

University of Maine System

Current governing law and policy related to financial affairs

Charter of the University of Maine System - P&SL 1985 Chapter 532

Section 2. The Trustees shall annually elect one of their number to be president of the Board. They shall appoint a clerk and treasurer both of whom shall be sworn, and shall hold their offices at the pleasure of the Trustees. The clerk shall record all proceedings of the Board, and copies of their records certified by him shall be evidence in all cases in which the originals might be used. The treasurer shall be required to give suitable bond, and to renew the same, whenever the Trustees shall require.

Section 4-A. Administration; Chancellor; campus heads; advisory committees. The Board of Trustees shall appoint a Chancellor of the University System who shall serve at its pleasure and be chief administrative and education officer thereof. The Chancellor may maintain an office at Augusta and such other offices as the Board of Trustees may designate. The Chancellor shall nominate and the Board of Trustees shall appoint the persons to head the various campuses and shall give the persons such titles as shall be deemed appropriate. The head of a campus shall not serve concurrently as Chancellor or as a member of the Board of Trustees. The Board of Trustees shall appoint such advisory committees on behalf of the various campuses and such other advisory committees as may appear desirable.

Section 4-B. Duties of the Board of Trustees, Chancellor and heads of the various campuses

1. Board of Trustees; duties. The Board of Trustees, in consultation with the Chancellor, is the governing and planning body of the university and in addition has responsibility for preparing and approving the operating and capital budgets of the university and presenting them in accordance with the direction in the Maine Revised Statutes, Title 5, Section 1665, and Title 5, chapter 153. In fulfilling its duties, the Board of Trustees shall:

- A. Support and enhance the system and the mission of the system;
- B. Provide sound financial management of the system;
- C. Exercise prudent stewardship of the assets of the system;
- D. Evaluate the Chancellor and presidents appointed by the Board of Trustees pursuant to section 4-A;
- E. Plan strategies for programs and allocation of resources that most effectively serve the educational needs of the citizens of this State;
- F. Develop and maintain a strong system of accountability to the public for performance results of the system;

G. Visibly advocate higher education as a means to strengthen the economy and communities of the State; and

H. Establish mechanisms for review and approval of system programs.

2. Chancellor and staff members; duties. The Chancellor shall exercise such powers and fulfill such responsibilities as are delegated by the Board of Trustees. The Chancellor may delegate any of such powers and responsibilities to members of the Chancellor's staff as necessary. The Chancellor is the chief administrative and education officer of the system and shall:

A. Provide leadership to the universities in the system in addressing the State's highest priority needs;

B. Establish a vision and planning for the system that:

(1) Provides quality education that is affordable and accessible for the students of this State; and

(2) Strengthens the State's economy for its citizens;

C. Promote system planning, in collaboration with university presidents, for academic affairs, student affairs, outreach and community services programs, financial operations, capital plans and resource allocations;

D. Prepare all operating and capital budgets, appropriation requests and bond issues;

E. Take an active role in the nomination, appointment and evaluation of persons to head the universities and to serve in other major staff positions in the system;

F. Develop and implement an effective statewide public relations and legislative program;

G. Provide a centralized management oversight of services;

H. Coordinate University of Maine System academic offerings to avoid duplication with private and public institutions in this State; and

I. Develop a method to transfer academic credits to all universities within the University of Maine System.

3. Head of each campus; duties. The head of each campus is the chief administrative and educational officer thereof and is responsible for the day-to-day operation and development of its academic program within the limits defined by the Board of Trustees and the Chancellor; and in addition, shall exercise such rights and privileges as are generally recognized in the administering of admissions, curriculum development, extracurricular programs, long- range planning within the framework of the overall university plan, and supervision of faculty.

Title 20-A, Chapter 411

§10902. Public policy on higher education

The following shall be the fundamental policies adhered to in the state's public higher educational planning:

- 1. Recognition.** To recognize higher education as an organized program of instruction, research and service:
 - A. Primarily concerned with the field of organized knowledge, related theory and associated practice;
 - B. Offered by a collegiate institution, not necessarily of 4 years, authorized to award academic degrees; and
 - C. Administered and systematically pursued on a full-time or part-time basis by persons who have completed secondary school or who demonstrate equivalent competence;
- 2. Principles.** To support the principles that each higher educational institution in the State, public and private:
 - A. Shall have control over its educational program and related activities, within its board of control;
 - B. That its faculty shall enjoy the freedom traditionally accorded to the faculty of higher educational institutions in teaching, research and expression of opinions; and
 - C. That the faculty shall be consulted in the formulation of academic policies pertaining to it;
- 3. Cohesive system.** To develop, maintain and support a structure of public higher education in the State which will assure the most cohesive system possible for planning, action and service in providing higher educational opportunities, to which the highest priority for fiscal support shall be assigned;
- 4. Programs.** To provide in its public higher educational institutions, or through cooperative arrangements with private institutions or institutions outside the State, the programs of study, research or experimentation that its citizens may require;
- 5. Encourage growth.** To encourage the growth and development of existing or new private higher educational institutions within the State where studies justify their continuation or establishment;
- 6. All citizens eligible.** To recognize that all citizens shall be considered eligible for the benefits of appropriate higher education, whether they are high school graduates or the equivalent, or those seeking retraining or training for new careers;

7. **Public funds.** To assign continually a high priority in the allocation of public funds to the development of services, programs and institutions designed to provide opportunities for those who do not now share equitably in the advantages of higher education, because of limiting economic, social, educational and cultural factors;
8. **Financial support.** To support financially the programs of public higher educational institutions through appropriations, grants and loans, based on comprehensive plans and budgets, both short-term and long-term;
9. **Public accountability.** To expect appropriate public accountability for this support;
10. **Federal funds.** To encourage all institutions, public and private, to make maximum use of federal funds available for the support of higher educational programs and activities, the State to provide matching funds, where necessary, initially and on a continuing basis;
11. **Cooperative undertakings.** To expect and request cooperative undertakings among the higher educational institutions, public and private, and between them and the business, industrial and labor interests, to further the development of quality and quantity in educational programs and services and the advancement of the state's economy;
12. **Evaluation and research.** To encourage a continuing program of evaluation and research with respect to higher educational opportunities in the State through financial support and the expectation of annual reporting;
13. **Master plan.** To give a high priority to the provisions of the master plan for higher education through legislative action and appropriate publicity;
14. **Commuter education.** To make the most effective use possible of the financial resources allocated to public higher education by maximum emphasis on commuter facilities.
15. **Transfer of credits.** To provide for a uniform system of transferring credits for equivalent courses between the various units of the University of Maine System;
16. **Uniform course numbering.** To provide for a uniform system of the numbering of courses for equivalent courses between the various units of the University of Maine System;
17. **Uniform course descriptions.** To provide for a uniform system of course descriptions for equivalent courses between the various units of the University of Maine System;
18. **Temporary Assistance for Needy Families recipients.** To develop programs with the goal of enabling recipients of Temporary Assistance for Needy Families to achieve educational and skill levels that will assist them to compete for employment; and

19. Public school restructuring. To encourage the public and private postsecondary education institutions in the State to cooperate with the commissioner, the state board and school administrative units to provide appropriate and timely professional development programs and other support services to educators in public schools engaged in school restructuring efforts.

§10905. Treasurer; compensation

The trustees shall appoint a full-time treasurer of the university. The treasurer shall give bond for the faithful performance of the duties of the office in an amount and with such conditions and sureties as the trustees may determine. The compensation of the treasurer shall be set by the trustees.

§10906. Powers and duties of treasurer

1. Receipt and custody of moneys, expenditures, authority to contract. The treasurer shall:

A. Receive and have custody of all moneys received for the university;

B. Make all expenditures upon vouchers authenticated and approved in a manner designated by the trustees;

C. Have no authority to contract debts and obligations or borrow money except:

(1) Loans in anticipation of assured revenues when approved by vote of the trustees; and

(2) Other loans when directed by vote of the trustees and duly and properly authorized by the Governor.

All such loans shall be effected in accordance with the provisions of chapter 412.

2. Report of treasurer. The treasurer shall prepare a complete report for the period ending on June 30th of each year and forward a copy of the report to the Governor, the board of trustees and the members of the Legislature.

Board of Trustees Policy Manual

Section 100 Introduction

103 - Bylaws of the Board of Trustees

Section 1.1 Function. Pursuant to the laws of the State of Maine, and in accordance with the federal statutes governing land grant institutions, the Board of Trustees in consultation with the Chancellor, is the governing and planning body of the University of Maine System.

Section 1.3 Powers and duties.

- a. The Board of Trustees has final authority over all matters within its jurisdiction. The jurisdiction of the Board relates to, and is exercised over, inter alia, all educational, public service and research policies, financial policy, and the relation of the University System to the state and federal governments.
- b. The Board shall appoint a Chancellor who shall serve at its pleasure and be the Chief Administrative and Education Officer of the University System. The Board shall undertake periodic reviews of the Chancellor's performance. A minimum of nine affirmative votes shall be required to appoint or dismiss a Chancellor. The Board shall consult with the Chancellor, and shall delegate to the Chancellor authority to execute policies established by the Board, together with responsibility for the internal government and administration of the University System, and such other authority and responsibility as the Board, from time to time, shall deem appropriate.
- c. Presidents of the various institutions and/or units of the University System shall be appointed by the Board on the nomination of the Chancellor and shall serve at the pleasure of the Board. The Chancellor may suspend and/or recommend the dismissal of a President, with final disposition of the matter to be determined by the Board.
- d. The Board of Trustees shall, in consultation with the Chancellor, be responsible for the preparation and approval of all operating and capital budgets, together with University System requests for appropriations, bond issues, and statutory changes, and for their presentation to executive or legislative branches of Maine government in accordance with the provisions of the Maine statutes.

Section 2.2 Treasurer and Clerk. The Board shall appoint a Clerk and a Treasurer, both of whom shall be sworn and hold their offices at the pleasure of the Trustees.

Section 2.5 Duties of the Treasurer shall be as provided in the Maine Revised Statutes.

Section 200 Governance and Legal Affairs

203 Chancellor – Appointment and Responsibilities

Policy Statement:

The Chancellor of the University of Maine System is appointed by the Board of Trustees and serves at its pleasure as the chief administrative and education officer of the University System. The Chancellor is accountable to the Board for making certain that the System operates in accordance with Maine Statutes, and the policies and procedures of the University of Maine System.

The Chancellor is responsible for:

- the governance and administration of the University System;
- the implementation of Board policy and procedures and other such duties as the Board may delegate or assign;
- providing the Board with professional judgments on all matters affecting the System and the universities;
- System planning, in conjunction with campus Presidents, for academic affairs, student affairs, public service programs, financial operations, capital plans, and resource utilization;
- the preparation of all operating and capital budgets, appropriation requests, bond issues, and statutory changes;
- the presentation of appropriation requests, bond issues, and statutory changes to executive or legislative branches of Maine government in accordance with the provisions of the Maine statutes;
- the nomination of persons to head the campuses and other System major staff for appointment by the Board of Trustees, and for implementation of professional development programs and performance review of the presidents and major staff;
- seeking consultation and advice from the Presidents, both collectively and individually, on matters pertaining to the System and, as appropriate, to each campus;
- the development of an effective statewide public relations and legislative program.

204 President – Appointment and Responsibilities

Policy Statement:

Presidents of the University System shall be elected by the Board on the nomination of the Chancellor and shall serve at the pleasure of the Board. The President is the chief administrative and educational officer of the respective institution and is responsible for all aspects of operations within the approved mission, and policies and procedures set forth by the Chancellor and the Board of Trustees. The President reports directly to the Chancellor.

The President is responsible for:

- the implementation of plans, policies, and directives from the Board of Trustees and the Chancellor;
- active participation in strategic leadership of the University of Maine System through leadership of System-wide initiatives, promoting collaborative efforts at all levels among UMS universities, participation in Presidents Council, engagement in System-wide planning, and participation in Board of Trustees meetings, strategic planning, and other activities,
- the establishment of an effective communications link between the President and the Chancellor and between the President and all of the constituencies at the institutional level: faculty, students, staff, alumni, and community partners;
- the academic leadership of the institution through established planning processes and prioritizing of goals and objectives, promotion of academic excellence, development and motivation of faculty and staff to accomplish the University and System missions, and promotion of innovative, collaborative and efficient use of resources to meet the needs of students and the State;
- the development and administration of the institution's operational and auxiliary enterprise budgets as approved by the Chancellor and Board of Trustees, including establishment of priorities for expenditures and achievement of revenue projections as set forth in the approved budgets;
- the development, maintenance and operation of the physical plant and the development of long-range capital facilities priorities in accordance with the mission and guidelines set forth by the Board of Trustees;
- the administration of all programs affecting student life and promotion of the learning environment for the welfare of the student body;
- the development of an effective public service program for both the internal and external communities;
- the development of an effective community relations program;
- identification, assessment and management of risks and ensuring regulatory compliance;
- establishing the means to assess the effectiveness of the institution;
- assuring that the institution employs staff sufficient in role, number and qualifications appropriate to the institution;
- consultation with faculty, students, other administrators and staff in accordance with established institutional mechanisms.

207 – Signatory Authorities

Policy Statement:

The Treasurer of the University of Maine System is:

1) Authorized to grant to designated officers and employees of the University of Maine System the authority:

(a) to sign checks drawn on bank accounts of the University System, drafts, acceptances or other instruments on such specific purposes, within such specific limits, and upon such terms and conditions as the Treasurer shall establish from time to time; and

(b) to sign contracts, grant applications, research proposals, purchase orders and similar instruments on behalf of the University System in the regular course of the operation of the institution for such specific limits, and upon such terms and conditions as the Treasurer shall establish from time to time; and

2) Authorized to revoke and modify any authority so granted.

3) All such grants of authorities shall be approved in advance by the Treasurer and shall be kept current and on file in the Treasurer's Office.

The Treasurer, the Chair of the Board of Trustees, or the Chair of the Finance Committee, with the approval of the Board of Trustees, may sell, assign, and transfer any and all securities owned by or standing in the name of this corporation; execute proxies, consents, deposit and protective agreements, and perform such other acts as may be essential to the expeditious administration of the endowment.

Section 700 Financial Affairs

- see Section 700 for financial practices, processes and procedures