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University of Maine Board of Trustees February 27, 1984

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UNIVERSITY OF MAINE
BOARD OF TRUSTEES

Bangor Community College
February 27, 1984

BOARD OF TRUSTEES MEETING

PRESENT: Chairman Thomas Monaghan, Severin Beliveau, Robert Boose, James Bowers, Francis Brown, Patricia DiMatteo, Stanley Evans, Joseph Hakanson, Geneva Kirk, Richard Marshall and Richard Morin. Absent: Robert Dunfey, Alan Elkins, Peter Johnston, Harrison Richardson, Ellen Wasserman. Staff: Chancellor McCarthy, William Sullivan, Mary Ann Haas, Samuel D'Amico, Byron Skinner, Judith Sturnick, Robert Woodbury, Frederic Reynolds, Paul Silverman, Constance Carlson and Richard Spath. Press and public.

Chairman Monaghan convened the meeting. On motion made and seconded, the minutes of meetings held on January 16, 1984 were approved.

The Chairman welcomed James Bowers, who is the first appointee to the student trusteeship created in the last session of the Legislature. Mr. Bowers previously served as Student Representative from the University of Maine at Augusta. The Chairman also recognized Robert Sezak, who has been selected to replace Mr. Bowers as the UMA student representative.

On motion made, seconded, and unanimously voted, the Trustees adjourned to executive session for discussion of collective bargaining matters. On conclusion of the executive session, the Chairman reconvened the meeting.

1. Citizen Input. Harry Tucci, Chairman of the Student Senate Physical Environment Committee, UMO, called attention to the presence of asbestos in the Fogler Library, which he said was a health and safety hazard. He indicated that while the problems of asbestos as a cancer-causing agent were being addressed on the national level and federal legislation is being considered, he felt that the situation in the Library was critical and requested that the Trustees take remedial action. In response to questions, President Silverman reported that atmospheric tests are taken periodically at Fogler and it has been determined that there is no immediate danger. He noted that \$500,000 has been included in the University's capital request for removal of asbestos. Mr. Eustis, Director of Physical Facilities, added that testing has revealed no fibers in the air at the Library, so far. The requested funds are designated for removal of asbestos on Campus before problems develop. Mr. Monaghan requested that the Physical Plant Committee and the staff examine the situation again and report back at the April meeting.

Edward Cutting, who represents off-Campus students in the UMO Student Senate, expressed his constituents' objections to a Campus proposal to establish a faculty club. He reported that space on the top floor of the Memorial Union currently used by student organizations, faculty and

staff, is to be converted to use essentially as a private club for faculty, which he said was an inappropriate use of space in an already crowded facility. Mr. Monaghan suggested that the objections should be raised with the Campus administration rather than the Trustees. For information, President Silverman reported that the proposal for the faculty club is being handled by a faculty committee which has developed and published rules for its use. He noted that the Memorial Union was funded by private donations, some of which were designated for specific purposes. The original intent of donations from the Ford and Peabody families, for instance, was to provide an area to be used primarily for faculty purposes. The President indicated that through the proposal for the faculty club, the Campus is belatedly fulfilling the original intent of these gifts. Dr. Silverman acknowledged that the Union is crowded, but he pointed out that student occupation of space in the building, which has increased dramatically over the years, has long since surpassed the share originally envisioned for student activities, and these activities now occupy a substantial part of the building.

2. Ratification of Interim Action. At the request of the Chairman, Mr. Hakanson presented a resolution concerning the resignation of President Paul Silverman, which was approved by Trustees in a telephone ballot taken on January 25, 1984. In accordance with the Bylaws, such ballots are subject to ratification by the Board at its next meeting. On motion of Mr. Hakanson, which was seconded, the Board

Ratified: Acceptance of the resignation of Paul Silverman as President of the University of Maine at Orono, effective August 31, 1984, and to approve

1) a leave of absence for President Silverman effective March 1, 1984, with full salary and benefits to be paid through August 31, 1984;

2) the University will continue beyond that date, in accordance with its early retirement provisions, to pay the dollar value of the current retirement contribution made on President Silverman's behalf until and unless he receives retirement coverage at another institution. If the retirement contribution available to him through subsequent employment is less than the current dollar amount, the University will make up the difference, in lump sum annual payments to his retirement account, for a period of five years.

Mr. Monaghan commended President Silverman for his dedication to his pro-

fession and to the Orono Campus. He noted that the President had raised issues which needed to be addressed and had made a significant contribution to the University and the State.

In view of questions raised in the media about the legality of telephone ballots, Mr. Brown suggested that Legal Counsel be asked to review Sec. 4.8 of the Bylaws to determine whether amendment is needed. Mr. Monaghan concurred that a legal opinion should be obtained but he said that at least for the remainder of his term, rather than use the telephone ballot procedure, he would call a special meeting for any interim action that might be necessary.

3. Chairman's Remarks.

- Mr. Monaghan reported that discussion of the so-called Solomon Amendment, which was tabled at the last meeting, had been raised again in the Executive Committee's agenda briefing for faculty and student representatives, which was held earlier in the day. The representative requested consideration of the issue which relates to a federal law requiring college students to register with Selective Service as a condition for receiving federal student aid. At Mr. Monaghan's suggestion, and on motion made and seconded, the Trustees voted to take the item from the table and schedule debate on the issue at the March meeting.

- Mr. Monaghan reported that a citizen from Old Town, Mr. Ernest Gallant, has requested that the Trustees consider establishing guidelines for WMEB, the student-operated radio station at Orono. Essentially, Mr. Gallant has called attention to certain lyrics played by WMEB, which he maintains are obscene. He acknowledges that it is not illegal to broadcast such lyrics, but he wants the Trustees to consider whether the material constitutes bad taste. Mr. Gallant was not present to state his views. The Chairman asked the staff to look into the matter and report back at the next meeting.

- Mr. Monaghan took note of the recent death of Dr. Lawrence M. Cutler former Trustee and Chairman of the Board. On motion of Dr. Evans, which was seconded, the following resolution was unanimously adopted:

Resolved: that the University of Maine Board of Trustees recognizes the untimely death of former Trustee, Lawrence M. Cutler. Dr. Cutler was the Chairman of the first Board of Trustees of the University System, and provided the leadership necessary to lay the foundation for the excellence of the University of Maine System as we know it today. Our sympathy goes out to the members of his family during this sad period for them. We will all miss him.

4. Collective Bargaining Negotiations. Dr. Evans, Chairman of the Personnel and Employee Relations Committee, moved a recommendation which had been discussed earlier in the executive session:

to approve the tentative agreements entered into by the University and collective bargaining agents on behalf of five bargaining units in accordance with the following terms:

- (1) the tentative agreements are approved by the Board of Trustees;
- (2) the tentative agreements are ratified by the appropriate bargaining unit;
- (3) the Legislature of the State of Maine authorizes, and the Governor approves an additional appropriation for the University of Maine for FY85 in the amount of \$6,232,709 which funds are to be available for wage and salary increases.

The motion was seconded. Chancellor McCarthy pointed out that this is the first time the University has arrived at simultaneous contract agreements with all its employees, and he said the negotiations have resulted in acceptance of a dollar figure that can be supported both by the Trustees and by the unions. He indicated that the recommendation is sound and consistent with other negotiations going on in the State, and he said the full support of the University community will be needed as these contracts are forwarded for the approval of the Legislature and the Governor. There being no further discussion, the recommendation was unanimously VOTED.

5. Campus Presentation. President Silverman introduced Dr. Charles MacRoy, Dean of the Bangor Community College which was the host Campus for this meeting of the Board. In his introductory remarks, Dean MacRoy outlined the College's position and role within the UMO structure, where BCC is one of the seven co-equal academic colleges of the University of Maine at Orono. He reported that BCC is the fourth largest College, with an enrollment of more than 1,000 students. In addition to its offerings on the Bangor Campus, BCC has a role on the Orono Campus, in that it provides the instruction for the 400 students enrolled in two-year programs at Orono. Dr. MacRoy said that in the past four years, BCC has opened outreach sites in five different locations, including its own evening program, and the College now educates more than half of all undergraduate evening students enrolled at UMO. Dr. MacRoy introduced Professor Stephen Hyatt, Professor of Sociology, who gave a presentation on an experiential program he offers at BCC, which provides opportunities for students to learn, first-hand, about the realities of life in the sub-Arctic community of Moosonee, Ontario, Canada. Professor Hyatt was assisted by several individuals who participated in the most recent Moosonee program:

- Sandra Ronco, who will graduate this Spring;

from the chemical addiction counselling program, focussed on the social problem of alcoholism;

- Albert Woodcock, a second-year liberal studies major;
- Wanda Babcock, a legal technology major;
- Mr. Albert Pelletier, UMO staff photographer, accompanied the group and recorded many of the experiences.

6. Nominating Committee. The Chairman reported that the Executive Committee had met briefly at noontime to select a Nominating Committee, in accordance with the Bylaws of the Board. Selected were Stanley Evans, Chairman; Ellen Wasserman, Robert Dunfey and Richard Marshall. At the request of the Chairman, and on motion made and seconded, appointment of the Nominating Committee was ratified. The Committee will present a slate of officers at the annual meeting in May.

7. Gifts, Grants and Awards. Mr. Hakanson, Chairman of the Finance Committee, presented the recommendation. On motion of Mr. Hakanson, which was seconded, it was

VOTED: to accept with gratitude all gifts, grants and awards listed under date of February 27, 1984.

8. Capital Facilities Plan. Mr. Hakanson presented the recommendation for approval of an updated Capital Facilities Plan and moved its adoption. The motion was seconded. Chancellor McCarthy explained that the update expands the list of capital projects which was submitted to the Legislature for funding. In the preliminary review of the University's request, he said legislators wanted more information about other capital needs and priorities and he thought the Board should reaffirm the additional projects to give the Legislature an opportunity to act on the longer list, if it chooses to do so.

9. Appointment of Acting President, UMO. Dr. Evans, Chairman of the Personnel and Employee Relations Committee, presented the recommendation for appointment of Arthur M. Johnson as Acting President of the University of Maine at Orono. The motion was seconded. Chancellor McCarthy briefed the Trustees on the process for selecting a nominee for the position, which included consultations with numerous individuals on the Campus and around the State. He said he had solicited comments and suggestions from more than 200 Orono faculty and students, alumni, legislators and friends of the University. The consensus of those he consulted was that the nominee should be a credible educator and academic who communicates well, a natural leader, and one who is familiar with the University. The Chancellor reported that the list of suggested names included many individuals

with credentials worthy of consideration, and he noted that Dr. Johnson's name was put forward by almost every group consulted. He expressed regret that speculation about the Johnson nomination was widely publicized before the Board meeting but he pointed out that the extensive consultations and Dr. Johnson's immense popularity had made it impossible to deny that he was under serious consideration for the post. There being no further questions or discussion, the Chairman called for a vote on the motion which was unanimously

VOTED: to authorize the appointment of Dr. Arthur M. Johnson as Acting President of the University of Maine at Orono, effective March 1, 1984, at a fiscal year salary of \$60,639 for the duration of the appointment.

10. Appointment of Assistant Professor of Marketing, UMO. On motion of Dr. Evans, which was seconded, it was

VOTED: to authorize the appointment of Dr. Thomas A. Dukes, as Assistant Professor of Marketing, University of Maine at Orono, effective September 1, 1984, at an academic year salary of \$34,500. The appointment is for one year.

11. Appointment of Associate Professor of Mechanical Engineering, UMO. On motion of Dr. Evans, which was seconded, it was

VOTED: to authorize the appointment of Dr. Vijay Garg, as Associate Professor of Mechanical Engineering, University of Maine at Orono, effective September 1, 1984, at an academic year salary of \$39,000.

12. Professorship in Tree Physiology. Dr. Evans presented the recommendation for establishment of the Ruth Hutchins Professorship. President Silverman reported that the professorship is one of two chairs which has been made possible by a gift of \$1 million from Curtis and Ruth Hutchins. Establishment of the Chairs was proposed by a committee which included consultants from outside the Campus. The Committee assessed the strengths and concerns of the College of Forestry and recommended that a quarter of the gift be reserved as an endowment which would provide stipends for faculty positions and enable the Campus to attract outstanding scientists to the forestry program. The President said this Chair would fill the College's need for a tree physiologist. On motion of Dr. Evans, which was seconded, it was

VOTED: to approve the establishment of the Ruth Hutchins Professorship in Tree Physiology.

13. Appointment to the Hutchins Professorship. On motion of Dr. Evans, which was seconded, it was

VOTED: to authorize the appointment of Dr. Michael S. Greenwood, as the Ruth Hutchins Professor in Tree Physiology, University of Maine at Orono, effective September 1, 1984, at a fiscal year salary of \$45,000.

14. Appointment of Vice President for Academic Affairs, UMPI. On motion of Dr. Evans, which was seconded, it was

VOTED: to authorize the appointment of Dr. Richard Cohen, as Vice President for Academic Affairs, University of Maine at Presque Isle, effective March 1, 1984, for a fiscal year appointment at an annual salary of \$35,053 with a \$7,000 administrative stipend. The appointment is for a three-year term.

15. Personnel Appointment Procedures. Dr. Evans presented the recommendation for clarification of procedures for approval of promotions and/or salary adjustments, other than initial appointments. On motion of Dr. Evans, which was seconded, it was

VOTED: to adopt the following procedures for incorporation into existing policy for processing of personnel actions:

1. Individual salary adjustments as a result of acting appointments at the Director level or above where the base salary, including any stipend, will exceed \$25,000 per year.
2. Individual salary adjustments as a result of appointment conversion from academic to fiscal year or fiscal to academic year where the base salary, including any stipend, will exceed \$25,000 per year.
3. Individual salary adjustments for appointments made as a result of reassignment including changes in responsibility and increased or decreased duties where the base salary, including any stipend, will exceed \$25,000 per year.

15. Faculty Salary Adjustments. On motion of Dr. Evans which was seconded, it was

VOTED: to approve salary adjustments as follows:

- . Professor William Schmidt, UMO, from \$39,909 - \$44,909, for additional duties as Acting Director, UMO Computer Applications Network.
- . Associate Professor Robert Roxby, UMO, from \$28,940 to \$30,677, for appointment as Chairperson.

16. Stipends for Orono Administrative Staff. Dr. Evans presented a recommendation for salary adjustments for individuals at Orono who will undertake administrative assignments during the period of Dr. Johnson's Acting Presidency. Chancellor McCarthy reported that the previous incumbents have been reassigned at the same salary level, at least until September. Mr. Beliveau raised questions about the financial impact of the reorganization, given the proposed increases and the maintenance of salary levels for those assigned to other duties. The staff was instructed to provide an analysis of the reorganization for the next meeting. On motion of Dr. Evans, which was seconded, it was

VOTED: to approve salary adjustments for Orono administrators as follows:

<u>Name</u>	<u>Proposed Title</u>	<u>Current Salary</u>	<u>Proposed</u>
Kenneth Allen	Acting Vice President for External Affairs	Base	\$42,772
		Stipend	4,800
			<u>\$47,572</u>
Philip Dufour	Assistant Vice President for Public Service and Director, Sponsored Programs Division	Base	\$43,183
		Stipend	none
			<u>\$43,183</u>
Charles Tarr	Acting Vice President for Research and Acting Dean of the Graduate School	Base	\$36,411(ay)
		Stipend	5,000
			<u>\$41,411</u>
Anita Wihry	Acting Director of Planning and Management Systems and Executive Director for Employee Relations	Base	\$35,400
		Stipend	2,000
			<u>\$37,400</u>
JoAnne Fritsche	Executive Assistant for Special Projects and Dir. of Equal Opportunity	Base	\$34,023
		Stipend	none
			<u>\$34,023</u>
William Baker	Acting Assistant to Vice President for External Affairs and Professor of History	Base	\$28,492(ay)
		Stipend	none
			<u>\$28,492</u>
Mark Hall	Assistant to the President		\$26,000

17. Purchase of Property, UMF. On motion of Mr. Marshall, which was seconded, it was

VOTED: to authorize the purchase of the property at the corner of Lincoln and High Streets, Farmington, from Katherine Mills for \$35,000, and further authorize the transfer of funds from the campus Incentive Budgeting and President's Contingency accounts to an appropriate plant fund account to cover the purchase.

18. Renovation, USM. On motion of Mr. Marshall, which was seconded, it was

VOTED: to authorize renovations to bathroom facilities in Woodward Hall and further authorize the transfer of \$35,000 from the Residence and Dining Reserve to an appropriate plant fund account to cover the project costs.

19. Naming of Physical Facility, UMO. On motion of Mr. Marshall, which was seconded, it was

VOTED: to authorize the naming of the English/Math Building on the Orono Campus, Howard Ralph Neville Hall.

20. Capital Construction Status Report. Mr. Marshall called attention to the report which was circulated with materials for the meeting, for information.

21. Report of Committee of the Whole. Vice Chairman Francis Brown reported for the Committee:

- Tenure Nominations. Mr. Brown noted that the tenure process, supervised this year by Vice Chancellor Harlan Philippi, had functioned very effectively and he commended the Campuses for rigorous application of Board guidelines. He reported that the candidates were outstanding individuals, and indicated that the conferral of tenure is an integral component of institutional quality. On motion of Mr. Brown which was seconded, it was unanimously

VOTED: that the 1984 nominations to tenure at the University of Maine are approved as follows:

University of Maine at Augusta

Joshua Nadel, Promotion to Associate Professor of Art with Tenure, Division of Arts and Humanities

Carole Ruhlín, Promotion to Associate Professor of Nursing with Tenure, Division of Nursing Education

Ronald Norton, Promotion to Associate Professor of Economics with Tenure,
Division of Business and Governmental Sciences

J. Powers McGuire, Tenure at Present Rank of Associate Professor of Business and Governmental Sciences, Division of Business and Governmental Sciences

University of Maine at Farmington

Rodney B. Farmer, Tenure at Present Rank of Associate Professor of Social Science Education, Department of Elementary, Secondary and Early Childhood Education

University of Maine at Fort Kent

None

University of Maine at Machias

Elisabeth A. Dagdigian, Tenure at Present Rank of Associate Professor of Education, Education Division

Alan J. Lewis, Promotion to Professor of Ecology with Tenure, Science/Mathematics Division

University of Maine at Orono

Neil F. Comins, Promotion to Associate Professor of Physics with Tenure, College of Arts and Sciences

David M. Ebitz, Promotion to Associate Professor of Art with Tenure, College of Arts and Sciences

Harvey A. Kail, Promotion to Associate Professor of English with Tenure, College of Arts and Sciences

Donald B. Mountcastle, Promotion to Associate Professor of Physics with Tenure, College of Arts and Sciences

Khi V. Thai, Promotion to Associate Professor of Political Science with Tenure, College of Arts and Sciences

Geoffrey L. Thorpe, Promotion to Associate Professor of Psychology with Tenure, College of Arts and Sciences

Christina L. Baker, Promotion to Associate Professor of English with Tenure, Bangor Community College

Harry E. Batty, Promotion to Associate Professor of English with Tenure, Bangor Community College

Earl W. Booth, Promotion to Associate Professor of English with Tenure,
Bangor Community College

Frank T. Setter, Promotion to Associate Professor of Human Services with
Tenure, Bangor Community College

John K. Ford, Promotion to Associate Professor of Finance with Tenure,
Business Administration

Justin H. Poland, Promotion to Associate Professor of Mechanical Engi-
neering with Tenure, Engineering and Science

Marc D. Baranowski, Promotion to Associate Professor of Human Development
with Tenure, College of Life Sciences and Agriculture

Dana W. Birnbaum, Promotion to Associate Professor of Human Development
with Tenure, College of Life Sciences and Agriculture

Alfred A. Bushway, Promotion to Associate Professor of Food Science with
Tenure, College of Life Sciences and Agriculture

Rodney J. Bushway, Promotion to Associate Professor of Food Science with
Tenure, College of Life Sciences and Agriculture

William R. Congleton, Promotion to Associate Professor of Animal and
Veterinary Sciences with Tenure, College of Life Sciences and Agricul-
ture

George L. Jacobson, Jr., Promotion to Associate Professor of Botany with
Tenure, College of Life Sciences and Agriculture

Martin R. Stokes, Promotion to Associate Professor of Animal and Veteri-
nary Sciences with Tenure, College of Life Sciences and Agriculture

William H. Whitaker, Tenure at Present Rank of Associate Professor of
Social Welfare, College of Arts and Sciences

Robert O. Hawes, Tenure at Present Rank of Associate Professor of Animal
and Veterinary Sciences, College of Life Sciences and Agriculture

David B. Field, Tenure at Present Rank of Professor of Forestry, College
of Forest Resources

University of Maine at Presque Isle

H. Anderson Giles, Promotion to Associate Professor of Art with Tenure,
Division of Humanities

Stanley J. Scott, Tenure at Present Rank of Associate Professor of English
and Philosophy, Division of Humanities

University of Southern Maine

Piers Beirne, Promotion to Professor of Sociology with Tenure, College of Arts and Sciences

David P. Cluchey, Promotion to Professor of Law with Tenure, School of Law

William A. Phillips, Promotion to Associate Professor of Economics with Tenure, School of Business, Economics and Management

Janet Z. Burson, Promotion to Associate Professor of Nursing with Tenure, School of Nursing

Judith C. Drew, Promotion to Associate Professor of Nursing with Tenure, School of Nursing

Jeremiah P. Conway, Tenure at Present Rank of Associate Professor of Philosophy, College of Arts and Sciences

Nancy K. Gish, Tenure at Present Rank of Associate Professor of English, College of Arts and Sciences

John S. Ricci, Tenure at Present Rank of Associate Professor of Chemistry, College of Arts and Sciences

John M. Sutton, Tenure at Present Rank of Associate Professor of Education, College of Education

- Honorary Degrees. On motion of Mr. Brown, which was seconded, it was

VOTED: to approve the nominations for honorary degrees, as presented, for conferral at Commencement or at other ceremonies, at the option of the individual campuses.

22. Instructional Television Construction Permits. Mr. Hakanson presented the recommendation. Mr. Winchester, General Manager of the Maine Public Broadcasting Network, explained that approval would permit the Network to apply for the necessary licenses and construction permits to establish a point-to-point microwave service which would provide closed-circuit television instruction to different locations in the State. In response to questions, Mr. Winchester reported that the proposed system would be separate from and different than the existing microwave network, and would have the capability to provide instructional television programs directly to businesses, to industry, and between the campuses in the System. The Chancellor noted that when it has been fully developed, it would be cost effective and would provide service in areas which are not presently served. Approval of the recommendation would authorize MPBN to apply for

appropriate licenses and permits, and the Network would submit a specific plan to the Board before actual construction is begun. On motion of Mr. Hakanson, which was seconded, it was

VOTED: to authorize the University Treasurer to submit applications to the Federal Communications Commission for permission to construct ITFS transmitters in various locations in the State of Maine.

23. Legislative Affairs Status Report. Mr. Beliveau, Chairman of the Subcommittee on Legislative Affairs, reported:

- LD2075 is an amended version of a bill discussed in the January meeting concerning establishment of Boards of Overseers. The amended bill would create such boards for all seven campuses rather than the two boards for UMO and USM proposed in the original bill. The Board took a position on the Overseers bill at its last meeting and that position will be conveyed during the public hearing on the bill, which has yet to be scheduled.
- LD2023 removes retirement age restrictions for Trustees, and has been enacted.
- The University's request for collective bargaining monies will be acted on in the current legislative session. The Governor has made no provision for additional funding for contracts. Once the results of the University's negotiations have been transmitted to the Governor, the situation will have to be carefully monitored.
- The capital construction request has been deferred to the special two-day session in June which will be devoted to education needs.
- Mr. Beliveau has provided additional information in support of the University's requests and needs to the Appropriations Committee, Education Committee, and leadership of both parties. The Legislative Affairs Committee and the Chancellor will follow up on University issues in a meeting with the Education Committee which will take place shortly.

24. Status of Project Requests. The Chancellor took note of a summary report on the status of pending studies and projects, a listing of which is appended to the file of these minutes.

25. The Chairman announced that the next meeting of the Board would be held in Augusta on March 26, 1984.

There being no further business, the meeting was adjourned.

