



Testimony from the University of Maine System Presented by UMS Board of Trustees Chair Trish Riley, In Opposition to LD 1656, *An Act to Allow Student Representation Within the Governance of the University of Maine System*, April 24, 2023

Senator Rafferty, Representative Brennan and distinguished members of the Joint Standing Committee on Education & Cultural Affairs: I am Trish Riley, chair of the University of Maine System (UMS) Board of Trustees (BOT), testifying today in opposition to LD 1656, *An Act to Allow Student Representation Within the Governance of the University of Maine System*.

The System's BOT values student voice.

It was because we heard from our students — who were passionate, persistent and informed — that Trustees voted last year to divest from fossil fuels. At the time, News Center Maine reported, “Students that are a part of Divest UMS say they were shocked when they heard of the board’s commitment and said most student-driven divest groups don’t usually get through to their boards.”

Students and Trustees have multiple means to communicate and connect. Our 16-person Board includes one student, nominated by the Governor and confirmed by this esteemed Committee, who serves a two-year term as a full-voting member, engaged in all aspects of the BOT’s work including executive sessions and committee responsibilities. In our experience, it has not always been easy to recruit and retain students for that seat. Potential nominees are put forth by our universities’ student governments, and typically, there are just a handful of candidates put forward for the required background checks and then the Governor’s consideration.

For example, in August 2021, the student Trustee resigned just seven months into her term as the demands of her Board duties were unsustainable given her nursing degree program and need to work for remuneration. The student seat went unfilled until September 2022 when you confirmed Dhivya Singaram, our first student Trustee from the University of Maine School of Law, whose perspective as a student and her professional experience prior to law school has brought important insight to our deliberations. Trustee Singaram estimates she spends as much as 28 hours each month on her BOT-related responsibilities, including review of information packets in advance of our bimonthly two-day Board meetings, which can be as detailed as 600 pages.

Additionally, each UMS university has an undergraduate Student Representative to the BOT and the University of Maine, the University of Southern Maine and Maine Law also have graduate student representatives to the Board. These Student Representatives participate in Board meetings, and also the bimonthly Academic & Student Affairs Committee, at which they are invited to participate in all discussion and additionally have a standing agenda item that provides them opportunity to raise any issues and provide input, though they often do not. Among the duties of Student Representatives include advocating for the best interests of the students who are enrolled at their respective campuses and maintaining effective systems for communication with their student bodies and the BOT. In the event of a Chancellor or Presidential vacancy, it is often from these Student Representatives that we draw student participants to serve on the search committee. Trustee Singaram works closely with the 10 Student Representatives and serves as their liaison on the Board.

Finally, the BOT hosts public comment sessions at the start of each Board meeting. It is through this forum that we heard again and again from our students about the case for divestment.

As you consider this bill, which would grow our Board to 25 members, I think it is important to remember the Trustees' duties as the governing and planning body of the university with the further responsibility of preparing and approving the System's operating and capital budgets. UMS is a complex organization with an annual budget of more than \$600 million and nearly 5,000 regular employees. The duties of Trustees, outlined below, reflect that and require significant time commitments to conduct:

- Support and enhance the system and the mission of the system;
- Provide sound financial management of the system;
- Exercise prudent stewardship of the assets of the system;
- Evaluate the Chancellor and presidents appointed by the Board of Trustees;
- Plan strategies for programs and allocation of resources that most effectively serve the educational needs of the citizens of this State;
- Develop and maintain a strong system of accountability to the public for performance results of the system;
- Visibly advocate higher education as a means to strengthen the economy and communities of the State; and
- Establish mechanisms for review and approval of system programs.

Given the gravity of this responsibility for the state's largest education, research, and economic development enterprise, the existing statute requires the Governor to consider professional education and experience, as well as geographic and other aspects of diversity, when making appointments.

The caliber of our Trustees and their deep background in areas relevant to the Board's work was on full display earlier today, when you considered the latest three appointments, among them a former Department of Labor Commissioner, a successful small business owner and community leader who has served on the Board of Visitors for one of our small campuses, and the founder of a healthcare technology start-up that has attracted international investment and who formerly chaired the Board of Visitors for our R1 flagship. Even for highly accomplished Trustees like these, it takes considerable time to become well-versed in the myriad matters confronting the Board, which is why terms are five years and many members are reappointed to serve for a full decade.

LD 1656 creates two-year terms for nine new student Trustees, and changes the nomination process for the existing student Trustee, taking away the Governor and Legislature's appointment and confirmation authority. It also means that 40% of our Trustees would not be subject to the appropriately rigorous vetting process, including background checks and some disclosures, currently required for all Trustees.

Students would need college experience before taking on their Board responsibilities but would also need to have at least two years remaining at their university so they can complete their term as a student. In addition to academic and student affairs, student Trustees would also need expertise in audit, facilities and technology planning, finance, investment, human resources and

labor relations, and strategic planning in order to be appropriately assigned to Board committees with jurisdiction in those areas.

We anticipate that the continuous process of orientating and on-boarding nine new Trustees every two years would create considerable turnover and disruption to the Board and its committees, which often work some issues over the course of multiple months, like the budget or consideration of a new academic program or major capital project, or even years, like the strategic plan.

Further, the bill calls for students to be selected by their university's student body or student government, and thus, requires them to represent that interest group. Trustees, however, have responsibility for the entire System, even if they are proud alums of one of its institutions. By its very charter, the independent BOT you confirm must balance the interests of all constituencies of the System including students, faculty, staff, administrators, alumni, partners, policymakers, donors and the public, as well as the various functions of the entire enterprise including education, research, public service and economic development.

As noted, our experience shows that students understandably have limited bandwidth to fully participate in Trustee business given their appropriate priority for their academics and extracurricular activities and the need for many of them to additionally earn income to support themselves and their families. For this reason, the Student Representatives we spoke with felt strongly that student Trustees must be fairly compensated, especially if they are expected, as all Trustees are, to attend our in-person meetings year-round, including during summer and school breaks. However, paying some Trustees, even recognizing the compelling need for students to be so supported, may raise other issues and does not resolve the concerns I have noted.

Students are the heart of our mission. We are grateful for Sen. Tipping's commitment to UMS, including his championing of a bill to provide tuition waivers to make our public universities even more affordable and accessible to Maine students. We appreciate the Committee's support of an amended version of LD 512, which would make UMS tuition-free for Pell-eligible Mainers. He is right to recognize that tuition and fee dollars now underwrite a greater share of the UMS operating budget than State appropriations, and thus students and their families have an important stake in the operations of their universities.

The Trustees look forward to both working with the Legislature to increase State investment so that students shoulder less of the burden of paying for their public education, and with our students to ensure their important perspectives appropriately inform our management of the University of Maine System.

Thank you for the opportunity to testify today. I welcome your questions.