid levels of spending. The FY2023 budget includes the required reporting of quasi-independent state entities to report travel, meals, and entertainment totaling \$8.2 million, and memberships, gifts, donations and sponsorships totaling \$1.6 million. The majority of federal & state COVID budget relief funds were exhausted during FY2021 & FY2022 with no indication of any further assistance in FY2023. Gordian (Sightlines) data continues to show declines in campus net asset value (NAV) rates and increases in renovation age across UMS facilities. Significant increase in consumer

price index (CPI) combined with possible decreases in investment earnings will put further strain on FY2023 budgets. FY2023 budgeted credit hours are 1.1% below FY2022 budget and 0.3% above FY2022 actuals. Low student housing occupancy rates continues to be an issue at some of the smaller campuses. The major factors impacting FY2023 enrollment include budgeting a modest increase in credit hours above FY2022 actuals of .3% and out of state credit hours comprise 33% of the total credit hours, primarily due to growth in the Academic Partnership programs.

For FY2023 UMS has an ongoing appropriation increase of \$6.1 million and the Governor's FY2023 supplemental budget includes a onetime additional appropriation of \$7.9 million based on flat FY2023 UMS in-state tuition rates. From FY2016 to FY2023 there has been a \$40 million increase in State Appropriations. Many colleges and universities across the US saw deep cuts in appropriations during this time. Vice Chancellor Low expressed deep appreciation for the bi-partisan support that UMS has received over the past several years. Over time the appropriation at CPI compared to actual appropriation has resulted in a loss of purchasing power of approximately \$41.3 million.

Unrestricted capital investments are increasing by \$2.8 million or 10.3% over FY2022 budget. Approximately \$6.5 million in budget stabilization funds will be used to balance the FY2023 budget. In addition, increases in budget stabilization funds for UMF and UMPI will be needed to balance the FY2022 budget totally \$6.5 million. The projected balance in the budget stabilization fund, prior to any investment gains or losses is \$10.7 million. FY2023 required a 5% minimum increase in capital funding sources. The total investment increase is \$2.8 million or 10.3%. Depreciation expense increased by \$0.3 million from \$39.8 million in FY2022 to \$40.1 million in FY2023. E&G and Auxiliary budgeted capital investment is \$20.5 million, which is an increase of \$4.2 million. Funding through Debt Service decreasing by \$1.4 million. 75% of the total depreciation expense is funded in the FY2023 budget, which is up 6% from the FY2022 budget.

UMS Residence Hall Occupancy is projected at 91% for normal occupancy and 93% for Covid occupancy. FY2023 residence hall occupancy has returned to FY2020 & FY2021 levels but occupancy rates remain below 100% capacity, contributing to auxiliary budget challenges. Some campuses are still reserving a small amount of residence hall space for Covid isolation and quarantine. The FY2023 in-state and Canadian undergraduate tuition rates will not change from FY2022 rates across all seven campuses. The FY2023 out-of-state undergraduate tuition will increase at five of the seven campuses as follows: UMA at 3%, UMF at 2.9%, UMFK & UMPI at 3.1%, and USM at 2.8%. In-state and Canadian graduate tuition rates will remain unchanged from FY2022 at UMA, USM, and the Maine Law School. UMF is proposing a 2.8% increase for FY2023 for in-state undergraduate tuition. Out-of-state graduate tuition increases are being proposed at four of the UMS campus as follows: UMA at 2.9%, UMF at 2.8%, USM at 2.8%, and Maine Law School at 3.8%. UM and UMM tuition rates will remain unchanged from FY2022, including in-state, Canadian, and out-of-state, undergraduate and graduate students.

The System Office is comprised of three units: Governance, University Services – Allocated, and University Services – Unallocated. The UMS Governance budget is \$6.7 million funding 25 positions and is funded directly by State appropriation. The increases in the Governance budget are offset by decreases in University Services budget due to more appropriate alignment of staff. The University Services allocated FY2023 budget is \$50 million and is funded through cost allocation of services provided to the universities and governance. The University Services allocated budget supports the administrative oversight and direct support for System and Campus operations including Information Technology, Human Resources, Finance, Facilities Management, Risk Management, Procurement, General Counsel, Shared Processing, Student Academic & Institutional Support, and Organizational

Effectiveness. The FY2023 University Services unallocated budget is \$11.2 million, of which \$8.6 million are activities funded by appropriation and \$2.6 million is funded by investment income.

Trustee MacMahon asked if there was any budget concern with the recent and continuous hikes in energy costs. Vice Chancellor Low said that energy cost increases are certainly on his radar and if they continue to rise, might be cause to bring forward a supplemental budget for Board approval later in the fiscal year.

Trustee Erwin expressed concerns of the over \$40 million in state appropriations that have been lost over the past 10 years, due to state appropriations not keeping up with the consumer price index (CPI). He explained that those lost state appropriations coupled with no tuition increases and increased compensation funds, has created a serious financial deficit for the System, which affects our ability to operate at the capacity we should be. He thanked Vice Chancellor Low for his continued dedication in trying to mitigate and manage all of these financial problems that the System is facing.

Trustee Riley stated that while she agrees with Trustee Erwin's concerns, the System cannot rely on increased state appropriations and raising student tuition alone to mitigate our financial shortfalls. The State can only give so much and in order to stay competitive, UMS has to be mindful of how much and when to increase tuition rates. She stated that we need to find new ways to bring in funds so that Systems' goal of providing a quality, assessable, and affordable education can be achieved efficiently.

Trustee Katz asked for clarification on when and how decisions like the one at UMF to eliminate programs in order to mitigate a budget are made. Vice Chancellor Low explained that budget planning is a year long process and that campuses usually figure out what their deficit is fairly early on. Once they have identified a deficit they look at their own campus reserves first and if they are still struggling to close their budget gap they make a request to the System to provide budget stabilization funds. The System is only able to fund requests at about 56% most of the time. Once the System has provided budget stabilization funds, if the campus is still in a deficit, they are charged with finding a solution to that deficit. In the case of UMF, campus leadership decided their best option was to eliminate a few programs that had very poor enrollment for a number of years. It all depends on the campus and finding the mitigation options they have available to them. In any case, it is always the campus that decides what measures to take in those circumstances.

On a motion by Trustee Riley, which was seconded by Trustee Martin, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and approved the FY2023 Updated Proposed University and System Office Operating & Capital Budget, Recommended Student Charges, and proposed transfers from Institutional Reserves including Budget Stabilization Funds.

VICE CHANCELLOR FOR ACADEMIC AFFAIRS' UPDATE

Vice Chancellor for Academic Affairs (VCAA) Dr. Robert Placido provided an update on the following Academic Affairs items:

Faculty Spotlight

Dr. Nicolás Alberto Dosman, Associate Professor of Music-Choral Conducting and Director of Choral Studies at the University of Southern Maine (USM), School of Music provided information about recent faculty scholarship work, conducting USM student performances, and student success initiatives with both undergraduate and graduate students. Dr. Dosman provided an overview of his educational background and past work experience. Prior to his arrival at USM, he was the Director of Choral Activities at Colby College and an Applied Music Associate (voice) where he conducted the Colby

Chorale, Chamber Choir, and Colby-Kennebec Choral Society. Dr. Dosman played a video clip of the USM Chamber Singers performing “Requiem for My Mother In Paradisum” by Stephen Edwards. Under his leadership the USM Chamber Singers was invited to perform at the 2022 ACDA Eastern Region Conference in Boston, MA. Additionally, the USM Chamber Singers were invited to and performed at the 2019 Vietnam International Choir Competition in Hoi An, Vietnam. The USM Chamber Singers received a Gold Diploma, an invitation to perform at the Grand Prize Finale, and an invitation to perform at the World Choir Games-Champions Round as a result of their outstanding performance. In 2017, the Chamber Singers were invited to perform at the National Association for Music Educations Eastern Division Conference in Atlantic City, New Jersey. Dr. Dosman stated that on June 11, 2022 the USM Chamber Singers as well as other Southern Maine community partners will be making their debut at Carnegie Hall. Dr. Dosman will be conducting the ensembles and orchestra and they will be doing a performance of opera choruses. He explained that he was in charge of the artistic direction of this performance and he wanted made sure that diversity was a key factor in music selection. He stated that they would be opening their performance with “A Real Slow Drag” by Scott Joplin from the orchestration of Treemonisha. The Trustees thanked Dr. Dosman for his exciting and informative presentation.

VICE CHANCELLOR FOR STRATEGIC INITIATIVES’ REPORT

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

Strategic Plan Update

Peter Stokes, Cathy Dove, and Kate Gerbode-Grant from Huron Consulting provided an update on the UMS Strategic Plan. Mr. Stokes began by reviewing the Strategic Planning Timeline which is as follows:

- Winter 2022 – Initiate project & build shared knowledge base
- Spring-Summer 2022 – Blueprint the future state
- Summer-Fall 2022 – Walk the future back as we begin drafting the plan
- Fall 2022-Winter 2023 – Draft the Strategic Plan
- Spring-Fall 2023 – Socialize the Strategic Plan

Over the past five months, the Huron team’s focus has been on qualitative and quantitative data analysis. The qualitative analysis was comprised of 23 virtual stakeholder engagement sessions which included interviews with each university president, focus groups with each university cabinet, and System office stakeholders. Additionally, Huron held 28 in-person focus group sessions including staff, faculty, and students at each university. The quantitative data analysis brought forth the creation of a UMS Data Book including analyses on the following subjects enrollment and demographics; academics and student success; economic development and research; financial and personnel; and higher education market trends and system benchmarking.

Huron examined the emerging themes from stakeholder interviews and campus visits. They developed a heat map to compare themes and visualize similarities and differences for each campus and provided a summary of priority areas and corresponding data points. The heat map outlines areas of patterns of convergence and divergence. These patterns create opportunities for greater coordination and alignment across the System. Several of the strategic planning themes have a correlation with Unified Accreditation (UA). This information is summarized below. Mr. Stokes expressed that these are just initial findings and should not be considered as the final strategic plan.

Audience Related Concerns:

- *Improve retention, persistence and completion*

- Stakeholder Theme: Student success is an important challenge to address for all UMS universities
- Supporting Data: National six-year graduation rate for public four-year universities: 69%; UMS 59.2%
- Alignment to UA: UM Transforms focuses on facilitating programs including Research Learning Experiences, Gateways to Success, and Pathways to Careers. Each focuses on a key aspect of a student's learning trajectory to support their progress to degree completion.
- *Elevate diversity, equity and inclusion*
 - Stakeholder Theme: DEI, and inclusion, should be prioritized in order to retain students
 - Supporting Data: The population of Black/African American and Hispanic/Latino has increased by 22% and 36%, respectively over the last 5 years
 - Alignment to UA: A cultural renovation and advanced framework for DEI initiatives Systemwide are in progress led by UMS Transforms DEI Action Team and the UMS DEI Steering committee
- *Cultivate adult market*
 - Stakeholder Theme: Opportunity to engage more of the adult market by offering new types of credentials, tailored student services, and enhanced mechanisms for adults to capture prior learning credit
 - Supporting Data: UMS enrolled 9,270 adults by headcount in 2018; only 1.7% of the state's population who have same college or less in the state
 - Alignment to UA: UA offers the opportunity to leverage data and analyses that support access and success for adult learners into an assessment cycle of continuous improvement; such an assessment cycle allows for programs and services to be better aligned and expand this market

Operational/Institutions Concerns:

- *Innovate traditional academic model*
 - Stakeholder Theme: Experiment with different delivery models to meet the range of learner profiles UMS attracts and serves
 - Supporting Data: A point in time comparison between 2019 and 2021 reveals a 60.8% increase in students living off campus and taking their courses fully online
 - Alignment to UA: UMPI's CBE program demonstrates how to build and integrate a new model for academic delivery that meets student needs and market demands
- *Advance research initiatives & economic development*
 - Stakeholder Theme: The System should leverage the R1 designation to increase opportunities for economic and workforce development
 - Supporting Data: Between 2019 and 2021, research & development activity in the System has grown 11%, from \$137.5 million to \$153.9 million
 - Alignment to UA: UM's R1 status will allow UMS to deepen the scope and impact of the research enterprise for the state. Creation of the multi-university Maine College of Engineering, Computing and Information Science (MCECIS) will provide the technical workforce and innovations to move Maine's economy forward
- *Continue commitment of universities as economic & cultural engines*
 - Stakeholder Theme: Universities and the communities in which they are located are highly interdependent
 - Supporting Data: Maine relies on the \$1.5 billion annual statewide economic impact of the University of Maine System
 - Alignment to UA: UA shows commitment to the continued presence of each university in the physical location that they exist. Approvals for infrastructure investments including

housing and multi-use facilities demonstrate support for continued institutional operations in their locales

State Assets:

- *Better leverage of State of Maine assets*
 - Stakeholder Theme: Maine includes distinct geographic opportunities for teaching, research and scholarship
 - Supporting Data: Maine's regional industries offer myriad experiential and economic development opportunities
 - Alignment to UA: Expanded research opportunities through the R1 designation open new pathways to innovate on the distinct assets of the state. The removal of barriers will enable students and faculty to take advantage of academic and experiential learning opportunities at any university, increasing ability to leverage different state resources

Enablers:

- *Evaluate scale, scope, infrastructure*
 - Stakeholder Theme: There is striking variation in size, type, physical assets, and location/distance of universities within the System
 - Supporting Data: at 54%, UMS has twice the percentage of space and aged 50 years or more compared to peers at 27%
- *Brand value and perception*
 - Stakeholder Theme: The UMS brand lacks clarity with both internal and external stakeholders
 - Supporting Data: Conversations are planned with VisionPoint to review and incorporate outcomes related to branding assessment
- *Enable collaboration & partnerships infrastructure*
 - Stakeholder Theme: Collaborative efforts exist within and across the System and many may be scaled Systemwide by leveraging the benefits of Unified Accreditation
 - Supporting Data: Collaborative initiatives at the System and university level are widespread and include academic programs, shared administrative services, and/or facilities
- *Define System governance*
 - Stakeholder Theme: A clear structure for the System including a defined role for the System Office will support progress and implementation of future strategic priorities
 - Supporting Data: A System benchmarking exercise is in progress and will inform future discussion and planning about the role of the System Office

Ms. Dove provided an overview of the alignment between the UMS strategic plan and unified accreditation. She stated that unified accreditation should be considered a super enabler and provides a lot of potential power for the strategic planning process. Huron is pleased that the System has worked to sync up the unified accreditation process with the strategic planning process. Huron has been working closely with Associate Vice Chancellor for Strategic Initiatives Jeffrey St. John, who is overseeing the unified accreditation process, to ensure alignment between the two processes. Huron is finding that there is great alignment on timeline, priorities, and themes between the two processes. The alignment of unified accreditation to the strategic plan priority areas is listed in the bullet points above. Ms. Dove stated that during their campus visits Huron has found that there is a desire to move forward and leverage unified accreditation to help shape the strategic plan. She explained that the two processes are running parallel but that there are definitely important intersection points and Huron is focused on making sure that those intersections occur in a very thoughtful and deliberate manner.

Trustee Cain, a member of the Board Ad hoc Committee for Strategic Planning, stated that UMS is still very much in the process of engagement and that a lot of input is needed from all stakeholders across the campuses and System in order to make sure the strategic plan embodies the shared vision of what the future of UMS can and should be, with the resources we have available to us. She also stated that it is important for everyone to understand that the Ad hoc Committee members, Huron, and System leadership do not expect all campuses to be the same and are looking for ways to embrace and leverage the diversity amongst the campuses.

Trustee Riley asked if there will be an opportunity for UMS community members to provide anonymous feedback to Huron. She also asked if Ms. Dove could provide an example of how unified accreditation will provide strategic opportunities for UMS. Ms. Dove explained that the strategic planning website has a section that provides an opportunity for people to submit anonymous comments. She stated that after each campus visit, participants were encouraged to visit the website to submit comments if that was more comfortable for them. Ms. Dove stated that one great example of how unified accreditation will directly benefit UMS is the unified catalog. She explained that this will directly impact student success and retention in a positive way by providing students greater access to programs that are either not offered at their university at all or are not available at the time the student needs it to complete their degree.

Unified Accreditation Update

Associate Vice Chancellor St. John stated that the third and final draft of the NECHE self study was posted to the unified accreditation website in mid-May. He explained that comparative to the last two drafts, he has received much fewer comments; however, that is to be expected with everyone busy tying up the end of a very busy spring semester. He stated that the Chancellor's spring campus visits were very beneficial for him and he was able to pick up quite a bit of informal and thoughtful feedback from many campus faculty and staff members. He stated that the unified accreditation team is in the process of final copy editing, with the expectation of completing the self-study by next Wednesday, June 1st. Baring any last minute changes from System and campus leadership the self-study will be finalized, posted to the website and sent to UM printing services on June 15th. The Chancellor will send a community notification when the final version of the self-study has been posted to the website, as he has done with each draft. Associate Vice Chancellor St. John expressed great appreciation to the approximately 145 faculty, staff, and administrators across the UMS who have participated in preparing the NECHE self-study. On June 15th, the finalized self-study will also be shared with Dr. Ross Gittell, who is leading the NECHE fall visit. From there, Dr. Gittell will decide the plan for distribution to the rest of the visiting team. The original deadline NECHE gave UMS to complete the self-study was August 1st; however, UMS wanted to complete the self-study while many faculty were still around and able to provide input.

Associate Vice Chancellor St. John stated that with the input of the campus leadership, faculty senate and assembly a process and timeline for development of the unified catalog has been decided. Summer work includes converting a troublesome form to an online version, conducting an internal transfer policy and procedure audit, and reviewing the residency requirement policy. Summer work will be presented in draft form in the Fall to campus leadership, faculty, and faculty senate members for their review and consideration.

ACTION ITEMS

Executive Employment Approvals

Chancellor Malloy provided an overview of the following Executive Employment requests:

Dr. Joan Ferrini-Mundy was appointed President of the University of Maine and the University of Maine at Machias effective July 1, 2018. Additional responsibilities were assigned and an additional appointment as Vice Chancellor for Research and Innovation for the University of Maine System were effective March 1, 2021. The Chancellor is recommending an extension of her contractual term of appointment beyond the standard rolling 2-year renewal.

Former Chief Justice of the Maine Supreme Judicial Court the Honorable Leigh Saufley was appointed Dean of the University of Maine School of Law effective April 15, 2020. Recognizing her reporting line to the Chancellor as a peer to UMS university presidents, the Chancellor is recommending the new title “President and Dean” to better align with her colleagues and responsibilities and the University of Maine School of Law’s organizational position in the System relative to other universities.

On a motion by Trustee Erwin, which was seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees:

- approved the revised term of appointment for Dr. Joan Ferrini-Mundy by four years commencing July 1, 2021, resulting in an appointment term ending June 30, 2025, and subject to applicable Board policies regarding presidential appointments and rolling renewal thereafter.
- approved the new title of President and Dean of the University of Maine School of Law for Dean Leigh Saufley, effective July 1, 2022.

Confirmation of Faculty & Student Representatives to the Board of Trustees

UMA President Joseph Szakas provided a brief introduction for UMA’s proposed candidate for Student Representative to the Board. Chair Gardner thanked UMF Faculty Representative Clyde Mitchell and UMPI Faculty Representative Lisa Leduc for agreeing to continue in their faculty representative roles for another term.

On a motion by Trustee Rotundo, which was seconded by Trustee Riley, 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:

Student Representative:

Peter “Tony” Lewis, UMA, – Appointed for a 2 year term – May 2022 to May 2024

Faculty Representative:

Clyde Mitchell, UMF – Reappointed for a 3 year term – May 2022 to May 2025

Lisa Leduc, UMPI – Reappointed for a 2 year term – May 2022 to May 2024

Resolution for Trustee Mark Gardner

Vice Chair Pro Tem Trish Riley provided a brief overview of Chair Mark Gardner’s time on the Board and thanked him for his service and dedication to the University of Maine System.

On a motion by Trustee Rotundo, which was seconded by Trustee Erwin, and approved by all Trustees present, the Board of Trustees approved the following resolution for Trustee Mark Gardner:

Whereas, Mark R. Gardner has served the University of Maine System with distinction as a Trustee for two terms from September 12, 2012 to May 26, 2022.

Whereas, Trustee Gardner has been an active voice and advocate for higher education over many years and during his ten years of service, he set a high standard for the level of involvement for a Board member including service on the following committees: Academic & Student Affairs; Audit Committee (10 years); Executive Committee (7 years); Finance, Facilities & Technology Committee (6 years); Human Resources & Labor Relations Committee; and Investment Committee (9 years).

Whereas, he served as Chair of the Board for one year from May 2021 to May 2022 and Vice Chair of the Board from May 2020 to May 2021. He served for several years as the Trustee representative to the UM Pulp and Paper Foundation, the BOT/BOV Executive Committee, the Maine Center Ventures Board, and was a member of the Long Range Planning Committee and the Ad Hoc Committee on Strategic Planning.

Whereas, he had a great understanding of the fiduciary responsibilities of the Trustees and his desire to find reasonable and responsible solutions was appreciated by everyone.

Whereas, Trustee Gardner has been a wonderful leader and mentor, great listener and asset to the Trustees. His collaborative leadership style, his many years of experience and his willingness to advocate for change have made a major impact on the success of the University of Maine System.

Whereas, his expertise and perspective have added greatly to the quality, vision, and future direction of the University of Maine System.

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 Mark R. Gardner for his outstanding contributions to the quality of higher education in Maine.

Approved on the 23rd day of May, 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.

Resolution for Trustee James Erwin

Chair Gardner provided a brief overview of Trustee Jim Erwin's time on the Board and thanked him for his service and dedication to the University of Maine System.

On a motion by Trustee Riley, which was seconded by Trustee Rotundo, and approved by all Trustees present, the Board of Trustees approved the following resolution for Trustee James Erwin:

Whereas, James R. Erwin has served the University of Maine System with distinction as a Trustee for two terms from September 6, 2012 to May 26, 2022.

Whereas, Trustee Erwin has been an active voice and advocate for higher education over many years and during his ten years of service, he set a high standard for the level of involvement for a Board member including service on the following committees: Academic & Student Affairs (6 years); Audit Committee (6 years); Executive Committee (10 years); Finance, Facilities & Technology Committee (6 years); Human Resources & Labor Relations Committee (10 years); and Investment Committee (5 years).

Whereas, he served as Chair of the Board for four years from 2017 to 2021 and served for several years as the Trustee representative on the BOT/BOV Executive Committee, the Maine Center Ventures Board, and chaired the Long Range Planning Committee and the Ad Hoc Committee on Strategic Planning.

Whereas, Trustee Erwin has been a strong leader, giving thorough and exacting direction to System Leadership. He has been a champion of System change and a wealth of knowledge for new Board members. Trustee Erwin is committed and passionate about his work as a Trustee and has left a wonderful legacy of success as Chair of the Board. Major initiatives under his leadership include Unified Accreditation and the UMS Strategic Plan.

Whereas, under his dedication and leadership, the Board of Trustees worked to keep tuition affordable for students, align the System's academic programs with workforce needs, and focused on UMS Strategic Plan.

Whereas, Trustee Erwin has been an outstanding colleague and friend to Trustees and staff and has exemplified commitment to the University of Maine System through his unfailing availability and presence, no matter how challenging the schedule.

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 James R. Erwin for his outstanding contributions to the quality of higher education in Maine.

Approved on the 23rd day of May, 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.

Resolution for USM President Glenn Cummings

Chair Gardner thanked President Glenn Cummings for his service and dedication to the University of Southern Maine and UMS.

On a motion by Trustee Rotundo, which was seconded by Trustee Erwin, and approved by all Trustees present, the Board of Trustees approved the following resolution for USM President Glenn Cummings:

Whereas, Glenn A. Cummings has served as the 13th President of the University of Southern Maine since July 1, 2015 and Interim President of the University of Maine at Augusta from September 2014 to July 2015.

Whereas, during his tenure, USM has set institutional records in out-of-state enrollment and seen enrollment grow; received national recognition for improvement in student retention; accomplished unprecedented philanthropic fund-raising, including raising over \$10 million for the Promise Scholars Program which ensures first-generation scholars can graduate in four years debt free.

Whereas, President Cummings has also launched the largest construction project in USM history and one that will transform the student experience on the Portland campus with a 580-bed residence hall and a Career and Student Success Center. He not only laid the foundation for a new

Center for the Arts but also invested more than \$11 million of deferred maintenance and upgrades for the Gorham campus.

Whereas, more students are choosing USM as their first-choice school with 16% of the incoming class holding a 4.0 grade point average. During his presidency at USM, he has changed the lives of thousands of students for the better.

Whereas, President Cummings rebuilt trust and a values-driven community by putting USM's students at the center.

Whereas, he will complete his service as President of USM on July 1, 2022 as he joins the Glickman Family Office in Portland as president and CEO, overseeing two foundations.

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 Glenn A. Cummings for his outstanding contributions to the quality of higher education in Maine.

Approved on the 23rd day of May 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.

Resolution for UMF President Edward Serna

Chair Gardner thanked President Edward Serna for his service and dedication to the University of Maine at Farmington and UMS. President Serna was unable to attend the meeting; however, his recognition plaque was sent back to the campus with UMF Vice President for Student Affairs, Christine Wilson.

On a motion by Trustee Gardner, which was seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees approved the following resolution for UMF President Edward Serna:

Whereas, Edward A Serna has served as the 15th President of the University of Maine at Farmington since July 1, 2015.

Whereas, he led UMF through the pandemic and the guided the safe return to campus as the pandemic waned.

Whereas, President Serna began the work of UMF Reimagined developing a comprehensive assessment and strategic recommendations that will demand bold action and an ambitious timeline by 2024. UMF Reimagined will move UMF forward to build a solid structural framework with new strategic initiatives.

Whereas, under his leadership, UMF's graduate and continuing education efforts have expanded to help prepare the state workforce and secured authorization to advance the renovation of the future home of the UMF nationally accredited Sweatt-Winter Child Care and Early Education Center.

Whereas, he has continued to foster UMF's dedication to excellent undergraduate and graduate education. UMF was named as a 2020 Money's "Best College for Your Money" campus. UMF was also recognized as a top 10 college in five separate categories by the U.S. News & World

Report 2022 Best Colleges rankings and UMF was the top Maine College to receive the honor by Washington Monthly's 2021 annual college rankings as a top bachelor's college in the U.S.

Whereas, he will complete his service as President of the University of Maine at Farmington in July 2022 as he assumes the presidency at Winthrop University in Rock Hill, South Carolina, his alma mater.

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 Edward A. Serna for his outstanding contributions to the quality of higher education in Maine.

Approved on the 23rd day of May 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.

Naming of Portland Commons Courtyard, USM

USM Foundation President Ainsley Wallace explained that in recognition of outgoing USM President Glenn Cummings, more than 130 friends, colleagues, and donors have contributed in excess of \$100,000 toward the Career & Student Success Center project, with the intention to honor Dr. Cummings with a connected named space on the Portland campus. In consultation with numerous stakeholders, the interior courtyard outside the new residence hall currently known as "Portland Commons" was proposed as an appropriate space. Under Board of Trustees Policy 803 – Naming of Physical Facilities, a university president has the authority to designate the naming of an exterior space without further approval from the Chancellor or Board. However, as President Cummings is a sitting/outgoing president, and the naming is to honor him specifically, the USM Foundation sought permission from the UMS Chancellor to approve the naming. The Chancellor referred the matter to the Facilities, Finance, and Technology Committee of the Board, which recommended that the matter be brought to the full Board for approval.

On a motion by Trustee Erwin, which was seconded by Trustee Rotundo, and approved by all Trustees present, the Board of Trustees authorized the University of Maine System, acting through the University of Southern Maine, to name the future courtyard outside the Portland Commons residence hall "Dr. Glenn A. Cummings Courtyard" (formal designated name) and the "Cummings Courtyard" (common name).

Financial & Reimbursement Resolution – HVAC Systems and Controls Upgrades, UM

Vice Chancellor Low explained the request from the University of Maine System acting through the University of Maine (UM) to authorize spending up to \$10 million for multiple projects, in approximately 13 buildings, to upgrade obsolete and unreliable building HVAC systems and update critical parts of Orono's existing building energy management system. This initiative will reduce deferred maintenance, increase the buildings' net asset values, and provide operational efficiencies and energy savings. UM intends to begin work this coming summer with completion anticipated in two years. Vice Chancellor Low will work with UM regarding funding and financing options to achieve economic efficiency while also allowing for construction flexibility given current market conditions. Funding may include operating funds, reserves, internal loans, external debt (e.g., master lease agreement, bond anticipation notes, bank financing, revenue bonding), or a combination thereof. UM will fund debt service using utility savings, including net metering credits, or other UM resources. Final terms and conditions of financing will be approved by the Treasurer.

On a motion by Trustee Martin, which was seconded by Trustee Rotundo, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and approved the Financing and Project Authorization Resolution and the Reimbursement of Project Expenditures Resolution related to the issuance of debt for upgrades to building HVAC systems and controls, and updates to the existing building energy management system and software at the University of Maine with an aggregate principal amount not to exceed \$10,000,000.

CONSENT AGENDA

On a motion by Trustee Riley, which was seconded by Trustee Rotundo, 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:

- March 10, 2022 – Finance, Facilities & Technology Committee Meeting
- March 21, 2022 – Ad Hoc Committee on Strategic Planning Meeting
- March 22, 2022 – Executive Committee Meeting
- March 23, 2022 – Finance, Facilities & Technology Committee Meeting
- March 27-28, 2022 – Board of Trustees Meeting
- April 4, 2022 – Special Investment Committee Meeting
- April 19, 2022 – Special Finance, Facilities & Technology Committee Meeting
- April 20, 2022 – Ad Hoc Committee on Strategic Planning Meeting
- April 28, 2022 – Special Investment Committee Meeting
- May 2, 2022 – Human Resources & 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 May 2, 2022:

New Academic Program Proposal: MS in Trauma-Informed Emergency Management, UMA

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee, and approved the Master of Science in Trauma-Informed Emergency Management at the University of Maine at Augusta.

Academic Program Suspension Proposal: B.S. in Cybersecurity, B.S. in Cybersecurity – Online, B.A. in English, A.S. in Information Security - UMFK

The Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approved the suspension of the following UMFK Bachelor of Science in Cybersecurity, Bachelor of Science in Cybersecurity- Online, Bachelor of Arts in English, and Associate of Science in Information Security.

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 May 4, 2022:

One Year Capital Plan, FY2023

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and approved the FY2023 Capital Plan as presented.

Lease Modification, UM/UMM & MD7, LLC

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine System acting through the University of Maine to enter into a five (5) year lease with MD7, LLC with options for four (4) additional five (5) year renewals for approximately 131 gross square feet adjacent to, and associated space on the roof of, Torrey Hall on the Machias campus, with all final terms and conditions subject to review and approval by the University of Maine System Treasurer and General Counsel.

Ground Lease Authorization, UM, Theta Chi Fraternity

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine System acting through the University of Maine to enter into a ground lease for the land at 379 College Avenue, Orono Maine for the term of thirty years with all final terms and conditions subject to review and approval of the University of Maine System Treasurer and General Counsel.

Stewardship/Deferred Maintenance: HVAC Systems and Controls Upgrades, UM

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine System acting through the University of Maine (UM) to spend up to \$10 million, funded through a combination of operating funds and internal/external loans, to upgrade obsolete and unreliable building HVAC systems, and update critical parts of Orono's existing building energy management system. Final terms and conditions of financing will be approved by the Vice Chancellor for Finance & Administration and Treasurer.

Wieden Hall Renovation Project Budget Increase, UMPI

The Board of Trustees accepted the recommendation of the Finance, Facilities and Technology Committee, and authorized the University of Maine System acting through the University of Maine at Presque Isle to increase the total renovation budget of the Wieden Hall Renovation to \$7,652,280; and to allow donations from the Smith Family Foundation, amounting to \$1,395,000, be used as funding for this renovation.

Naming of the New Career & Student Success Center, USM/Portland Campus

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 Southern Maine to name the future Career & Student Success Center, with the naming details to be announced publicly at a later date.

DISCUSSION ITEMS

Proposed Change to Board of Trustees Policy 103 - Board of Trustees: Bylaws

Chair Gardner explained that the Board of Trustees 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.”

Chair Gardner is proposing a change that would add the following sentence to that section: “The Chair and Vice Chair must have residency in Maine.” As part of the protocol to change Board policies, this item is being brought forward today as an information item. It will be brought before the Board again at the July 11th Board of Trustees meeting for final approval.

Proposed Change to Board of Trustee Policy 501 - Student Conduct Policy

Associate Vice Chancellor for Student Success and Credential Attainment Rosa Redonnett, Interim General Counsel Pat Peard, and UM Director of Community Standards, Rights and Responsibilities David Fiacco, provided an overview of the proposed changes to Board Policy 501 – Student Conduct Code. 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 10 month review concluded that a change was needed to Board Policy 501 to both clarify the policy and the process for implementation; and to separate policy from process to create a more logical and agile approach to the review and approval of each, going forward. Before the Board today, is the suggested changes to the Board Policy, including the proposal that the actual Student Conduct Code procedures be separated from the Board Policy.

Ms. Peard explained that she and the rest of the review group acknowledge that asking the Board to separate Board Policy 501 from the procedures of the Student Conduct Code (Code) is a big change; however, it is a needed change to ensure that the System is able to remain more flexible and nimble in changing the student conduct code procedures. Ms. Peard stated that to ensure that the voice of the Board is still included in the Code, the Board Chair will be asked to appoint Trustee representation to be included in the review team when the Code review is conducted every two years. The proposed changes to Board Policy 501 reflect the overall mission and vision of the System concerning student conduct, while separating out the actual implementation and extreme detail that the full Code procedures outline. In addition, the proposed changes provide information concerning governing law, freedom of expression, and a statement of non-discrimination. The proposed change to the policy also outlines that all persons responsible for the oversight or administration of the Code will receive required training relevant to their role and responsibility, as described in the Code. The updated policy states that Board Policy 501 will be reviewed as needed and that the Code will 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, Board of Trustees and other stakeholders, as appropriate.

Mr. Fiacco outlined the key changes to the conduct procedure. The Code amendments include:

- 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

As part of the proposed changes to Board Policy 501, the changes to the Code are not up for approval by the Board; however the amendments were presented for informational purposes. The proposed changes to Board Policy 501 were previously presented at the May 2nd Academic & Student Affairs (ASA) Committee meeting for a first reading. Following today’s meeting, it will be presented at a special ASA Committee meeting on June 6th for approval at the committee level and then forwarded to the July 11th Board of Trustees meeting for final approval.

Trustee Eames stated that she supports the change to Board Policy 501 and has seen in her time working as the Chair of the ASA Committee and as someone who has participated in many of the Student Conduct Code policy review sessions, that this change will allow the staff who work directly with the students on these matters to make important and nimble changes as needed. She thanked all of the members of the Student Conduct Code review team for their hard work in reviewing the Board Policy and Student Conduct Code and presenting a succinct and thoughtful proposal for Board consideration.

Trustee Katz echoed Trustee Eames comments. He also stated that he felt he needed to express his concerns that students involved in non-Title IX conduct code violations are not afforded the opportunity to have legal representation participate in their hearing. He believes that when a student is facing punitive actions such as expulsion, they should be able to have legal representation not only present in the hearing but they should be able to actively participate. He stated that he will support the change to Board Policy 501 and will address his concerns with the Code using the appropriate avenue.

EXECUTIVE SESSION

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

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, evaluations, employment and duties.
- 1 MRSA Section 405 6-C to discuss the condition, acquisition or disposition of real property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the UMS.
- 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 Dobson, which was seconded by Trustee Erwin, 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 July 11, 2022 hosted by the University of Maine System.

Additional information about the meeting can be found on the Board of Trustees website:

<https://www.maine.edu/board-of-trustees/meeting-agendas-materials/board-of-trustees/>

Adjournment

Heather A. Massey for
Ellen N. Doughty, Clerk