

UNIVERSITY OF MAINE SYSTEM  
VIRTUAL  
Board of Trustees Meeting  
July 10, 2023

**Board of Trustees Meeting**

**Present:** **Trustees:** Trish Riley, Chair; Lisa Eames, Vice Chair; Roger Katz, Barbara Alexander, Patrick Flood, Donna Loring, Emily Cain, David MacMahon, Kelly Martin, Valerie Landry, Owen McCarthy, and John Moore **University Presidents:** Leigh Saufley, Joan Ferrini-Mundy, Raymond Rice, Jenifer Cushman, Joseph McDonnell, and Jacqueline Edmondson. **Faculty Representatives:** Patrick Cheek, Lisa Ludec, Michael Scott, Clyde Mitchell, and Matthew Bampton **Student Representatives:** Ava Ellis, Katie Ashley, and Aidan Mulrooney **System Staff:** Kayla Flewelling, Ryan Low, Jeff St. John, Rosa Redonnett, Tracy Elliott, Paul Chan, Tory Ryden, Carolyn Dorsey, Samantha Warren, and Jen O’Leary

**Absent:** Pender Makin, Michael Michaud, Dhivya Singaram, President Deborah Hedeem and Chancellor Malloy.

**Monday, July 10, 2023**

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

**EXECUTIVE SESSION**

On a motion by Trustee Eames, which was seconded by Trustee Cain, 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.
- 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.

**PUBLIC SESSION**

Trustee Riley, Chair, reconvened the public meeting to order, after a short break, and welcomed everyone. The Clerk performed a roll call of the members of the Board of Trustees participating.

## **CITIZEN COMMENT**

Citizen Comment is a time regularly set aside for comments from the public. No participants signed up either online through the online registration form or contacted the Board Office to request participation in this meetings Citizen Comment.

## **CHAIR'S REPORT**

Chair Riley took a moment to welcome the newest Trustee to the Board, John Moore, as well as the University of Maine at Augusta's new President Jenifer Cushman, to their first Board Meeting.

### Affirmative Action Update

Chair Riley introduced General Counsel Paul Chan to discuss the Supreme Court decision regarding Affirmative Action. General Counsel noted that public colleges and universities receiving federal funds are prohibited in considering race in admission decisions and must very carefully review their admissions policies to be in compliant with the court rules. The System is currently reviewing all policies and programs that use affirmative action and ensure that appropriate action is taken to ensure the System and all campuses adhere to the new law within 45 days of the publication of this decision. General Counsel also discussed waiting to hear on further guidance from the Department of Education and would be able to offer further details if needed at the next Board of Trustees meeting.

### Student Trustee Legislation Update

Chair Riley thanked Samantha Warren, Director of Government and Community Relations, on her work regarding this policy regarding the bill that passed directing the addition of two student Trustees to the Board, one graduate and one undergraduate. Sam Warren briefly described the past work with students from the University of Maine and Senator Mike Tipping that evolved into the passed legislation, Private and Special Law 2023, Chapter 14 (LD1656) since signed into law by Governor Mills and effective as of July 1, 2024, to place two student members on the Board of Trustees. Sam Warren and Chair Riley will work together with the current Student Representatives to the Board to develop a draft policy that will adhere to the law and the requirements of the State of Maine Boards and Commissions office to address the selection process for these new student Trustees.

### 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. UM/UMM President Joan Ferrini-Mundy, UMPI President Ray Rice, UMA President Jenifer Cushman, UMFK President Deborah Hedeem, USM President Jacqueline Edmondson, UMF President Joseph McDonnell and Maine School of Law President/Dean Leigh Saufley each provided a brief update on current initiatives for their universities.

### Appointment of Standing Committees

Board of Trustees Bylaws state that committee appointments will be made annually by the Chair. The Chair, Vice-Chair and Chancellor are ex officio members of all standing committees, but the Chancellor is a non-voting member. All committees must have at least three members apart from the ex officio members. Except for the Executive, Audit, and Human Resources/Labor

Relations Committee, standing committees may have members who are not members of the Board. Faculty and Student Representatives serve as non-voting members of the Academic and Student Affairs Committee and the Finance, Facilities, Technology Committee. Committee assignments are effective from July 1, 2023, to June 30, 2024.

The Committee chairs and membership for FY2023 to FY2024 were included in the meeting materials.

### **ACTION ITEM**

#### ***Bylaws Working Group Update***

Trustee Barbara Alexander discussed the previous updates to Board Policy 103 and the discussion and work concluding in a ‘redlined version’ to that particular policy, that was formally reviewed by General Counsel and presented for approval at this Board Meeting.

On a motion by Trustee Alexander, seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees approved the final version of the edited Board Policy 103-Bylaws as initially presented in redlined form at the May 2023 Board Meeting and provided within the July 2023 Board Meeting materials in final form.

### **CHANCELLOR’S REPORT**

Chancellor Malloy was not able to attend this meeting, therefore his update was provided by Vice Chancellor Carolyn Dorsey.

#### **Early Implementation Efforts of the Strategic Plan**

Vice Chancellor Dorey noted that there are four general items in the Strategic Plan that were identified as the initial starting points in conjunction with university presidents which are: Retention, Enrollment, Research and Economic and Workforce Development. More details regarding this will be included in the Vice Chancellor for Strategic Initiatives Update.

#### **New program for recruiting non-traditional students**

Vice Chancellor Carolyn Dorsey turned to Vice Chancellor Jeffrey St. John to offer this update. Vice Chancellor St. John noted there are three initial adult degree completion programs that are moving forward in implementation, two of which involve financial incentives for adults to come back either part of full time to begin degree completion programs – the details of which are still in process – the third initiative is being led by campus presidents and their teams, with the financial support being provided by the Governor of Maine, that will allow each president the opportunity to identify what adult degree completion program/initiative would best fit their campus, with a deadline for program proposal submission slated for early August.

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

Vice Chancellor for Research and Innovation, Joan Ferrini-Mundy, provided updates regarding the engagement in university-based Research and Development (R&D) and their outcomes, impacts and return on investment (ROI).

The presentation provided by Vice Chancellor Ferrini-Mundy focused on four specific areas of university-based R&D: FY2024 Federal CDS Request Update, Overview of US R&D Investment Context, University of Maine R&D ROI, and Challenges and Next Steps.

Regarding the FY2024 Federal CDS Request Update, the Vice Chancellor briefly reviewed two specific projects that are currently ongoing that included a brief description, the amount of funding requested and the request to have them included in Appropriation Bills: 1) Increased Cultural and Educational Offerings for Rural Communities: University of Maine at Presque Isle's Auditorium Renovation Project and 2) New England Plant, Soil and Water Research Laboratory Expansion (ARS) – University of Maine. Vice Chancellor Ferrini-Mundy continued with an overview of US R&D Investment and the context to which that applied to research being done within the System to include a Federal overview of US Research and Development Funding and Performance numbers as of 2022. Vice Chancellor Ferrini-Mundy detailed what this data meant for 'Big Picture' understanding of the direction of research across the United States and, more specifically, in higher education institutions with the help of federal funding, which led into an overview of the estimated impact of the investment made into research and development efforts and the outcomes, both nationally and state-wide, that could be seen through these advanced efforts.

With that overview, Vice Chancellor Ferrini-Mundy then detailed Research Key Performance Indicators (KPIs) at the University of Maine, the current year progress of specific ongoing projects, and the impact these outcomes have when considering the Strategic Plan currently underway throughout the System from now until FY2028. Vice Chancellor Ferrini-Mundy then continued discussions to include the University of Maine's Strategic Partnerships, Innovation, Resources and Engagement (SPIRE) that has been created to help put strategic partnerships at the forefront of all R&D efforts as the impact of such investments into research bring together talent, innovation, infrastructure, and other investments to support students, companies, and communities.

Vice Chancellor Ferrini-Mundy ended her presentation by discussing the Maine Innovation Research and Technology Accelerator (MITRA), the external funding and prototype sales that have benefited from this organization, to include graduate students from the University of Maine as they continue to impact economic and workforce development through start-ups, invention patent registrations, and further research efforts.

### **VICE CHANCELLOR FOR STRATEGIC INITIATIVES**

Vice Chancellor for Strategic Initiatives provided an update on the following areas: UMS Marketing and Communications, the Strategic Plan Implementation Timeline and the UMS Hiring Practices Review.

#### **UMS Marketing and Communications**

Vice Chancellor Carolyn Dorsey opened her update by noting that the System was still in process with defining and outlining the different roles and responsibilities of System marketing and communication. While the terms marketing and communications are similar the efforts

behind these initiatives are very distinct and requires a structure that is very apparent to the Board.

Vice Chancellor Carolyn Dorsey introduced Director of Strategic Initiatives, Jen O’Leary, who is currently working on streamlining the pathway of high school graduates to move into the University of Maine System by working with partners across campuses and community stakeholders while working with the Strategic Advisor and Director of External Affairs Tory Ryden to perfect the messaging that is projected to incoming students for recruitment purposes, and states that this is just one example of how interconnected initiatives are with both UMS marketing and the Strategic Plan.

Another example provided was restructuring the Chancellor’s Campus Visits and his attendance at campus events being expanded to include business and community leaders who are impacted by System and campus initiatives.

A new marketing campaign is also wrapping up with an expected launch date in August that will discuss the value of a four-year education, Mainers focusing their educational and future with the University of Maine System and keeping that education and experience in the state.

#### Strategic Plan Implementation Timeline

Vice Chancellor Carolyn Dorsey turned to Trustee Cain for an update on the Strategic Plan Implementation Timeline. Trustee Cain reviewed the discussions held in the Strategic Planning Committee meeting that was held on June 29, 2023, and noted that the draft of the Strategic Planning Committee was included in meeting materials.

Vice Chancellor Carolyn Dorsey also noted that the Chancellor held a Chancellor’s Council retreat to specifically discuss initiatives and upcoming implementation timelines within the Strategic Plan that each campus and president will begin to address and ensured that each member was in alignment with the work that would be forthcoming as the Fall Semester begins.

#### UMS Hiring Practices Review

Vice Chancellor Carolyn Dorsey reviewed what was discussed in the Human Resources and Labor Relations Committee meeting on June 12, 2023. This update included a brief overview of the executive summary of the Human Resources department assessment that was included in meeting materials. Vice Chancellor Dorsey referenced some of the recommendations within that summary, of which 8 out of 10 are already in process, as the System begins to launch the search for a Chief Human Resources Officer.

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

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

#### Investment Results:

The May Investment Results were included in meeting materials, the May 31<sup>st</sup> market value of \$350 million which saw a loss of .8% which brings the fiscal year to date gain to 6.7% closing

out the year on a positive result, with a projected June resulting in a gain of 4%. The pension fund in May, market value of \$19 million saw a loss of .8% for the month, with a fiscal year to date gain of 4.9%, with preliminary June results an additional gain of 2.3%. Finally, the operating fund, with a market value of \$279 Million saw a loss of .3% in the month of May, bringing the fiscal year to date return to a positive 3.3%, net investment income for the year of 7.6 million, \$5 million above annual budget, with an additional 1% gain for the month.

### Multi-Year Financial Analysis

This is a 5 year look at projected expenses and revenues for the System that go out to FY2028. The recently approved FY2024 budget is the base of the forecast with the rest of the projects built off that. There are limitations to this analysis: this does not balance the budget over a 5-year window as this is not its function. This is a dashboard to look out over all of the resources and expenses of a campus or a system to see how one function affects the other to show an overall fiscal shape or health.

Vice Chancellor Low then proceeded to briefly overview the Multi-Year Financial Analysis Report and Dashboard that are provided with the meeting materials.

### **ACTION ITEMS**

#### ***Houlton Higher Education Center – transfer of ownership – University of Maine at Presque Isle***

Upon request by President Raymond Rice, this action item was pulled from the agenda.

#### ***Skyway Building Contract***

President Raymond Rice offered a brief outline of the history of the Skyway Building, and the request for approval to enter into an agreement to hand the facility over to a local partner for educational purposes only through July 30, 2029, followed by a full transfer of ownership.

On a motion by Trustee Flood, and 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 at Presque Isle to identify a partner and enter into an agreement for a handover of the Skyway Building (SKR) property through July 2029 followed by a transfer of ownership of this full facility as of July 30, 2029, subject to review and approval of the final terms and conditions of the agreement by the University's General Counsel and Treasurer.

#### ***Kelley Commons Dining Hall Service Area Renovation, University of Maine at Presque Isle***

President Raymond Rice briefly discussed this request that was approved at the June 14, 2023, Finance, Facilities and Technology committee meeting to extend up to \$750,000 to renovate the dining hall service area in Kelley Commons.

On a motion by Trustee Flood, seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Finance, Facilities & Technology Committee, and authorized the University of Maine System acting through

the University of Maine at Presque Isle to pursue a Public, Private, Partnership agreement with Sodexo for renovations to the Kelley Commons dining services area for up to \$750,000, subject to review and approval of all final terms and conditions by the University of Maine System Treasurer and General Counsel.

**Real Estate Disposition, Chamberlain and Deering Street Properties, University of Southern Maine**

President Edmondson briefly described the request to sell 5 properties located on Chamberlain and Deering Street on the Portland Campus, which will decrease the universities footprint and increase the utilization rate of existing facilities.

On a motion by Trustee Flood, 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 Southern Maine to sell properties at or above the combined appraised value located at 7, 11, 15, 19 Chamberlain Street and 209 Deering Ave in Portland, Maine subject to review and approval of the final terms and conditions of the purchase and sales agreement(s) by the University's General Counsel and Treasurer.

**Bachelor of Science in Special Education, University of Southern Maine**

President Edmondson briefly described the collaborative efforts across the System as well as external stakeholders that will recruit and train new students in the Special Education program that will help address the Special Education teacher and resource shortage currently being experienced in the state of Maine.

On a motion by Trustee Cain which was seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees accepted the recommendations of the Academic and Student Affairs Committee and approved the Bachelor of Science in Special Education at the University of Southern Maine.

**B.S.B.A. in Operations and Supply Chain Management at the University of Southern Maine**

President Edmondson briefly reminded the Board of Trustees that this program would be replacing an existing minor with an actual degree program and will be the only university in the System that offers programming in this field, as well as the only university in the state other than Maine Maritime Academy.

On a motion by Trustee Cain, seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees accepted the recommendations of the Academic and Student Affairs Committee and approved the Bachelor of Science in Business Administration in Operations and Supply Chain Management at the University of Southern Maine.

**B.S. in Occupational Therapy Assistant, University of Southern Maine**

President Edmondson again reminded the Board the approval of this program will allow the University of Southern Maine to be the only university in the System that will offer this specific academic program and would add a final degree option in this field to allow students the

opportunity to enter the field of Occupational Therapy without having to leave the University of Southern Maine to attain this degree through other online course offerings.

On a motion by Trustee Cain, seconded by Trustee Eames, and approved by all Trustees present, the Board of Trustees accepted the recommendations of the Academic and Student Affairs Committee and approved the Bachelor of Science in Occupational Therapy Assistant at the University of Southern Maine.

### **Confirmation of Boards of Visitors Appointments**

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

On a motion by Trustee Alexander and seconded by Trustee Flood, and approved by all Trustees present, the Board of Trustees confirmed the Board of Visitor's appointments for 2023-2024 as presented.

### **CONSENT AGENDA**

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

#### **Acceptance of Minutes**

The following meeting minutes were approved as presented:

May 18, 2023 – Investment Committee Meeting

May 21-22, 2023 – May Board of Trustees Meeting

#### **Purington Hall Renovation Project Authorization, University of Maine at Farmington**

The Board of Trustees accepted the recommendation of the Finance, Facilities & Technology Committee and authorized the University of Maine System acting through the University of Maine at Farmington to expend up to \$2,700,000 to renovate the restrooms and replace the failing plumbing infrastructure at Purington hall on the UMF campus. Funding for this project would be from the state annual capital improvements commitment.

#### **Mallett Hall Renovation Project Authorization, University of Maine at Farmington**

The Board of Trustees accepts the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System acting through the University of Maine at Farmington to expend up to \$2,700,000 to renovate the restrooms and replace the failing plumbing infrastructure at Mallett Hall on the UMF campus. Funding for this project would be from the state annual capital improvements commitment.

#### **Modernization of Witter Farm, University of Maine**



The Board of Trustees accepts the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine, to increase spend from \$800,000 to \$2.6 million and change the scope of the project to construct a new modern dairy facility, renovate an existing barn, and demolish four existing barns located on the J. Franklin Witter Teaching & Research Center in Old Town, Maine.

### **DATE OF NEXT MEETING**

The next meeting of the Board of Trustees will be held at the University of Southern Maine on September 10-11, 2023.

### **EXECUTIVE SESSION**

On a motion by Trustee Eames, which was seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees meeting went into a second 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.
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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.

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  
Kayla Flewelling, Interim Clerk