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Board of Trustees Educational Policy Committee February 3, 1971

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UNIVERSITY OF MAINE
BOARD OF TRUSTEES

APPROVED BY THE BOARD OF TRUSTEES

Date 4/8/71
By: Jessie R. Magill, Clerk

Educational Policy Committee
February 3, 1971 at Orono, Maine

PRESENT: Chairman Mrs. Jean Sampson, C. R. McGary, N. Y. Wessell; L. M. Cormier, S. T. Hughes. Staff: D. R. McNeil, S. L. Freeman, E. S. Godfrey, L. J. Jewett, W. C. Libby, E. A. Olsen, S. F. Salwak, A. L. Buffkins, A. C. McGhinness, J. M. Clark, G. P. Connick, D. I. Carter, L. J. Calisti, R. E. Fearon, R. M. York and Clerk, J. R. Magill.
(Later, H. L. Fowle, F. S. McGuire, B. I. Shur, L. M. Cutler and J. H. Page)

Chairman Sampson convened the meeting.

Personnel. Several points were raised in the course of the discussion of the recommendations for granting tenure. Dr. Wessell said he favored early promotion to tenure for outstanding teachers but he questioned what he felt might be a disproportionate number of such recommendations from Orono. Dr. Clark explained that the majority were faculty appointed initially at the Associate Professor or Professor level, at which levels it was customary to recommend tenure after satisfactory completion of a two-year probationary period.

President Libby responded to another question from Dr. Wessell about recommendations for tenure at the Assistant Professor level for persons apparently unqualified for promotion to Associate Professor. The President said that Orono's policies, which permit awarding of tenure to Assistant Professors, need some further modification in this respect. He said that the problems arise in connection with faculty who have been associated with the University for long periods of time, and who are performing well, often carrying considerable responsibility, but who do not meet the standards for promotion to Associate Professor. The administration does not want to lose these people and the alternative is to retain them in permanent rank at the Assistant Professor level. President Libby also discussed some other specific problems within the same general area and noted that, lacking alternate solutions for the moment, the Orono administration supported the recommendations in question.

Dr. McNeil added that he thought it would be detrimental to the University to have policies that require either promotion or termination after certain specified periods, and he expressed the need for additional flexibility.

Dr. MacLeod spoke in support of the recommendations from Portland-Gorham. New personnel policies are being drafted for the merged institution and Dr. MacLeod said that he had adopted a very conservative philosophy toward promotions in this transitional period. In response to a question from Mr. Hughes, he replied that recent charges in the student press with respect to en masse promotions were unfounded. Since the Portland faculty is relatively young there will probably be somewhat greater numbers of promotions in relation to total faculty. Dr. MacLeod noted that the actual number of promotions recommended to the Board was less than those for recent years. The number of recommendations for promotion to tenure

at the Gorham Campus reflects the establishment of 45 new faculty positions made possible by the Legislature five years ago. Old State College policies still in effect at Gorham allow tenure after five years service. Dr. York added that the emphasis had been placed on good teaching as a determining factor in addition to the five-year criterion.

Mrs. Sampson called the Committee's attention to a recommendation supported by the Bangor Campus prescribing the official title of Instructor for all faculty at UMB. Dr. McNeil thought that this practice should not prevail at all community colleges in the system. President Libby reported that resistance to professorial titles may reverse itself once a permanent Director is installed.

A recommendation for the appointment of John E. Beckley to the position of Director of the University of Maine at Bangor was included in the personnel actions being reviewed by the Committee.

It was moved, seconded and

VOTED: to recommend that the Board approve all personnel actions listed under date of February 4, 1971, copies of which are appended to the permanent file of these minutes.

Athletic Scholarships. To comply with the Board's request at the December meeting, President Libby had prepared a detailed proposal for management of athletic scholarships and this had been circulated to the Trustees in advance of the meeting. At the request of Chairman Sampson, President Libby commented on this proposal. He called attention to existing athletic scholarships, six in number, which have been established over the years, with the approval of the Board, from gifts and bequests to the University. He noted that the new policy he proposed would be essentially an effort to build a new fund from which the income could be used to carry on the program which had evolved from the initiation of the other scholarships. The President urged the Committee to reject the concept of athletic scholarships if there were doubts that the program would be administered sanely.

During the discussion, the principal objection was raised against the bases for awarding grants, with resistance focused on a provision that would permit awarding scholarships in excess of computed financial need in certain cases. Interest in programs limited to financial need is gathering strength in the national collegiate athletic associations and there was agreement among the Committee members that the University should be one of the forerunners of this movement.

Dr. McNeil observed that adoption of an athletic scholarship policy would be applicable throughout the system, not just to the Orono Campus, and that it would be important to recognize the implications a policy would have for the development of athletic programs elsewhere in the University. He announced that he had drafted a policy statement, with the concurrence of President Libby, that would provide for acceptance of special funds for athletes for distribution on the bases of need and academic promise. Guidelines to govern procedures would be developed for Board approval.

Dr. McNeil regarded this statement as a justifiable compromise on the question of scholarship aid for athletes. He pointed out that the Board customarily accepts gifts which are restricted by the donor for use in specific ways. The bulk of the University's endowed funds for student aid are restricted gifts designated for students from certain towns, or pursuing courses of study in certain disciplines, etc. Acceptance of gifts under the terms of the proposed policy would authorize the establishment of a special fund for athletes who meet the requirements of the Office of Student Aid with respect to financial need and academic promise.

In response to further questions, Dr. McNeil said that the guidelines would specify that all competitive sports offered at a Campus would be eligible to receive support, and that the Athletic Department would be responsible for identifying athletes qualified to receive consideration. Actual grants would be awarded by the Office of Student Aid. The guidelines will also provide for procedures to govern fund-raising activities. President Libby recommended that the Graduate M Club be assigned responsibility for the campaign at Orono. These guidelines would require Board approval before implementation.

After further discussion, it was moved, seconded and

VOTED: to recommend to the Board the adoption of the following statement of policy for grants-in-aid and athletic scholarships:

Grants-in-aid to athletes from general University sources or from special funds established from non-University sources shall be awarded on the same bases of computed financial need and academic promise as grants-in-aid are awarded to other students in the University.

The University will accept special funds or grants-in-aid to athletes with the provision that such funds shall be distributed to athletes on the bases of financial need and academic promise and in accordance with policies and procedures approved by the Chancellor.

Policies and procedures for making grants-in-aid to athletes are to be developed by the presidents and approved by the Chancellor in accordance with guidelines to be developed by the Chancellor and approved by the Board of Trustees.

Portland-Gorham academic merger. The Chancellor had prepared a detailed document conceptualizing an academic organization for the University of Maine at Portland-Gorham which was merged administratively in July, 1970. This document was constructed from the recommendations of the Portland-Gorham administration, faculty and students, for a viable academic structure which would support the institution's objectives. In his introductory remarks, Dr. McNeil said that advisory committees were still working on other aspects of the merger, such as governance, curricula, and locations for course offerings, and that additional recommendations would be forthcoming as the committee completed their studies. In essence, the concept

represented a change from the former divisional base to a broader structure incorporating schools and colleges, and providing for graduate study, research, and public service. Dr. McNeil recognized that implementation of this concept would be expensive and he anticipated that it would be necessary to make progress toward the ultimate objectives within the limitations of available funds. He said that retention and protection of present staff would be a key factor in the transition.

The Committee discussed probable costs of implementation at some length. The staff had estimated that \$300,000 would be required to finance the entire structure as presented, in addition to the establishment of a transportation system which would cost another \$100,000. Since the Board was being asked to approve only the concept of the organization, no breakdown of financial requirements was included in the document presented for consideration. The Chancellor said that there were still many decisions to be made and that these would be influenced by future conditions, such as the degree to which the Legislature funds the University's budget requests and the availability of federal money to subsidize educational programs. He pointed out that Board approval would be required for budget allocations and personnel appointments to implement each stage.

After further discussion which explored questions about the size of the staff structure, potential development of one- and two-year programs, and the long-range advantages that could result from the merger, it was moved, seconded and

VOTED: to recommend that the Board approve the concept of the academic structure of the University of Maine at Portland-Gorham, as outlined in the Chancellor's memorandum dated January 29, 1971.

New Programs.

Bachelor of Science (Rehabilitation Worker), UM-Farmington. The Committee considered a proposal from Farmington to offer a new program to prepare students for entry level employment in government and private agencies which provide rehabilitation services to children and adults. The program is related to health professions education and includes a required period of practicum service in a State or private agency. No additional cost is anticipated initially since only one course will be added and all courses can be taught by existing faculty. It was moved, seconded and

VOTED: to recommend that the Board approve the Bachelor of Science (Rehabilitation Worker) to be offered at the University of Maine at Farmington beginning Fall, 1971.

Master of Music, UM-Orono. Discussion of this program was postponed and the proposal TABLED pending a clarification of residency requirements for graduate education.

Student activity fee. Reaction to the initiation of the Abortion Loan Fund by the Orono Student Senate precipitated review of Board policy which currently authorizes complete student control over activity fees, subject

only to Board approval of any change in the amount assessed. Mr. Barnett Shur, Legal Counsel, said that the question of a Board's responsibility for expenditure of student activity fees was a relatively new subject as far as court action is concerned, and no firm legal opinion has been established. He added that the matter was primarily a question of policy rather than law, at this time, but he pointed out that the University collects the money, by use of sanctions when necessary, and this would imply responsibility for regulation and control.

Dr. McNeil had prepared a recommendation which provided for the delegation of responsibility for administration of student funds to the Chancellor and the President of a Campus, with the stipulation that maximum student control would be permitted within this framework. During discussion of this recommendation it became obvious that there was no unanimity of opinion. There was some conviction that the University had gone too far in abdicating control over student expenditures, and that some degree of regulation should be restored. Conversely, others thought no change of policy should be adopted until legal precedents were firmly established. Chairman Sampson decided that the matter was too sensitive and critical for a decision without further information and deliberation. Dr. McNeil withdrew his recommendation and Mrs. Sampson asked for further study and another proposal for a future meeting.

State support for private colleges. Dr. McNeil reported that the Maine Education Council, of which he is a member, will recommend to the 105th Legislature the establishment of an advisory commission to undertake a full-scale study of public support for post-secondary education in Maine, findings to be reported to the 106th Legislature. The Chancellor added that he has said that the University would oppose the private college support bill submitted by Rep. Floyd Haskell, on the grounds that it is a fragmentary approach and that the Legislature should have an opportunity to settle the basic question of support for all of post-high school education as a matter of State policy.

Mr. Fowle reported that the Maine Higher Education Council has also discussed the Haskell bill. The MHEC is not opposed to the concept of public support for private education, but the official position will cite the need for additional study rather than support for the Haskell bill, per se. The MHEC expects to undertake its own study of this matter.

Abolition of State Board of Education. Dr. McNeil reported that the bill submitted to the Legislature to reorganize the State government proposes the abolition of the State Board of Education, and he recommended that the Board of Trustees take an official position favoring retention of the State Board. Dr. McGary said that the State Board would draft a compromise bill to moderate the principal objections noted in the Legislative Research Committee recommendations for governmental reorganization. Essentially, this bill would reduce the term of office for Board members from five to four years and authorize the Governor to designate the Chairman of the State Board.

Mr. Hughes endorsed the retention of the State Board as a matter of personal conviction, but he felt that the Trustees should not take an official position on matters outside the Board's jurisdiction.

After further discussion of the values of the State Board and the implications its abolition would have for the University of Maine, it was moved, seconded and

VOTED: to recommend that the Board adopt the following resolution:

WHEREAS legislation will be introduced to abolish the State Board of Education,

WHEREAS all but two states in the union currently have State Boards of Education, and

WHEREAS there are good and sufficient reasons for having a State Board of Education, namely:

1. The tradition of public education being determined by a lay board;
2. The tradition of protecting education from undue political influence;
3. The need for a buffer between the Department of Education and the public;
4. The high regard of the education community for the State Board;
5. The recognition of the importance of education to the people by making special provision for its administration.

Now, therefore, be it RESOLVED that the Trustees of the University of Maine be recorded as favoring the retention of the State Board of Education, and the appropriate officials be advised of this action.

Availability of Board Minutes. Dr. Freeman asked the Committee to establish some guidelines for access to Trustees records prior to the merger. It was moved, seconded and

VOTED: to recommend to the Board of Trustees that all records of the Board of Trustees' meetings shall be open to public examination twenty-five years after the date of the meeting. Records of meetings less than 25 years in the past shall be open to public examination if the original meeting was a public session. Scholars desiring access to records of non-public meetings less than 25 years in the past may apply to the Chancellor's Office for permission to examine the records for specific, appropriate purposes.

Non-trustees on Board Committees. Dr. Freeman reported on the status of the staff's efforts to arrange for student and faculty representation on Board committees, as directed by the Trustees in April, 1969. This matter has been discussed numerous times over the past two years, both by the staff and by the Trustees, and Dr. Freeman reviewed some of the problems that have been obstructing implementation of the Board's request. These include development of an equitable procedure to select six or eight truly representative persons from the faculty and student body of nine campuses, the possibility that faculty membership would constitute a conflict of interest, and the difficulty of providing continuity of student membership. In a recent meeting, the Administrative Council suggested that there would be more effective and appropriate ways to bring representative faculty and student views to the attention of the Trustees, and Dr. Freeman read a recommendation that had been prepared as a result of that discussion:

Recommendations

1. Instruct presidents to insist that campus procedures provide for faculty and student involvement in policy proposal making--this is being achieved through modifications in campus governance procedures.
2. Establish faculty and student "cabinets" and schedule occasional meetings of those cabinets with members of the Board for general discussion of University affairs.
3. Create ad hoc committees on specific issues as needed to inform a Trustee committee about student or faculty or alumni sentiments from each campus.
4. Use of the established procedures for appearing before the Board.

Chairman Sampson felt that the recommendations presented were largely administrative procedures and while they would be helpful, should not preclude addition of faculty and students to Board committees. She reported that the governance task force of the HEP Commission, of which she is a member, had discussed this issue at some length and would recommend the appointment of one student and one faculty member to each of the Board's committees. Mrs. Sampson said that selection could be made by the Board from names suggested by the student and faculty groups of each Campus with some procedure for rotation of membership among the nine units of the system. Dr. Wessell favored inviting representatives of student, faculty and alumni groups to meet routinely with the Board as official delegates from their respective organizations. Dr. McNeil pointed out that the faculty and students already were being deeply involved in the decision-making process and that these procedures would be further enhanced by the initiation of University-wide student and faculty senates.

After further discussion, the Committee decided to send this matter back to the staff for further study.

Adjournment.

JoAnne R. Magill

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