

UNIVERSITY OF MAINE SYSTEM  
Board of Trustees Meeting

hosted by the University of Maine at Presque Isle  
November 5-6, 2023

**Board of Trustees Meeting**

**Present:** **Trustees:** Trish Riley, Chair; Roger Katz, Barbara Alexander, Patrick Flood, Donna Loring, Emily Cain, David MacMahon, Kelly Martin, Valerie Landry, Owen McCarthy, John Moore, Dhivya Singaram and Michael Michaud. **Trustee Proxy:** Chelsea Fortin-Tremble was proxy for Pender Makin **Chancellor:** Dannel Malloy. **University Presidents:** Leigh Saufley, Ray Rice, Jenifer Cushman, Joseph McDonnell, Deborah Hedeem and Jacqueline Edmondson. **President Proxy:** Provost John Volin was proxy for Joan Ferrini-Mundy. **Faculty Representatives:** Ivan Manev, Patrick Cheek, Clyde Mitchell, William Otto, Libin Thaikkatti Louis, Lisa Leduc, and Joe Staples. **Student Representatives:** Katie Ashley, Aidan Mulrooney, Ben Doherty, JJ Chaboya, Samantha Morton, Jacob Carter, Andrew Siele and Ava Ellis. **System Staff:** Ryan Low, Jeff St. John, Carolyn Dorsey, Amon Purinton, Tracy Elliott, David Demers, Samantha Warren, Gretchen Catlin, Jen O'Leary, Jamie Ballinger, Kim-Marie Jenkins, Samantha Toner, Rowena Clukey and Kayla Flewelling.

**Sunday, November 5, 2023**

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

**EXECUTIVE SESSION**

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

**Monday, November 6, 2023**

Trustee Riley, Chair, called the public meeting to order and welcomed everyone. Trustee Riley took a moment to thank the President and staff at the University of Maine at Presque Isle for hosting the Board Meeting.

Chair Riley also asked the Board to observe a moment of silence for the tragedy that struck Lewiston, Maine in October, and acknowledged the work ongoing across the System to ensure that students, faculty and staff are safe on their campuses.

## **CITIZEN COMMENT**

Citizen Comment is a time regularly set aside for comments from the public. No citizens signed up for comment at this meeting.

### **University of Maine at Presque Isle Presentation**

President Rice began a presentation to the Board of Trustees outlining and discussing the success of the YourPace program that UMPI has deployed as an online education platform as well as the traditional education and program pathways that UMPI provides. President work began with a brief overview of the geographically bound work that is completed by students and faculty at the University, but ultimately plays into the non-traditional, competency-based education that is provided through the YourPace model.

President Rice showcased a brief video of three students who are involved in the traditional model of education through the different research tracks that UMPI provides.

Dean Alana Margeson began speaking about teaching and learning at the University of Maine at Presque Isle by outlining three specific high impact practices and initiatives being deployed to increase student success and retention. ELOs- Extended Learning Opportunities are funded by two-year grants through the Department of Education that give students in high school to the age of 21 to connect to career opportunities in the state of Maine. There are 8 current ELOs that are in place at UMPI where students (on average) complete 20 hours of work in an educational setting, then coordinate opportunities to complete work in a JMG platform and are compensated for their travel as they then go out and complete their work with potential employers as they execute their skills in the workplace. Internships have also been a large focus at UMPI in helping students meet and connect with potential employers as ELOs have been helping guide students into the workplace by finding placements for them in the workforce while completing their higher education work. This provides great research learning opportunities for students as well.

Dean Susan Chang was next to speak about the YourPace program and the diversity that this online competency-based education has allowed UMPI to reach to include students who are adult learners coming back to complete their higher education, individuals who are able to leverage the knowledge they have gained through the workforce looking for professional development and traditional students who are situated in various regions around the world. Dean Chang briefly overviewed the history of the YourPace program on the UMPI campus, the involvement of faculty in the continuing development of programs within the program, to include a graduate degree modality. Dean Chang continued with describing the unique modalities and characteristics of the YourPace program that set it apart from the other online competitors in the market, and finally ended her presentation with student feedback and testimony of their ability to use the YourPace program to obtain their degrees/certificates.

### **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 Provost John Volin, 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.

## **ACTION ITEM**

### **Policy for Student Trustees**

Private and Special Law 2023, Chapter 14 requires that effective no later than July 1, 2024, the Board include two student members.

The Governor shall appoint the undergraduate and graduate student members based on the joint recommendations of the relevant student government associations. Nominees are then subject to confirmation by the Maine Legislature. Each student member of the Board serves a two-year term as a full voting member, and is subject to all relevant State laws and the policies and responsibilities of the Board.

As required by the enabling law, this policy, which was subject to an initial reading at the September 2023 Board meeting, details the inclusive student-led process by which student members of the Board are recommended to the Governor for appointment. It was drafted in collaboration with the current member of the Board and the Undergraduate and Graduate Student Representatives to the Board, who also solicited input from their university student government associations and other student stakeholders.

On a motion by Trustee Cain, which was seconded by Trustee Singaram, and approved by all Trustees present, the Board of Trustees adopts Section 217, Selection of the University of Maine System Board of Trustees Student Members as a new Board policy that supports implementation of Private and Special Law 2023, Chapter 14.

## **CHANCELLOR'S REPORT**

Chancellor Malloy provided brief remarks highlighting each campus as they work towards providing their students with both a student experience as well as a life experience and wanted to thank the Presidents on their continuous efforts to provide all that they can to their students.

Chancellor Malloy noted that changes have been made to the enrollment process to show positive results now having overcome COVID, particularly when comparing processes to national trends as enrollment is low across the country, and remarked that student outreach, Early College, direct admissions and other enrollment marketing has been ongoing, and today was happy to report that the System has seen only a .7% instead of being between 4% and 6% in decline as anticipated. Chancellor Malloy noted that Maine does have a demographic challenge that makes enrollment in higher education difficult, which is why the success of online competency-based education programs and research opportunities throughout the System and meeting the market where it is at is so important.

Chancellor Malloy ended his update by introducing Seth Goodall as the new CEO for the Maine Center Venture and the Executive Director of the Maine Graduate Center in Portland.

## **VICE CHANCELLOR FOR ACADEMIC AND STUDENT AFFAIRS REPORT**

Vice Chancellor for Academic and Student Affairs Jeffrey St. John introduced Claire Sullivan, Assistant Vice Chancellor for Digital Badges and Micro-Credentials. Dr. Sullivan will update the Board on the UMS Micro-Credentialing initiative.

The University of Maine System's Micro-Credentialing initiative embodies the principles and aims of Unified Accreditation. Collaborative to its core, UMS Micro-Credentialing engages faculty, staff, academic leaders, and students across our universities in the development of digital badges and related micro-credentials. This work expressly supports student success and career preparation and has been regionally and nationally recognized for its quality.

This presentation reflects the progressive fulfillment of the following Action and Goal in the 2023-2028 University of Maine System Strategic Plan:

*Commitment 1, Action 3:* UMS will be the statewide leader in adult degree completion, credentialing, industry certifications, and licensure preparation.

*Commitment 1, Action 3, Goal 3.1:* UMS will deliver degree completion, credentialing, and certification programs that achieve national recognition for their innovative delivery methods and accelerated rates of success and completion.

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

Acting Vice Chancellor Dorsey, with Vice Chancellor Jeffrey St. John, Trustee Emily Cain and Director of Strategic Initiatives Jennifer O’Leary offered updates on Strategic Plan implementation efforts and actions to date.

Trustee Cain updated the Board on the progress of the Strategic Planning Committee, to include an additional meeting in December to discuss the submissions of campus plans as it was one of the first deliverables of the Strategic Plan for October 1. Trustee Cain also noted that continued work will be concluded to assign committees goals from within the strategic plan to their own work plan and ensure that work is not duplicated. Continued discussions will also take place regarding the campus strategic plan alignment with the UMS Strategic Plan. The implementation structure for the Strategic Plan is in place and running.

Vice Chancellor Dorsey applauded the work that the Presidents and their leadership teams put into their campus plans. Since the Strategic Planning committee, Chancellor Malloy has kicked off several initiatives that will fully engage some goals within the strategic plan that have timelines and goals that are approaching in the next few months. Vice Chancellor St. John spoke about the work that is ongoing within several of the goals within the strategic plan that don’t necessarily align with any concrete commitments or initiatives and how those goals will be collaboratively shared between groups throughout the system with the help of the Presidents and other campus leadership.

VC Dorsey ended her update with a brief update on the construction of Key Performance Indicators (KPIs) and how that will be reported out to the system, campuses, and the Board as work in the plan continues. Director of Strategic Initiatives, Jen O’Leary, reported that the system has been invited to become involved with a refresh of the Maine Economic Strategic Plan in the legislature as the work that has been completed on the Strategic Plan was noted by the State as being exemplary.

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

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

It’s been a bumpy ride for investments this fall with a bright spot emerging this past Wednesday on market optimism that the Federal Reserve might be finished raising interest rates. With that, I’ll provide a recap of September’s results as well as October’s preliminary results.

The **Managed Investment Pool (MIP)**, with a September 30 market value of **\$350 million**, saw a loss of **3%** for the month, with early estimates for October indicating an estimated loss of **2.3%**

The **Pension Fund**, with a September market value of just over **\$18 million**, also had a loss for the month of **2.9%** with an estimated loss of **1.6%** for October.

The **Operating Fund**, with a September market value of **\$282 million**, and a more conservative asset allocation, saw a loss of **.6%** (or **\$2 million**) for September. In addition, NEPC estimates a loss of **0.4%** (or about \$1 million) for October, bringing the net estimated loss for the fiscal year to date to just over **\$1 million**. This is \$3 million short of our \$2 million investment income budget for FY24.

Endowment spending policy rate: 4.5%. NEPC's supported minimum long-term return assumption for each portfolio is:

- MIP – 7.25%
- DB Pension Plan – 6.25%
- Operating Fund – 4%

The MIP includes:

1. The Endowment Pool which includes UMS endowment funds & those of the UMFK & USM Foundations, and the John L. Martin Scholarship Fund, Inc.
2. 3<sup>rd</sup> party investors (the OPEB Trust and the University of Maine School of Law Foundation).

<b>09/30/2023 MIP Value by Entity:</b>	<b>\$ in millions</b>
UMS Endowment Pool	\$175
UMaine Law Foundation	5
USM Osher Map Library Foundation	0
OPEB Trust	170
Total MIP	<u>\$350</u>

### **NEPC Flash Report Return definitions:**

**Policy Index**- is the target asset class weights times the return of the respective passive benchmark (calculated monthly). Measures the effectiveness of the MIPs asset allocation in achieving the targeted return.

**Allocation Index** – is the actual asset class weights, at the previous month end, multiplied by the return of the respective passive benchmark for the current month. Measures the effectiveness of deviating from target weights. Comparing the Allocation Index to the Policy Index shows if any deviations from policy targets added or detracted value.

**Composite** is the actual MIP returns (net of manager fees). Comparing the Composite to the Allocation shows manager value add or deduction.

### **ACTION ITEMS**

#### **Campus Budget Changes**

Vice Chancellor for Finance and Administration & Treasurer Ryan Low, along with the universities, will briefly present the FY2024 proposed operating budget revisions. Most changes reflect enrollment, residence hall occupancy and general operating expenses. Below is a comparison of the FY2024 original vs. revised budgets for a) operations b) annual credit hours and c) residence hall occupancy for all universities. UMF, USM, and LAW will resolve budget gaps by January 2024.

On a motion by Trustee Cain, which was seconded by Trustee Michaud, and approved by all Trustees present, the Board of Trustees approved the FY2024 proposed operating budget revisions.

**Confirmation of Student Representatives to the Board**

The following nominations are being recommended by the campus:

**Student Representative:**

Benjamin Doherty - UM – Reappointed for a 2-year term – November 2023 to September 2025.

Jacob Carter, UMM – Appointed for a 2-year term – November 2023 to November 2025

On a motion by Trustee Michaud, and seconded by Trustee Cain, and approved by all Trustees present, the Board of Trustees approved the appointments of the Student Representatives to the Board of Trustees as presented.

**University of Maine School of Law Statement**

The University of Maine School of Law proposes to update its current mission statement:

“The University of Maine School of Law is the state’s public and only law school, a vital resource serving our local, regional, national, and global community. Maine Law is an institutional public servant committed to providing an accessible and affordable student-focused program of legal education and achieving the highest standards of ethical behavior.

Our rigorous doctrinal and experiential curriculum, influential scholarship, and signature programming prepare students to practice law, promote respect for the rule of law, and advance justice for all members of society.”

The proposed new mission statement is:

**MISSION STATEMENT**

Maine Law’s mission is to advance justice and leadership in a changing world. We provide an exceptional, inclusive, and student-centered legal education and serve our local and global communities through teaching, scholarship, and public service.

**VALUES**

We pursue our mission through the implementation of our values by an engaged faculty and staff who encourage the advancement of justice for all members of society, promote a system of just laws, and provide students with the knowledge, ethical framework, and skills needed for a career in the law.

- 1. Inclusion and community:** Creating a collaborative culture for the study of law that supports diversity, equity, and inclusion.
- 2. Academic excellence:** Providing students with an exceptional legal education through a comprehensive and diverse course of study.
- 3. Experiential learning:** Preparing the next generation of lawyers and legal professionals for the modern practice of law through practical opportunities inside and outside the classroom.
- 4. Professionalism:** Instilling the highest ethical standards and a strong sense of professional identity.
- 5. Public service:** Promoting service to our community and the legislative, judicial, and executive branches.
- 6. Leadership:** Training the next generation of leaders in Maine and beyond.
- 7. Collaboration:** Fostering an interdisciplinary approach to teaching, research, and service.

The proposal was reviewed at all appropriate faculty and administrative levels at University of Maine School of Law. Chancellor Malloy signed his approval of the proposed University of Maine School of Law mission on October 4, 2023. This item will be forwarded to the November 2023 Board of Trustees meeting as an information item and will be presented at the January Board meeting for approval.

On a motion by Trustee Michaud, which was seconded by Trustee Alexander, and approved by all Trustees present, the Board of Trustees accepted the recommendation of the Academic and Student Affairs Committee and approves this change Maine School of Law Mission.

**Proposed Changes to Board of Trustee Policy 301.9**

The Board of Trustees, as the legal governance body for the University of Maine System, establishes the policies that enable the System institutions to provide higher education of excellent quality to Maine and its citizens. One of the most important Board responsibilities is the approval of mission statements and strategic plans for the System and for the universities.

The current Board Policy Section 301 addresses the mission statements of all universities within the System. However, the Maine School of Law does not have a sub-section with a Board-approved mission statement represented. Therefore, a resolution was presented to add sub-section 301.9 to Policy 301 to appropriately document the Maine School of Law mission statement.

On a motion by Trustee Alexander, which was seconded by Trustee Cain, and approved by all Trustees present, the Board accepted the recommendations of the Academic and Student Affairs Committee and approved this change to the Board Policy 301.9 – Maine School of Law Mission.

**CONSENT AGENDA**

On a motion by Trustee Michaud, 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:  
*September 10-11, 2023 – Board of Trustees Meeting*

**DATE OF NEXT MEETING**

The next meeting of the Board of Trustees will be held at the University of Maine on January 28-29, 2024.

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