

1979

Board of Trustees May 23, 1979

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Meet with PK, Chancellor Page and Comm. Gervais RE: Marine Bond

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minutes.

with the central arguments of its consultant. The full text of Mr. Page's remarks along with the central arguments of the consultant are appended to the file of these central arguments of its consultant. The Subcommittee also endorses the Saint John Valley and the State of Maine. The Subcommittee also endorses the its essential to the public interest of the citizens of Aroostook County, the Furthermore, the continuation of four-year baccalaureate programs at each campus at Presque Isle is appropriate for the missions of each of these campuses. structure at the University of Maine at Fort Kent and the University of Maine reported that based on its study, the Committee concludes that the general in providing University access to the people of Aroostook County. Mr. Page by the Committee to focus the administrative, academic and student issues involved and public forums. Mr. Page identified and discussed the key questions examined Logan, Jr., the Committee analyzed the pertinent documents, conducted site visits consultant to assist with the study. Working with the consultant, Mr. William T. Isle, the Committee reviewed extensive documents and engaged a distinguished the University of Maine at Fort Kent and the University of Maine at Presque scope and format of its study. Charged to review in depth the structure of who chaired the Subcommittee, briefly outlined the Committee's mandate and the Report of the Subcommittee on Structure. In his introductory remarks, Mr. Page,

and requested that Mr. Page present the report of the ad hoc Subcommittee on Structure. There being no objection, the Chairman called for an agenda item out of order

The Chairman expressed his appreciation to Trustees who have been attending the Spring Commencements throughout the University.

tion for this recognition of his work.

behalf of the Board, Mr. Brown congratulated Dr. Evans and expressed appreciation for this recognition of his work.

Announcements. Mr. Brown reported that the Vice Chairman, Dr. Stanley J. Evans, has been the recipient of a prestigious award. He has received the Roselle W. Huddleston Medal awarded annually by the Maine Lung Association for outstanding contributions to the health of Maine citizens beyond one's nominal duties. On behalf of the Board, Mr. Brown congratulated Dr. Evans and expressed appreciation for this recognition of his work.

Chairman Brown convened the meeting. On motion made and seconded, the minutes of the meetings of March 28, 1979 were approved as circulated.

PRESENT: Chairman Francis Brown, Bernard Carpenter, Patricia Dimatteo, John Donovan, Alan Elkins, Stanley Evans, Joseph Hakanson, Susan Kominsky, Sawin Millett, Thomas Monaghan, James Page, Ellen Platz, John Robinson, Elizabeth Russell and Artemus Weatherbee. Staff: Chancellor McCarthy, William Sullivan, Robert Binswanger, Mary Ann Haas, Roland Burns, Donald Beattie, Arthur Buswell, Howard Neville, Einar Olsen, Stanley Salwak, Samuel D'Amico, Paul Frinsko, Press and Public.

Board of Trustees Meeting

May 23, 1979
Bangor, Maine

UNIVERSITY OF MAINE
BOARD OF TRUSTEES

APPROVED BY THE BOARD OF TRUSTEES
Date _____
By _____
Chair

015

On behalf of the Subcommittee, Mr. Page moved that the report be accepted and the Subcommittee be discharged. The motion was seconded. During discussion of the report, the Committee was commended for the depth of its study. Mr. Robinson expressed the hope that the report and action of the Board can lay to rest the fears that the University will contract its efforts in northern Maine. The motion to accept the report and discharge the Subcommittee was VOTED.

Ratification of Interim Action. Chairman Brown requested that in accordance with its By-Laws, the Board ratify action taken by telephone poll completed April 20, 1979, wherein the following resolution was approved by a vote of 12 to 1:

The collective bargaining agreement negotiated by the University with the Police Unit represented by Teamsters Local #48 is approved and the Chancellor or his designee is authorized to conclude the agreement.

On motion made and seconded, and with Mr. Weatherbee dissenting, it was VOTED to ratify the telephone poll completed April 20, 1979.

REPORT OF COMMITTEES.

Physical Plant Committee. Mr. Carpenter reported for the Committee.

1. Acquisition of Property - UMF. Mr. Carpenter reported that a private residence near the Farmington Campus has been damaged by fire and the owner has offered to sell the land for \$5,000. There have been two appraisals and the Committee has determined that the requested price is reasonable. During discussion, President Olsen responded to questions from Mrs. Kominsky relative to the need for this parcel which is located outside the Campus boundaries. The President explained that the University already owns the corner lot adjacent to the land in question and that the Campus would use both parcels to develop a small parking lot which is badly needed. There have been no objections from the neighborhood concerning this proposal. On motion of Mr. Carpenter, which was seconded, it was

VOTED: to authorize the acquisition of the property at 11 Perkins Street, Farmington, subject to staff approval of the deed and that the Board further authorize the transfer of funds from the Residence and Dining Reserve Account to an appropriate Plant Fund Account to cover the acquisition costs.

2. Alterations to Robie/Andrews Hall, USM. Mr. Carpenter presented the Committee's recommendation. On motion made and seconded it was

VOTED: to authorize a project to alter and improve the toilet/shower facilities in Robie/Andrews Hall for a cost not to exceed \$44,100 and that funds be transferred to an appropriate Plant Fund Account from the USM Residence and Dining Reserve to supplement the unexpended balance of the original Robie/Andrews Renovation allocation.

3. Naming of Physical Facility. Mr. Carpenter moved the Committee's recommend-
ation; the motion was seconded and it was

VOI~~E~~D: to name the student lounge located in the Industrial Education
Center at Gorham "Littlefield Lounge" in honor of Glen
Littlefield, for his 13 years of dedication and service to
the faculty, staff and students of the Industrial Education
and Technology Program.

4. Easement for Utility Lines - Old Town. Mr. Carpenter briefed the Trustees
on the Committee's recommendation for approval of an easement to the City of
Old Town to provide sewer and water service required for construction of a
tourist information center. He noted that the construction of these utilities
would not affect the University's use of the land. On motion made and
seconded, it was

VOI~~E~~D: to authorize the granting of a twenty (20) foot wide easement
to the City of Old Town across University owned property in
Old Town subject to staff approval of the easement agreement.

5. Balcony for Alford Arena - UMO. Mr. Carpenter presented the Committee's
recommendation for approval of a request to construct additional seating to
increase spectator capacity at the Alford Arena. Funding for the project would
be provided in part from a loan to be made for the purpose of this construction
and from funds already on hand in holding accounts in the University of Maine
Foundation and in the President's Discretionary Fund. In response to questions,
Mr. Carpenter reported that the funds already on hand are donated funds which
have been designated for this project. On motion made and seconded, it was

VOI~~E~~D: to authorize the construction of a balcony in the Alford
Arena at UMO to provide approximately 800 additional seats
at a cost not to exceed \$171,000. Funding for this project
will be provided from the following sources: \$107,000 to
be transferred on July 11, 1979 from the University of Maine
Foundation, \$23,600 from the UMO President's Discretionary
Fund and from a \$40,000 loan to be made for this purpose. The
repayment of the loan including interest, shall have first
call on proceeds generated by the additional seating, or from
other private donations to the University for the Alford Arena.

6. Informational Reports:
a. Access for Handicapped. Mr. Carpenter reported that the Committee
continues to review University progress toward compliance with
Section 504 of the Federal Rehabilitation Act which deals with
program accessibility for handicapped persons. Dr. Evans said
that 504 regulations define handicaps in very broad terms and
include non-physical handicaps such as alcohol impairment, for
instance. He pointed out that these broad definitions would
have further implications for University policy and inquired
whether the staff are evaluating this aspect of the situation.

The Chancellor indicated that this is a difficult area which is overdue for attention and that it is under review. Mr. Carpenter said the Committee has requested copies of the self-evaluation studies compiled for each Campus and these will be reviewed at the next meeting.

b. Capital Construction/Major Plant Repairs. Mr. Carpenter reported briefly on the status of major projects currently underway.

c. Hillel Foundation. Mr. Carpenter reported that a recommendation for a lease of some land to the Foundation was withdrawn from the agenda and will be resubmitted for consideration at a later date.

Finance Committee. Mr. Weatherbee reported for the Committee.

1. Appropriation Request. Mr. Weatherbee reported that the Part I Request, as submitted by the Governor, has been approved by the Legislature. No action has yet been taken on Part II.

2. Investment Managers. Committee members will visit with a few selected firms in Boston as part of the Committee's evaluation of available options. Mr. Weatherbee noted that these visits will be made without prejudice to continuing the present arrangement with Putnam Capital Companies.

3. Gifts, Grants and Awards. On motion of Mr. Weatherbee which was seconded, it was

VOITED: to accept with gratitude the gifts, grants and awards filed under the date of May 23, 1979. A copy of which is appended to the file of these minutes.

4. Mr. Weatherbee noted that the Finance Committee had reviewed the recommendation for additional seating for the Alford Arena, which item was presented for action by the Physical Plant Committee.

Finance and Student Affairs Committees. Mrs. Kominsky reported for the joint session.

1. Refund Policy. Mrs. Kominsky reported that the proposed statement would provide a uniform policy for all campuses and that the major change was a revision of refund schedules which will allow larger refunds in the early weeks of the withdrawal period. On motion made and seconded, it was

VOITED: to adopt the Refund Policy, as presented, a copy of which is appended to the file of these minutes.

2. Tuition Billing Practice. Mrs. Kominsky reported that the Committee had discussed the subject which concerns practices for billing part-time students for tuition fees. She asked Mr. Sullivan to brief the trustees on certain changes which the staff will adopt with respect to billing procedures for the coming year. Mr. Sullivan explained that under present practice, students are charged for tuition either at the rate of \$30 per credit hour, or the full-time fee, whichever is less. Since the part-time rate has not increased in recent

years, as full-time tuition has increased, more and more students are being charged at the part-time rate with a resulting loss of revenue to the University. Beginning with the Fall semester, 1979, students taking 12 or more credit hours will be defined as full time students for billing purposes, as they are for reporting enrollment and for other purposes, and will be billed accordingly. Mr. Sullivan noted that no action is required and the item is for information only to promote wide understanding of the change of procedure within the University community. Mrs. Kominsky added that the Committee had requested more information on part-time tuition policy, in general, for discussion at the next meeting.

3. Regional Student Program. Mrs. Kominsky reported that the Committee had discussed the NEBHE Program and, rather generally, were pleased that the Program provides more opportunities for Maine students and concerned that the number of out-of-state students enrolled in Maine programs is higher than the number of Maine students who participate in the Program at other New England institutions. The Committee will study the Program further.

4. Public Interest Research Group (PIRG). Mrs. Kominsky reported on the substance of a presentation by representatives from the USM PIRG who requested authorization for PIRG fees to be collected through a negative check-off mechanism listed on student tuition bills. Mrs. Kominsky indicated that the Committee had discussed the philosophy of the negative check-off and voted to recommend that PIRG not be permitted to use this mechanism to collect fees at any campus. During discussion in committee it was learned that the negative check-off is being used on some campuses by the University for billing of health fees. The Committee have requested that this practice be evaluated and a report prepared for further discussion at the next meeting. Mr. Monaghan moved that the negative check-off procedure be eliminated at all campuses no later than September, 1980. The motion was seconded and withdrawn when the Chancellor announced that a report on the issue would be available at the next meeting. Mrs. Kominsky suggested that action on the PIRG request might be deferred until the next meeting also. Dr. Elkins moved the Committee's recommendation. The motion was seconded and with Dr. Donovan and Mrs. Kominsky dissenting, it was

VOTED: that the proposal for a PIRG fee to be collected through a negative check-off system not be accepted.

Personnel and Employee Relations Committee. Dr. Donovan reported for the Committee.

1. Collective Bargaining Agreement. Dr. Donovan presented the Committee recommendation for approval of the agreement negotiated by the University with the Service and Maintenance Unit noting that the agreement provides that one unresolved provision may be submitted to arbitration. Mr. Brown announced that any discussion should take place in executive session since the recommendation involved negotiations which were not complete. Mr. Weatherbee requested, and the Chair granted, permission to make a public statement. Mr. Weatherbee recorded his objections to union security provisions in collective bargaining legislation and moved 1) that the Board instruct the Chancellor and the legal advisor to draw up and submit to the Board for consideration such amendments to existing legislation as would be necessary to prohibit compulsory unionism or involuntary dues-or fees-paying provisions for non-union personnel. 2) That

the Chancellor and legal advisor should be instructed to draw up a request to an appropriate court of law for a ruling to determine what legally may be included in a contract with University employees. The motion was seconded.

During discussion, Mrs. Kominsky said she believed it to be appropriate for Trustees as individuals to discuss personal opinions with Legislators if they wished to but she thought it would be inappropriate for the Board to sponsor legislation as suggested in the motion. After further discussion, the motion and the second were withdrawn and Mr. Weatherbee suggested that the Chairman consult with the Chancellor and legal counsel on the matter. In response to questions from Mr. Monaghan relative to the Board's position on the agency shop, Mr. D'Amico requested that the question be referred to executive session for any further discussion. On motion made and seconded, it was VOTED to refer discussion of collective bargaining matters to an executive session which would be delayed until the agenda was cleared of other items which could be considered in the public meeting.

2. Appointment of Dean - UMA. On motion of Dr. Donovan which was seconded, it was

VOTED: to authorize the appointment of Dr. Roger R. Ekins to the position of Dean of Student and Community Services at the University of Maine at Augusta at an annual salary of \$23,500, effective July 1, 1979.

3. Appointment - UMO. On motion of Dr. Donovan which was seconded, it was

VOTED: to approve the appointment of Leonard S. Bull as Professor of Animal and Veterinary Sciences at the University of Maine at Orono at an annual salary of \$27,500, effective July 1, 1979.

4. Appointment - UMO. On motion of Dr. Donovan which was seconded, it was

VOTED: to approve the appointment of Sanford Goldstone as Director of Clinical Training and Professor of Psychology at the University of Maine at Orono, at an academic year salary of \$30,000, effective September 1, 1979.

5. Appointment - UMPI. On motion of Dr. Donovan which was seconded, it was

VOTED: to approve the appointment of Richard Cohen as Vice President for Academic Affairs at the University of Maine at Presque Isle, at an annual salary of \$29,000, effective June 1, 1979.

6. Appointment - USM. On motion of Dr. Donovan which was seconded, it was

VOTED: to authorize the appointment of Charles Wely as Associate Professor of Computer Science at the University of Southern Maine at an academic year salary of \$22,000, effective September 1, 1979.

7. Appointment - USM. Dr. Donovan presented the Committee's recommendation for appointment of Dr. Robert L. Woodbury as President of the University of Southern Maine. During discussion, Mr. Weatherbee objected to the compensation package. On motion made and seconded, it was voted to defer further discussion to the executive session.

8. Appointment - Director of Cooperative Extension - UMO. Dr. Donovan

moved the Committee's recommendation for approval of the appointment of James A. Everts to the position of Director of Cooperative Extension Service for the University of Maine at Orono, at an annual salary of \$38,000, effective November 1, 1979, the appointment to be subject to the confirmation of the Director of the Federal Extension Service of the United States Department of Agriculture. The motion was seconded. Dr. Donovan reported that the candidate has seen the report of the Hussey Commission (the Trustee Task Force which evaluated the Cooperative Extension Service) and is in sympathy with the recommendations contained therein. Mr. Carpenter asked whether the candidate's qualifications were compatible with the expectations of the Hussey Task Force for leadership in the Extension Service. President Neville said the candidate was highly qualified for the position. He added that two Task Force members also served on the search committee for the Director and that the search committee was sensitive to pertinent issues. After further discussion, the motion for approval of the appointment was VOTED.

Educational Policy Committee. Mr. Monaghan reported for the Committee. He noted that most of the Trustees had been present for discussion of the three programs considered by the Committee and that campus staff were present to answer any additional questions.

1. Bilingual-Bicultural Major, UMRK. On motion for Mr. Monaghan which was seconded, it was

VOTED: to approve a Bilingual-Bicultural Major as part of the Bachelor of Science in Education as submitted by the University of Maine at Fort Kent.

2. M.A. in Liberal Studies - UMO. On motion of Mr. Monaghan which was seconded, it was

VOTED: to approve the Master of Arts in Liberal Studies as submitted by the University of Maine at Orono.

3. M.S. in Medical Technology - UMO. On motion of Mr. Monaghan, which was seconded, it was

VOTED: to approve a Master of Science in Medical Technology as submitted by the University of Maine at Orono.

4. Information items. Mr. Monaghan reported that Professor Morang, faculty representative from UMA, had shared with the Committee his comments in support of an MBA program for the Augusta campus. The Committee suggested that any proposal for the program should be explored with the campus President and, if he approves, submitted through him for review in accordance with program approval procedures. Mr. Monaghan added that an MBA at Augusta would constitute an exception to current Board policy which limits graduate offerings to the two graduate centers - UMO and USM.

Mr. Monaghan reported briefly on cooperation between the Augusta and Presque Isle campuses which will provide for the delivery of an Associate Degree in Nursing Program to Aroostook County in 1979-80. The two campuses have begun a study of the future of the program in Aroostook County.

Mr. Monaghan reported that the ongoing faculty symposia generate very constructive comments and are very well received.

Report of Nominating Committee. At the last meeting a Nominating Committee

composed of Mr. Carpenter, Chairman, Mr. Page and Mrs. Dimatteo, was appointed to develop a slate of officers for the coming year. On behalf of the

Committee, Mr. Carpenter presented the following slate: Chairman, Francis Brown; Vice Chairman, Stanley Evans; Clerk, Joanne Magill. The slate was moved

and seconded and Mr. Brown announced that the Chair was open to nominations from the floor. Mr. Weatherbee raised a procedural question about the eligi-

bility of Dr. Evans for reelection, noting that the Vice Chairman has already held his office four years, which is the limit imposed by the By-Laws. After

some discussion, Mr. Monaghan suggested that the election of a Vice Chairman be deferred until the next meeting. In response to a question from Mr. Weatherbee

about Mr. Brown's status as a Trustee, Mr. Brown reported that the Governor's nomination for his reappointment had been duly approved by the Education Com-

mittee and the Senate. Mr. Brown said the reappointment apparently aroused no controversy and he had received a letter of confirmation from the Office of the

Secretary of State.

On motion of Mr. Monaghan, which was seconded, nominations from the floor for the office of Chairman were closed. On motion of Mr. Monaghan which was seconded, it was voted to accept the recommendation of the Nominating Committee for

Chairman of the Board.

On motion made and seconded, it was voted to defer election of a vice chairman

until the next meeting.

Mr. Monaghan moved an amendment to the By-Laws to provide that the term of the

Vice Chairman be limited to five, rather than four, years. As a point of order, Mr. Brown pointed out that an amendment to the By-Laws could be proposed, but

would have to hold over for action at the next meeting. Mr. Monaghan withdrew

the motion and requested that the Chancellor prepare a proposal for such amend-

ment which could be circulated to the full Board for action at the next meeting. Mr. Weatherbee reported that he had proposed an amendment to the By-Laws which

will be circulated for consideration at the next meeting and which will conflict with Mr. Monaghan's proposed amendment. He said he thought it would be desirable for all Trustees to have the fullest opportunity to participate and he suggested

greater rotation of officers and committee chairmanships. His amendment will propose to limit the terms of the chairman and vice chairman to two, rather than four, years. Mr. Robinson inquired whether the matter should be referred to executive session. Mr. Brown reported that proposals for amendments to the By-Laws is a prerogative of individual Trustees and that no action would be required at this time.

The Chairman called for other nominations for Clerk; there being none, it was moved, seconded and voted that nominations for Clerk be closed. On motion made and seconded, it was voted to accept the Nominating Committee recommendation for Clerk to the Board of Trustees.

Mr. Weatherbee inquired whether it was necessary to elect the Clerk on an annual basis, since the By-Laws stipulate that the Clerk serves at the pleasure of the Board. It was suggested that legal counsel be asked for a clarification of the question.

Other Business.

1. Mr. Monaghan initiated discussion of University-owned residences in Portland, a matter which he said had been of concern to him for some time. He said this residential property had been acquired in a period of expansion over a number of years and is presently being used in various ways; many of the buildings have been converted to offices. He suggested that acquisition may have been a mistake, that it has been costly to the city in the form of lost taxes and to the neighborhood whose property has been diminished. He further suggested that if the properties were to be sold, the funds could be used to provide a better facility in another area for office space. After discussion, and on motion of Mr. Monaghan, which was seconded, with Mrs. Kominsky dissenting, it was

VOTED: that the Physical Plant Committee will study the feasibility of selling University-owned residences in Portland and report its findings, with recommendations, to the full Board.

2. Mr. Weatherbee requested that the Board undertake a formal review of the University's equal opportunity program to determine what progress has been made in recent years. On motion of Mr. Weatherbee, which was seconded, it was

VOTED: to direct the Chancellor and the Presidents to review the equal employment opportunity program, report on progress and submit to the Board, by September, any recommendations they have for increasing effectiveness in this area.

Appointment of Grievance Committee. Mr. Brown reported that the Board has had a request from a professional employee who has been discharged at one of the campuses, for appointment of a Trustee Grievance Committee in accordance with University policy. There being no objections, Mr. Brown appointed Mr. Monaghan,

Mrs. Kominsky and Mr. Robinson as an ad hoc Grievance Committee to review the procedures in the case, if and when necessary.

Date of Next Meeting. Tentatively set for July 24, 25 in Bangor. Mr. Brown noted that he is working on a schedule of meetings for the coming year.

Mr. Brown took note of the impending departure of Trustee Donovan from the Board since his term expires in May and he does not seek reappointment. On behalf of the Board, the Chairman commended Dr. Donovan for his valuable service to the University.

The Chairman adjourned the meeting to executive session which was voted earlier in the session and deferred until other items had been disposed of. Collective bargaining matters and a personnel item had been referred for discussion.

On completion of the executive session, the Chairman reconvened the meeting for action on items discussed.

Collective Bargaining Agreement. On motion of Dr. Donovan, which was seconded, and with Mr. Weatherbee dissenting, it was

VOTED: to approve the collective bargaining agreement negotiated

by the University with the Service and Maintenance Unit represented by Teamsters Local #48 and authorize the Chancellor or his designee to conclude the agreement.

Appointment of President, USM. On motion of Dr. Donovan which was seconded, it was

VOTED: to authorize the appointment of Robert L. Woodbury as

President of the University of Southern Maine, a unit of the University of Maine, at an annual salary of \$43,000, effective July 1, 1979.

Mr. Weatherbee wished to be recorded as opposed to the compensation package.

Adjournment.

Joanne R. Magill
Joanne R. Magill
Clerk of the Board