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Board of Trustees September 28, 1970

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UNIVERSITY OF MAINE - BOARD OF TRUSTEES

Fort Kent, Maine
September 28, 1970

PUBLIC MEETING
(Subject to Final Approval)

PRESENT: Chairman, L. M. Cutler, H. L. V. Anderson, A. H. Benoit, V. P. Currier, R. H. Cutting, R. N. Haskell (until recess), S. T. Hughes, J. H. Page, C. D. Reed, Jr., W. G. Robertson, Mrs. Jean Sampson; STAFF: D. R. McNeil, S. L. Freeman, Jr., H. L. Fowle, Jr., A. C. McGuinness, W. N. Roberson, A. L. Buffkins, E. S. Godfrey, W. C. Libby, W. J. MacLeod, F. S. McGuire, D. C. Rice, S. F. Salwak, L. A. Sennett, J. M. Fox, B. I. Shur, V. F. Massey and Clerk, JoAnne R. Magill. Also Present: Students and faculty from the University of Maine at Fort Kent and the Press.

Chairman Cutler convened the meeting.

Approval of Minutes.

It was moved, seconded and

VOTED: to approve the minutes of the following meetings, as distributed and corrected:

July 24, 1970

Joint Session, Executive and Finance Committees

July 29, 1970

Educational Policy Committee
Executive Session (as corrected)

UM-Fort Kent

The Chancellor reported that he had been advised by Joseph M. Fox in February of his intention to resign from the Presidency of the University of Maine at Fort Kent. Dr. McNeil said that although he had refused to accept this decision at that time, President Fox had become insistent and that his resignation was now being submitted to the Trustees. Dr. McNeil commended President Fox for his able leadership in a period of transition and growth in the institution. The following resolution was UNANIMOUSLY ADOPTED.

RESOLVED: to accept, with reluctance, the resignation of Joseph M. Fox from the Presidency of the University of Maine at Fort Kent, and to express to President Fox the Board's deepest appreciation for his service to higher education that has earned for him the devotion and admiration of the Saint John Valley and his colleagues within the University of Maine.

Dr. Cutler said that the Trustees are pleased that President Fox will continue in his present capacity until September 1, 1971.

At the request of the Chancellor, President Fox commented briefly on the current status of the Fort Kent Campus taking note of the impending visit of an accreditation team, the limitations that lack of housing have placed on increasing enrollment, and the necessity of a strong commitment to the college by the Trustees and the next President in terms of further development of programs and facilities at Fort Kent. President Fox thought that Fort Kent must continue to be an integral part of the whole system, and he pointed out that the Campus serves more than just the local community, drawing fully half of its student-body from areas outside the St. John Valley.

UM-Portland-Gorham.

Following a recess for lunch, Acting President William MacLeod was invited to report on the progress of the administrative merger in process at the University of Maine at Portland-Gorham. Dr. MacLeod said that the staff has tried to move as rapidly as possible to implement the decision made by the Trustees in December, 1969 to unite the Portland, Gorham and Law School components within a single administrative structure. Ad hoc committees have been constituted with membership drawn from the faculty, administration and student body from the three campuses, and they are attempting to develop an administrative organization which will permit the smooth functioning of continuing operations. The committees expect to have a reorganization pattern for the academic structure ready for Board consideration early in 1971. Acknowledging that some suspicion and hostility remain, Dr. MacLeod believes that there is a growing feeling of unity and understanding among the principals.

In response to a question from Mr. Benoit about the tuition differential which has proven troublesome, Dr. McNeil said that the staff would have a recommendation ready for the next meeting of the Board on this matter. As an additional comment, the Chancellor pointed out that the merger creates essentially a new University center at Portland-Gorham. Some of the faculty are eager to establish innovative structures for the complex and they are fearful that financial resources will prove inadequate to support much innovation. Dr. McNeil has told them that while they must work within the approved budget, there should be some flexibility in Part II.

COMMITTEE REPORTS:

Physical Plant Committee. Chairman Page reported that the committee had reviewed the status of the capital construction program with special interest in those projects that have been delayed or are behind schedule. The Committee had discussed more effective ways to insure qualitative contractor performance. Mr. Page commented briefly on the results of arbitration just completed with regard to the Physical Education Building in Portland. No action was required.

The Chairman presented the Committee's final report on the acquisition of the President's House in Presque Isle. Most of the funds which retired

the mortgage were paid from savings effected in the 1969-70 Campus budget.

Housing Foundation Project. To facilitate a solution to the legal problems in which the land acquisition methods for the Housing Foundation project had become enmeshed, the Committee recommended that the University accept title to approximately 4.8 acres of land from Housing Foundation, Inc. and, following the acceptance, grant to Housing Foundation, Inc. a ninety-nine year lease of the same 4.8 acres. This parcel would be in addition to approximately 6.8 acres authorized for conveyance by the Trustees in February. All land leased or conveyed for this project will be returned to the University, together with all buildings thereon, at the end of the mortgage period of about 45 years. It was moved, seconded, and

VOTED: to accept from Housing Foundation, Inc. 4.8 acres of land adjacent to the Orono Campus, at no cost to the University.

Further: upon receipt of a satisfactory title for this land, the Trustees approved granting to Housing Foundation, Inc. a ninety-nine year lease for this same 4.8 acres, plus approximately 6.8 acres authorized by the Trustees on February 17, 1970.

There was a question about the possibility of utilizing a similar project to resolve housing problems in other critical areas within the system. Mr. Fowle explained that the Housing Foundation program in Orono was a pilot project and that the prospects are good that this principle can be applied in other areas.

Model Cities Program. The University's Continuing Education Division has entered into an annual agreement to conduct a project within the Model Cities program in Portland which is designed to encourage adults to complete the first eight grades of schooling. The project is financed largely by federal funds, but the University would be required to provide a school building within the Model City neighborhood. The Committee recommends approval of a lease agreement for the former Mercy Hospital Nurses School building, such lease to be negotiated for a three-year period and to provide for termination on 60 days notice in the event that federal funding ceases prior to the expiration date of the lease. It was moved, seconded, and

VOTED: to approve a three-year lease agreement with Masada Trust of Portland for property at 218 State Street in Portland and, providing further, that the University of Maine will assume no financial obligations beyond the period of federal funding of the project "University of Maine Adult Basic Education Learning Center for the Model Cities Neighborhood in Portland, Maine."

Right-of-way (Portland). On the recommendation of the Committee, it was moved, seconded and

VOTED: to authorize the Chancellor to execute the essential right-of-way agreements with the City of Portland and/or the State of Maine for the relocation, installation and maintenance of underground facilities in connection with the construction of Interstate Highway 295, such agreements to be executed in the name of the Board of Trustees.

Heating System Additions (Portland). Chairman Page reported that the Committee had deliberated on the heating system project at length in an attempt to devise some means of financing essential additions. Funds for the project were included in both of the recently defeated capital construction bond issues. Since the present plant is operating at capacity level, the situation has become critical. The scope of the original \$300,000 project has been reduced and the revised program calls for one additional boiler and steam line which has been estimated at \$140,000. On the recommendation of the Committee it was moved, seconded and

VOTED: to authorize the administration to present the revised program to the Governor and the Legislature with a request that it be classified "urgent" and funded from State surplus.

Sea-Grant Application. President Libby has submitted an application to the federal government for a grant to subsidize research on marine resource problems. It appears that the University is in a good position to receive an initial five year grant of \$200,000 per year, which will, hopefully, lead to designation of the University as a Sea-Grant Institution. For the University to qualify, a commitment to provide adequate space for sea-grant activities at the Darling Center is required. In response to questions raised, the Chancellor elaborated on the nature of a sea-grant program explaining that it was similar to the land-grant institution on which it was modeled, and that it would provide not only for research, but teaching and public service have been built into the proposal as well. Although the bulk of the research effort would be located at Darling Center, the Chancellor pointed out that sea-grant status for the University would be the basis for securing federal funds that could be spread throughout the system, with Orono obviously providing the leadership. After further discussion, it was moved, seconded and

VOTED: that the Trustees endorse with enthusiasm the University's application for a five-year grant for marine resource research, and authorize the administration to take the necessary steps to meet requirements for qualification.

Architects for Advanced Planning. In May, 1970, the Legislature voluntarily allocated funds to the University to provide for architectural services

in the development of plans for physical facilities. The Committee recommended approval of this first implementation of that program and it was moved, seconded and

VOTED: to authorize the appointment of architectural firms to develop plans for the projects specified:

Science Building (Machias) - Wright, Woolson and Turner (Lewiston)

Physical Education Building (Fort Kent) - A. J. Harriman Assoc. (Auburn)

Dining Hall-Student Center (Farmington) - Deane Woodward Assoc. (Auburn)

Business Administration, Mathematics, English Building (Orono) - A. J. Harriman Assoc. (Auburn)

Naming of Building, UM-Farmington. On the recommendation of the Committee, it was moved, seconded and

VOTED: to name the new women's dormitory at Farmington DAKIN HALL in honor of Mrs. Stella G. Dakin.

Housing Agreement, UM-Presque Isle. Chairman Page announced that the Committee had considered a suggestion that the University investigate the possibility of a rental agreement with a private firm in Presque Isle to relieve the critical student and faculty housing situation in that area. There was general agreement that the staff should explore the matter further. No action was required at this time and further developments will be reported to the Board.

Acquisition of Property, UM-Orono. On the recommendation of the Committee it was moved, seconded and

VOTED: to approve the purchase of the so-called Newman Center buildings located on the corner of College Avenue and Chapel Road in Orono, from the Bishop of Portland.

Civic Center Lease Proposal, UM-Augusta. On the recommendation of the Committee, it was moved, seconded and

VOTED: that the administration further explore the possibilities of leasing academic and general space in the proposed Civic Center in Augusta.

EDUCATIONAL POLICY COMMITTEE.

New Diplomas. Chairman Sampson reviewed action taken at the July meeting when the Trustees authorized the creation of new diplomas for the University, and specified that the headings would be imprinted in accordance with the

Board-approved Campus designations that became effective July 1, 1970. With the provision that implementation be delayed until the University's Legal Counsel could assure the staff that no legal problems would result, the Board had further authorized that a supply of current diplomas be kept available through July, 1973, which would be issued to those students who preferred them. Mrs. Sampson reported that the Legal Counsel has had an opportunity to study the matter and has advised that any Campus designation in the diploma heading other than those now in force, would be illegal. To clarify the question of diploma headings, it was moved, seconded and

VOTED: on advice of Legal Counsel, it is the policy of the University to provide diplomas with headings which bear the Campus designations approved by the Trustees, and currently in force.

Personnel Policies, UM-Orono. On the recommendation of the Committee, it was moved, seconded and

VOTED: to approve policies with respect to academic appointments, promotions, and tenure for the University of Maine at Orono as submitted, a copy of which is included in the permanent file of these minutes.

PUBLIC INFORMATION COMMITTEE.

Chancellor's Newsletter. Chairman Benoit announced the initiation of a newsletter to be prepared in the Chancellor's Office for circulation to the University community to promote a better understanding of the Board's philosophy and administrative decisions. The newsletter will function primarily as a position paper, and provide an opportunity to explain the rationale behind many decisions of interest to the University family. This item was offered for information only; no action was required.

ETV Name Change. At the request of the Chairman, Dr. Freeman elaborated on a request from ETV to change the name of the Maine Educational Television Network to Maine Public Broadcasting Network. He explained that with the recent addition of the FM radio station to the existing television system, and considering the national trend to describe non-commercial radio and television as "public" rather than "educational", the proposed change would be in keeping with the kind of service now being provided to the State. After further discussion, it was moved, seconded and

VOTED: to authorize the University's Legal Counsel to draft a bill for submission to the Legislature, which would change the name of the Maine Educational Television Network to Maine Public Broadcasting Network.

FINANCE COMMITTEE.

Striar Scholarship Fund - Amendment. On the recommendation of the Committee, it was moved, seconded and

VOTED: that the stipulation of use of income for the James and Sarah Striar Scholarship Fund be amended to read:

The income is to be used by the Office of Student Aid for an annual award to a needy and deserving student enrolled at the University of Maine at Orono, with preference given to a son or daughter, by birth or adoption, of an employee of the Striar Mills, especially at Corinna, Maine.

Harold Worthen Forest Management Fund. It was moved, seconded and

VOTED: to establish the Harold Worthen Forest Management Fund with \$4,000 received as a result of the gift of 250 acres of forest land in LaGrange, Maine to the University of Maine in 1964. The excess income over expenses from the management of this forest is added to this fund periodically with the income from it being used at the discretion of the School of Forest Resources for an annual scholarship or scholarships, for students majoring in Forestry at UMO.

FORUM-A. It was moved, seconded and

VOTED: to approve in principle the organization known as FORUM-A (Friends of Related Arts, University of Maine at Augusta) which has been established to increase interest and participation in the whole spectrum of the arts -- music, theatre, dance, graphic arts and poetry. Membership fees and other contributions will be utilized to finance cultural programs for the benefit of the Augusta community, both civic and academic.

The approval of the principles underlying FORUM-A generated a lengthy discussion about the extent to which the Board wished to control the development of private funds. Although the Trustees acknowledged the need to solicit support from the private sector, and a certain reluctance to impose restrictions that might hamper Campus fund-raising projects, there was general agreement that the Board should not delegate absolute authority for development programs without some provision for Trustee review. Dr. McNeil will take this matter to the Administrative Council for discussion and there will be recommendations for the Board to consider at a future meeting.

School Bond Issue. At the request of Chairman Cutler, the Chancellor presented his recommendation that the Board formally endorse the School Construction Bond Issue that will be on the ballot in the November elections. The proposed bond issue would provide for half of the State's share of school construction costs to be available at the beginning of a project, which would, in effect, reduce interest rates for the local borrower. It is estimated that the savings to Maine cities and towns would approach \$38 million over a ten-year period. For some time, the University and the State Department of Education have been trying to find further ways to cooperate with each other, and the Chancellor suggested that a formal

statement in support of this bond issue would be in keeping with the concerted efforts of the State Board of Education and the University's Board of Trustees to advance the cause of education in the State.

Mr. Hughes spoke in opposition to approval of a formal statement by the Board. He considered the Board's previous neutrality on political issues to be morally defensible on the grounds that the University could not meet its responsibilities as an educational institution if it became involved in political controversy. He said that the University should not take a stand on any political issue, no matter how logical or non-controversial.

Mr. Benoit felt that it was appropriate for the University to assume a posture of leadership in education, and he thought that the Trustees should recommend in those areas where there are opportunities to save public educational funds.

Dr. McNeil commented that the Board had a right to express itself on matters of educational concern that will directly effect the University for years to come.

After further discussion, the following was moved, seconded and with Mr. Hughes dissenting,

RESOLVED: the Board of Trustees recognizes the importance to the people of Maine of the highest quality of education, at all levels, at the lowest possible cost. Since the proposed \$50 million bond issue for school building construction would result in a major savings of funds which would otherwise be required for interest payments on construction loans, the Board of Trustees of the University of Maine endorses the school bond issue on the ballot in the November elections.

PERSONNEL

Central Administration. On the recommendation of the Chancellor it was moved, seconded and

VOTED: to appoint Erik Van de Bogart to the position of Director of Educational Services (ETV), effective November 1, 1970.

UM-Presque Isle. On the recommendation of the Chancellor it was moved, seconded and

VOTED: to approve a change of title for Charles E. Sturdy, Director of Student Services, to Dean of Students, effective October 1, 1970.

UM-Portland-Gorham. In his request for approval of personnel items for Portland-Gorham, the Chancellor pointed out that these recommendations reflect essential lines of responsibility that must be established for the interim period. The final organization for Portland-Gorham will be.

presented at a later date, after reports have been received from the governance and academic merger committees. It was moved, seconded and

VOTED: to approve the personnel recommendations for Portland-Gorham as listed under date of September 28, 1970, a copy of which is attached to these minutes.

By-laws Amendment. In accordance with Article IV, Section 1 of the By-laws of the Board of Trustees of the University of Maine (adopted August 21, 1968), a proposed amendment which provides for the inclusion of the Honorary Degree Committee among the standing committees of the Board, was presented in writing. Dr. Cutler announced that discussion would be held, and action would be taken, at the next meeting.

ETV Equipment Request. Mr. Fowle reviewed the provisions of the enabling legislation that established the Maine Educational Television Network in 1961. Equipment for the network was funded by special appropriation and, except for maintenance and alterations, no additional funds have been provided for upgrading or replacement. The staff recommended that the Board authorize a request to the Governor and the Legislature for a special appropriation for the replacement of out-dated components of the original equipment, and the installation of transmitting facilities in Aroostook County and Southern Maine.

During the discussion it was pointed out that the possibility of a separate appropriation was considered in conjunction with other budget items at the July meeting and that the Board has asked the Chancellor to check with the legislative leadership to get some reactions before making a recommendation. Dr. McNeil reported that this had been done, and that he felt that the separate appropriation was advisable since that was the basis for the original funding. He recommended that the Board approve a ceiling figure of approximately 980 thousand dollars, with flexibility for the staff to negotiate within that limit. The staff would report back to the Board with a draft of the legal language of the bill and additional information for final approval.

In response to questions about the availability of operating funds for the expanded facilities within the approved budget request for 1971-73, Mr. Fowle replied that since it was doubtful that these facilities could be operational in the next biennium, the 1971-73 budget would not be affected. After further discussion, and with the understanding that further details will be provided, it was moved, seconded and

VOTED: to authorize the staff to draft a bill to provide for equipment needs for the Maine Educational Television Network, the amount not to exceed \$980 thousand.

Fort Kent Utility Building. Mr. Fowle reported that the ground had been broken for the construction of the utility building at the University of Maine at Fort Kent, and that the award has been made to the low-bid contractor.

Medical Insurance. On the recommendation of the staff, it was moved, seconded and

VOTED: to extend coverage of the University's group health insurance plan to surviving spouses of employees, retroactively effective to July 1, 1970, provided that:

- 1) The employee was an active full-time employee at the time of death;
- 2) The employee and the spouse were covered by the University plan at the time of death;
- 3) Full premiums be paid by the surviving spouse with no payment by the University;
- 4) Coverage is discontinued at age 65.

Student Fees. To clarify the Board's position on the matter of jurisdiction over the establishment of student fees, the staff proposed a resolution which was reworded, moved, seconded and

VOTED: that changes in all fees chargeable to students, and collected by the University, will be submitted to, and approved by, the Board of Trustees before implementation.

Acceptance of Gifts. It was moved, seconded and

VOTED: to accept with gratitude all grants, bequests and other gifts listed under date of September 28, 1970, a copy of which is filed in the permanent record.

Potential Legislation. The Governor has asked to have a brief of any legislation that the University might want to submit to the 105th Legislature, by October 15, 1970. The Chancellor reviewed the areas in which legislative action might be desirable, and these included eminent domain, community college development, an Indian education program, and a State scholarship bill, among others. The Chancellor asked that the Board indicate their willingness for him to pursue these further with the Governor. It was moved, seconded and

VOTED: to authorize the Chancellor to present appropriate draft legislation to the Governor on the subjects listed below, subject to Board approval of the detailed legislative requests at the December meeting:

- 1) Eminent Domain
- 2) Community College Development
- 3) State Scholarship Bill
- 4) Indian Education Bill
- 5) Research-Advance Study Building (clean-up)
- 6) BTV Act (clean-up)

Alcohol Policies - UM-Fort Kent. Dr. Freeman announced that, in keeping with the policy established by the Board, the Fort Kent Campus has submitted a proposal for the use of alcoholic beverages, and this has been approved by the Chancellor. A proposal from the Gorham Campus is still in process. No action required.

UM-Machias. Dr. McNeil reported that the search committee is screening candidates for the Presidency at Machias but they have not completed their discussions. On the recommendation of the Chancellor it was moved, seconded and

VOTED: to ask President Sennett to delay his retirement beyond October 1, 1970.

Dr. Cutler extended to President Sennett the Board's appreciation for his willingness to postpone his retirement.

Mr. Hughes moved a resolution which was unanimously adopted to thank President Fox and the staff of the Fort Kent Campus for their hospitality to the Board.

Dr. Cutler announced that the next meeting of the Board would be held December 3, 1970 on the Gorham Campus.

Adjournment.

JoAnne R. Magill
Clerk, Board of Trustees