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Board of Trustees Public Meeting September 22, 1976

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APPROVED BY THE BOARD OF TRUSTEES

Date October 27, 1976
By: Margaret R. Dexter, Clerk

UNIVERSITY OF MAINE
BOARD OF TRUSTEES

PUBLIC MEETING
September 22, 1976
Bangor, Maine

PRESENT: Chairman James Page, Francis Brown, Bernard Carpenter, John Donovan, Stanley Evans, Susan Kominsky, Robert Masterton, Thomas Monaghan, Kenneth Ramage, Carlton Reed, Elizabeth Russell, Artemus Weatherbee, and Nils Wessell. Absent: H. Sawin Millett and Cynthia Murray-Beliveau. Staff: Chancellor McCarthy, Robert Binswanger, William Sullivan, MaryAnn Haas, Richard Eustis, Samuel D'Amico, Barnett Shur, Jeanne Steele, Kenneth Allen, Arthur Buswell, Walter Fridinger, Einar Olsen, Howard Neville, Richard Spath, and Stanley Salwak. Staff, University of Maine at Farmington: C. Larry Stinchcomb, Henry Sanders, Claire Nadeau, Donald A. Bean. Press and Public.

Chairman Page convened the meeting.

Acceptance of Minutes. It was moved, seconded and

VOTED: to accept the Minutes of the Public Meeting of August 12, 1976.

Report of the Chancellor. Chancellor McCarthy focused his remarks on students - as both the consumers and the products of the educational system - and the need to be sensitive to the requirements of the consumers and to the quality of the product. Chancellor McCarthy also reported on the distribution of salary and wage increases approved by the Board at the June meeting. The full text of his remarks is appended to the file of these minutes.

Chancellor McCarthy introduced the recently appointed Vice Chancellor for Administration, Mr. William J. Sullivan, who greeted the Trustees and presented Mr. Samuel D'Amico, the new Associate Vice Chancellor for Employee Relations.

Chairman Page extended congratulations on behalf of the Board to Trustee Nils Wessell on his recent appointment as Chairman of Governor Carey's Commission on the Future of Postsecondary Education in New York State. The full text of Mr. Page's remarks is appended to the file of these minutes.

REPORT OF COMMITTEES

Personnel and Employee Relations Committee. Chairman Brown reported that the Committee continues to monitor the status of collective bargaining matters.

Student Involvement in the Collective Bargaining Process. Chairman Brown reported that the Committee had explored the ramifications of a policy adopted by the Board in May to provide for student involvement in the collective bargaining process since Legal Counsel had advised that the Board's policy was not in strict compliance with legislation adopted in the last Special Session. In essence, the law stipulates appointment of three student representatives who would have certain rights of access to any collective bargaining negotiations, and the policy adopted by the Board in May provided for twelve student representatives. Mr. Brown

further reported that both the Personnel and Employee Relations Committee and the Student Affairs Committee had prepared recommendations to replace the language of the policy statement in order to resolve the discrepancy, and that there was a slight variation between the two recommendations. Copies of the Personnel and Employee Relations Committee recommendation were distributed and Mr. Brown explained that adoption of this recommendation would amend current policy to provide for three student representatives as stipulated by law, and also permit students to establish a nine-member student advisory board.

To facilitate discussion and action on this item, Chairman Page invited Mrs. Kominsky, Chairman of the Student Affairs Committee, to present that Committee's recommendation and copies of the SAC alternative were distributed to the Trustees. Mrs. Kominsky reported that the Student Affairs Committee concurred with the recommendation for only three student representatives to comply with the law and explained that the two proposed policy statements were the same except for paragraph 4. In the SAC recommendation, paragraph 4 did not specify the number of members for the student advisory board and certain other language which might be construed as compromising to students' integrity had been deleted.

To open the subject for discussion, Mr. Brown moved adoption of the P&ER Committee recommendation which was seconded by Mr. Ramage. Mrs. Kominsky moved an amendment, seconded by Dr. Wessell, to replace the language in paragraph 4 with the language in paragraph 4 of the SAC recommendation.

After extensive discussion of both alternatives, Chairman Page called for a vote on the Kominsky amendment and, with Mr. Ramage dissenting, the amendment CARRIED.

Chairman Page called for a vote on the original motion, as amended, and with Mr. Weatherbee abstaining, it was

VOTED: that the Board of Trustees amend its action of May 25, 1976 on the selection of students for involvement in the collective bargaining process and replace the language of the policy statement as follows:

The Board of Trustees of the University of Maine encourages student involvement and participation in University governance in areas which have an impact upon legitimate student interests.

In support of this philosophy, and in compliance with the amended Act, Regarding the Rights of Students at the University of Maine in the University Bargaining Process (L.D. 2155), student involvement in the collective negotiations shall be effected by providing the following process for student selection.

Three student representatives shall be appointed by the Board of Trustees*, as required by 26 M.R.S.A. § 1024 (4), to meet and confer with the bargaining agent prior to collective bargaining and with the University bargaining team at reasonable intervals during the course of the negotiations.

In addition, a student advisory board may be established by the students, and the Associate Vice Chancellor shall be responsible for the development of procedures which will insure that all aspects of relevant student interest and concern are made known.

*Names were submitted, action taken, Board of Trustees approval voted May 26, 1976, for 1976-77 appointees.

Student Affairs Committee. Chairman Kominsky reported for the Committee.

Disciplinary Code Review. On motion of Mrs. Kominsky which was seconded by Mr. Masterton, it was

VOTED: that the Board of Trustees approve the establishment of a Task Force for the Review and/or Revision of the University of Maine Disciplinary Code, composed of ten (10) members:

- 3 students (2 from UMOSG, 1 graduate student)
- 2 faculty members (1 from FLC, 1 from the Law School)
- 2 student personnel administrators
- 1 representative of the Chancellor's staff
(ex-officio, non-voting)
- 1 participant from University legal counsel
(ex-officio, non-voting)
- 1 Trustee from Student Affairs Committee
(ex-officio, non-voting)

It is further recommended that the voting members appointed to the Task Force shall be selected from the membership of the Disciplinary Code Review Board.

The charge to the Task Force shall be to conduct a thorough review of the University of Maine Disciplinary Code; and, to submit a draft report to the Disciplinary Code Review Board and to the Chancellor for circulation through the Administrative Council to the various campus constituencies.

A final report shall be presented to the Board of Trustees at the April Board meeting.

Finance Committee. Chairman Masterton reported for the Committee. At the request of Mr. Masterton, Vice Chancellor Sullivan summarized the University's year end financial position on the bases of available preliminary figures and noted that the final report will be submitted at the next meeting. Mr. Masterton commended the administration for efficient management under severe financial limitations.

Mr. Masterton announced that the Chancellor will be reporting to the Committee on the incentive budgeting program at the next meeting.

Gifts, Grants and Awards. On motion of Mr. Masterton seconded by Mrs. Kominsky it was

VOTED: to accept with gratitude all gifts, grants and awards listed under date of September 22, 1976, a copy of which is appended to the file of these minutes.

Tuition Waiver. On motion of Mr. Masterton which was seconded and

VOTED: The Board of Trustees authorized a waiver of tuition and fees for Joanne Jewett for the 1976-77 academic year.

Joint Session - Finance and Physical Plant Committees. Mr. Masterton reported that the joint session had reviewed the cash flow for the UMO arena.

Educational Policy Committee. Chairman Donovan reported that the Committee had received a report on Health Science Education prepared by Dr. Kenneth Allen for the ad hoc planning committee and at his request, Dr. Allen presented a brief summary of the substance and recommendations. The full text is appended to the file of these minutes.

Chairman Donovan introduced four staff members from the University of Maine at Farmington who had been invited to make a presentation to the Committee and the Board on outreach programs on the Farmington campus. Dr. Larry Stinchcomb, Mr. Henry Sanders, Ms. Claire Nadeau and Mr. Donald Bean described the Program of Basic Studies and the Veterans Early Education Program which are public service programs for the disadvantaged, low income and veterans, and responded to questions from the Trustees about the outreach effort. Comments from Board members focused on the value of the programs, prospects for future funding, and the level of demand for such programs.

Chairman Donovan reported that the management of the Machias Campus School has been turned over to the Town of Machias and that Campus School teachers now have tenure in the Town school district. In addition, the teachers have part-time lecturer appointments at the Machias campus.

Physical Plant Committee. Chairman Ramage reported for the Committee.

Capital Construction Appropriation Request. Chairman Ramage presented the recommendation for a capital request to the 108th Legislature, reviewing each of the five priorities on the list. To open discussion, Mr. Ramage moved the recommendation which was seconded by Mr. Masterton.

The discussion focused on the order of the priorities and justification of the projects listed. In response to questions raised about the Environmental Science Building proposed for the Orono campus, Mr. Ramage elaborated on the importance of the project, noted that it has been on the Board-approved list for some time, and pointed out that half of the total cost of this project would be provided by the pulp and paper industry. There was further discussion of the nature of the gifts and Dr. Wessell recorded his support of the recommendation along with objections to the manner in which the gift funds had been offered by representatives from the University of Maine Pulp and Paper Foundation when they met with the Board informally earlier this year.

Other Trustees observed that the offer was generous and well-intentioned and that the building itself would be essential to upgrade the University's ongoing programs and strengthen the State's major industry. Mr. Weatherbee stated a preference for listing the project as first rather than second priority.

Chairman Page called for a vote on the motion and, with Mr. Weatherbee abstaining, it was

VOTED: that the Board of Trustees approve the following listed projects as the University's Capital Construction Request and further authorize the Chancellor to submit this request to the Executive and Legislative Branches and State Government for consideration by the 108th Legislature.

<u>PRIORITY</u>	<u>PROJECT</u>	<u>COST</u>
<u>STAGE I - New Buildings</u>		
1	Classroom/Laboratory Building Farmington	\$3,870,000
2	Environmental Science Building Orono	1,500,000
<u>STAGE II - Completion of Previously Funded Buildings</u>		
3	Portland Science Building Equipment	445,000
4	Orono English/Math Building Completion	150,000
<u>STAGE III - Other</u>		
5	Safety, Health and Other Improvements System-wide	<u>450,000</u>
		<u>\$6,415,000</u>

Property Lease - Portland. On motion of Mr. Ramage which was seconded by Mr. Brown, it was

VOTED: that the Board of Trustees authorize the leasing of 4000 sq. feet of garage space located at 364 Forest Avenue, Portland, Maine from Oakhurst Dairy for three (3) years (with option to renew) for an annual rate of \$8000 subject to staff review and approval of the actual lease agreement.

Appointment of Audit Committee. At the request of Chairman Page, the Board APPROVED his appointment of the Finance Committee to serve as the Audit Committee; Mr. Masterton will chair the Committee.

Chairman Page announced that he had asked the Vice Chairman, Dr. Evans, to chair the Executive Committee which will undertake the review of the Chancellor's stewardship in accordance with Board policy. Mr. Page requested that Trustees forward comments and suggestions to Dr. Evans.

Chairman Page announced the resignation of Miss Katharine Stevens as Clerk of the Board since the last meeting, and requested ratification of an interim appointment executed to assign responsibilities for the legal functions of the Clerk. On motion of Dr. Evans, seconded by Mrs. Kominsky, it was

VOTED: that the Board of Trustees ratify the appointment of JoAnne R. Magill as Interim Clerk of the Board of Trustees, effective August 30, 1976.

Chairman Page announced that the next meeting of the Board will be a one-day session in Bangor on October 27, 1976.



JoAnne R. Magill
Interim Clerk,
Board of Trustees