

BOARD OF HIGHER EDUCATION MEETING
February 16, 2006

The February 16, 2006, meeting of the Board of Higher Education (BHE) was held at Northern Essex Community College in Haverhill, Massachusetts. The following members were present:

Stephen P. Tocco, Chair
Aaron Spencer, Vice Chair
G. L. (Peter) Alcock
Jeanne-Marie Boylan
John Brockelman

David Driscoll
Kathleen Kelley
Amanda Lacouture
Ann Reale
Richard Taylor
Karl White

CALL TO ORDER

Chair Tocco called the meeting to order at 9:40 a.m.

ACCEPTANCE OF MINUTES

A motion was made to accept the minutes of the December 15, 2006, Board meeting. The motion was seconded, and the minutes were unanimously approved.

WELCOME

Dr. David Hartleb, President of Northern Essex Community College, welcomed the Board to the College's Haverhill campus. He provided a slide presentation that highlighted the qualities of the recently renovated Ourania Behrakis One-Stop Student Center, the newly constructed Technology Center, and the Corporate and Community Education Center, located in North Andover. All three facilities extend services and educational programs to the public.

President Hartleb announced the formation of EdLink, a formal partnership of the five public higher education institutions in the Northeast Region—Northern Essex, North Shore, and Middlesex Community Colleges, Salem State College, and the University of Massachusetts Lowell. Chair Tocco offered congratulations on the formation of EdLink and praised it as a powerful tool for the families and students of the region and a driver of the Massachusetts economy.

CHAIR'S REMARKS

Chair Tocco lauded the recent Senate passage by a 35-0 vote, of the Higher Education Access and Excellence Act. This bill would close the public higher education formula funding gap over the next seven years, enhance accountability and promote workforce development. He complimented Board members and staff and campus leadership for the many hours dedicated to work on this legislation, even if there was not always agreement. He stressed the importance of prompt House action on the bill and said that we could lose the funding and other benefits of the bill unless we work together. Chair Tocco expressed disappointment that the press did not adequately cover this issue and said that its ultimate passage would prove to be an historic action.

Chair Tocco said that the quality of the system of public higher education is good and is getting better, as evidenced by the *2005 Performance Measurement Report*. He noted that the *Performance Measurement Report* also showed that we still have many challenges to meet, and he encouraged the Board and the campuses to work strategically to meet higher goals. Chief among these goals is to provide an excellent and affordable education.

CHANCELLOR'S REMARKS

Chancellor Judith Gill congratulated the campuses on the progress reported in the *2005 Performance Measurement Report* and thanked the Board and campus staff for their collaboration in producing this Report. Massachusetts has now developed a data warehouse that is the envy of other states, and an even more comprehensive data base will become available with the addition of data from Early Education and Care and the Department of Education. She said that Massachusetts legislators are asking for additional information on the public higher education system, and more performance measurement goals will need to be developed. A task force will be organized to review the new higher education legislation to determine which new indicators may be needed and how to reorganize the current indicators.

REPORTS FROM THE PRESIDENTS

Dr. Mary Grant, President of Massachusetts College of Liberal Arts, spoke in the absence of Dr. Janelle Ashley, Chair of the Executive Committee of the Council of Presidents. Her opening remarks included congratulations to President David Hartleb on the construction of the Technology Center, thanks to the Board of Higher Education on the funding components for state college collective bargaining—particularly to Peter Tsaffaras, Director of Employee Relations and Benefits Administration, for his exceptional effort.

She characterized the work on performance measurement over the past year as a “positive, engaging process” of which the state colleges were proud—particularly of the increase in their graduation rates—and she thanked all those who contributed to the efforts of the *2005 Performance Report*. She also congratulated Salem State College on increasing its endowment.

The state colleges reported impressive results on their collaborative efforts, which benefit both the Commonwealth’s students and its economy. President Grant hoped that college accountability will be improved with the budget funding, and she thanked Board members and Kurt Steinberg for their efforts in making “an investment in our future” possible.

Pleased with the results of recent collaborations, state college presidents look forward to future collaboration with their sister colleges. President Grant said that she was encouraged that students are deliberately choosing public higher education in Massachusetts and that their success at our institutions is linked to the future of the Commonwealth.

Dr. Robert Pura, President of Greenfield Community College and Chair of the Council of Community College Presidents, addressed the Board. He, too, congratulated President Hartleb on the attractiveness and functionality of the Technology Center, adding that our students deserve such fine facilities.

President Pura reported that community college students account for over one-half of the enrollment at Commonwealth’s public campuses. He stated that the community college presidents are looking forward to working with Jeanne-Marie Boylan on the Task Force on Retention and Completion Rates in the Community Colleges.

On behalf of the community colleges, he thanked the Board for their work on the *2005 Performance Measurement Report*.

John Brockelman, Chair of the Assessment and Accountability Committee, brought forth the motion on performance measurement. This third annual report, produced by the Board of Higher Education, measures access, excellence and affordability of the Commonwealth’s seven

comprehensive state and 15 community colleges. Mr. Brockelman thanked Board staff members for their work on the report. The University of Massachusetts, Massachusetts Maritime Academy and Massachusetts College of Art, because of their special status, prepare their own performance measurement reports. Mr. Brockelman introduced Dr. Jonathan Keller, Associate Vice Chancellor of Research and Planning, who gave a detailed PowerPoint presentation on the core areas of the *2005 Performance Measurement Report*—access, affordability, student success, and effectiveness. Some highlights of the presentation included:

- Residents choosing public higher education have increased from 63 to 68 percent over the last eight years. Overall college enrollment has remained stable, while minority enrollment continues to grow (from 20,000 students in 2001 to 23,400 in 2004).
- Tuition and fees have continued to increase but at a slower pace than in previous years. Over 90 percent of aid-eligible students received direct cost-based financial aid from student financial assistance.
- State college first-year retention rates have increased steadily over the past three years. The present rate of 75 percent tops the national rate of 74 percent. Community college first-year retention rates are lower than the previous two years but remain stable. The BHE has formed a task force that will focus on improving student retention and completion at the state's community colleges.
- Six-year graduation rates at the state colleges have increased steadily over the past three years. The current rate is 47.6 percent, 3.7 percent higher than the national average and 2.1 percent higher than the previous year's rate, which exceeds the goal of an increase of 1 percent per year set by the State College Graduation Rate Task Force.
- In 2004 a more rigorous passing standard was instituted on the nursing licensure examination. Perhaps as a result, the community colleges had a five percentage point decline on the exam from the previous year. The number of students taking the exam has increased by 32 percent, from 644 in 2001 to 853 in 2004.
- State and community colleges allocated 8.4 percent and 9 percent, respectively, of their operating revenue to capital adaptation and renewal, surpassing the BHE requirement of 5 percent.
- On average, institutional support costs for state and community colleges are lower than peer institutions, indication that the state's public colleges are targeting more resources to instruction, academic support and student services than to overhead and administrative costs.
- Community college fund raising efforts were strong, with institutions raising \$10.6 million, an increase of \$2 million from FY2004. State college fundraising declined from \$6.8 million in FY2004 to \$6.6 million last year.

Next steps by the BHE for performance measurement improvements include:

- Work with the new Task Force on Retention and Completion Rates in the Community Colleges to determine appropriate measures of student success.
- Collaborate with the Department of Education to build a shared PreK-16 database.
- Work with the Financial Aid Task Force to examine the adequacy of student financial aid programs.
- Develop new approaches to assess our goal of providing workforce development.
- Examine performance goals identified in *An Act Supporting Access and Excellent in Public Higher Education in the Commonwealth* to determine the need for new indicators.

The following motion was moved, seconded and unanimously approved:

AAC 06-07 ACCEPTANCE OF FISCAL YEAR 2005 PERFORMANCE MEASUREMENT REPORT

MOVED: The Board of Higher Education hereby accepts the 2005 Performance Measurement Report.

Authority: Massachusetts General Laws, Chapter 15A, Section 7A (g)

Contact: Jonathan Keller, Associate Vice Chancellor for Research and Planning

John Brockelman brought forth the following motion and explained that the intent of this motion is to realign the fee structure for the Board of Higher Education. Fees have not changed in ten years and are not covering the cost of doing business. In establishing the proposed fees, Board staff reviewed fees of other states. AICUM fully supports the proposed fees. Chair Tocco added that approval of this motion will allow the Board to meet its statutory obligations to review. The motion was seconded and unanimously approved.

AAC 06-08 APPROVAL OF AMENDMENTS TO 610 CMR 2.00: DEGREE-GRANTING REGULATIONS FOR INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION

MOVED: The Board of Higher Education hereby amends 610 CMR 2.00: Degree-Granting Regulations for Independent Institutions of Higher Education by striking out section 610 CMR 2.06 (1) (b) and inserting in place thereof the following new section 610 CMR 2.06 (1) (b):

1. An institution shall pay the following fees
 - a) For initial licensure of a Massachusetts-based or Out-of-State institution: \$10,000 plus \$2,000 for each degree requested at the same time if more than one.
 - b) Annual fee each year for the first five years following initial licensure: \$4,000.
 - c) For each additional degree at Massachusetts licensed institutions: \$4,500 plus \$2,000 for each additional degree requested at the same time if more than one. (No fee for NEASC-CIHE institutions for additional degrees at existing categories/levels as approved by the Board, June 19, 2001.
 - d) Periodic inspection or review (if a separate review from Board's participation in New England Association of Schools and Colleges review is required): \$4,000.
 - e) Other requests requiring public hearings (e.g., award honorary degree(s), change the name of an institution, or retitle an existing, authorized degree): \$500.
 - f) Institutional closure: \$500. All records must be transmitted by the institution in electronic form.
2. Fees shall be paid to the Board's Licensing Fee Trust Fund at the time the institution files articles of organization or amendment or a foreign or a foreign corporation certificate with the Secretary of State or upon scheduling of periodic inspection or or review. Fees shall be used solely for purposes of the Licensing Fee Trust Fund. In addition to the fee, the institution shall pay for the travel, room, board and other normal expenses of the Visiting Committee, including the BHE representative. If a subsequent visit or visits by the Committee are necessary, the Board will charge the institution for for these at its discretion, based on the extent of subsequent review needed.

3. Pursuant to Section 41 of Chapter 15A of the Massachusetts General Laws, Board staff shall review and update biennially 610 CMR 2.06 (1) (b) to comply with the statutory mandate that fees shall reflect the costs incurred by the Board of Higher Education in implementing 610 CMR 2.00.

Authority: Section 41, M.G.L., c 69, Sections 30, 30A, and 31A
Contact: Aundrea Kelley, Associate Vice Chancellor for Academic Policy

John Brockelman introduced the following motion. He advised the Board that because of increased demand, the Board will review all undergraduate and graduate business programs not currently accredited by the Association to Advance Collegiate Schools of Business International (AACSB) to determine their quality and their ability to meet state workforce needs and standards. Chair Tocco informed the Board that the University of Massachusetts' business programs are accredited by AACSB and that the Board should draw upon the University's success to advance the review's objectives.

Peter Alcock offered that the state colleges are unanimous in their support of this review, as they are eager to offer the same quality programs that are offered by research institutions.

Ann Reale commented that in the process of reviewing the business programs, it would be important to consider concentrations or links to major industries—such as education and health care—that are important to the state's economy and which tend to employ a significant number of public higher education graduates. Most of the programs in these fields relate to teaching and nursing but not to the leadership and administration challenges that would be a very important and relevant focus of business programs.

President Mary Grant cautioned the Board to be sensitive to regional issues and institutional differences during the review process, to which the Chair provided assurances that the program review design would accommodate differences.

The following motion was seconded and unanimously approved.

AAC 06-09 APPROVAL TO REVIEW BUSINESS PROGRAMS AT THE STATE COLLEGES

MOVED: The Board of Higher Education shall conduct a review of all business programs in the state colleges that are not currently professionally accredited by the AACSB (Association to Advance Collegiate Schools of Business International). The Board of Higher Education directs the Chancellor to report the results of the review by June 2007.

Authority: Massachusetts General Laws, Chapter 15A, Section 9 (b), (c), (f), and (s)
Contact: Aundrea Kelley, Associate Vice Chancellor for Academic Policy

Aaron Spencer, Chair of the Fiscal Affairs and Administrative Policy Committee, brought forth the following motions, to be considered as one vote, related to FY2007 tuition rates. He introduced Kurt Steinberg, who explained that the motions recommend no increase for undergraduate and graduate tuition.

Mr. Spencer explained the difference in the amount of state college resident versus non-resident tuition rates, citing Fitchburg State College rates (\$970 and \$7,050) as an example. With the assumption that affordability creates access, the non-resident tuition rate for children of illegal aliens creates an absolute barrier for qualified students to attend Massachusetts public colleges. The issue of denying in-state tuition to the children of illegal aliens relates to the parents and not to the students to attend college. Kathleen Kelley endorsed Mr. Spencer's comments, stating that the Board made the proper decision in its Support for House Bill Number 4570, An Act Relating to the Eligibility of Certain Persons to Qualify as Residents of This State for the Purposes of Higher Education Tuition, at its April 2004 meeting. She believes that the Legislature erred by not supporting legislation that provided in-state tuition for the children of illegal immigrants, and she hoped that the Board would revisit the issue of supporting these students. Chair Tocco replied that the Board is obliged to support the Legislature's decision not to support this bill.

Karl White and Chair Tocco continued the discussion on tuition and fees. Mr. White said that while he appreciates the Board's efforts to keep costs down for students, he understands that campus costs continue to rise. Left with this problem, he suggested that more financial aid for students who need it be offered as a subsidy. Chair Tocco offered that the Legislature views tuition and fees as one and the same; parents also have difficulty differentiating between the two. Both agreed that the Board must take the lead in convincing the Legislature to change the structure of tuition and fees.

The following motions were brought forth for a vote, seconded, and unanimously approved—FAAP 06-11, FAAP 06-12, FAAP 06-13, FAAP 06-14, FAAP 06-15, FAAP 06-16, FAAP 06-17, FAAP 06-18, and FAAP06-19.

FAAP 06-10 COMMUNITY COLLEGES—RESIDENT TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education adopts the following resident tuition rates at the community colleges for the Fiscal Year 2007:

	<u>Tuition Change</u>	<u>Rate Per Credit Hour</u>	<u>Resident Tuition Rates</u>
Berkshire Community College	\$0	\$26	\$780
Bristol Community College	\$0	\$24	\$720
Bunker Hill Community College	\$0	\$24	\$720
Cape Cod Community College	\$0	\$24	\$720
Greenfield Community College	\$0	\$26	\$780
Holyoke Community College	\$0	\$24	\$720
Massachusetts Bay Community College	\$0	\$24	\$720
Massasoit Community College	\$0	\$24	\$720
Middlesex Community College	\$0	\$24	\$720
Mount Wachusett Community College	\$0	\$25	\$750
North Shore Community College	\$0	\$25	\$750
Northern Essex Community College	\$0	\$25	\$750
Quinsigamond Community College	\$0	\$24	\$720
Roxbury Community College	\$0	\$26	\$780
Springfield Technical Community College	\$0	\$25	\$750

FAAP 06-11 COMMUNITY COLLEGES—NON-RESIDENT TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education adopts the following non-resident tuition rates at the community colleges for the Fiscal Year 2007:

	<u>Tuition Change</u>	<u>Rate Per Credit Hour</u>	<u>Non-Resident Tuition Rates</u>
Berkshire Community College	\$0	\$275	\$8,250
Bristol Community College	\$0	\$230	\$6,900
Bunker Hill Community College	\$0	\$230	\$6,900
Cape Cod Community College	\$0	\$230	\$6,900
Greenfield Community College	\$0	\$281	\$8,430
Holyoke Community College	\$0	\$230	\$6,900
Massachusetts Bay Community College	\$0	\$230	\$6,900
Massasoit Community College	\$0	\$230	\$6,900
Middlesex Community College	\$0	\$230	\$6,900
Mount Wachusett Community College	\$0	\$230	\$6,900
North Shore Community College	\$0	\$257	\$7,710
Northern Essex Community College	\$0	\$266	\$7,980
Quinsigamond Community College	\$0	\$230	\$6,900
Roxbury Community College	\$0	\$281	\$8,430
Springfield Technical Community College	\$0	\$242	\$7,260

FAAP 06-12 STATE COLLEGES—RESIDENT UNDERGRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education adopts the following resident undergraduate tuition rates at the state colleges for the Fiscal Year 2007:

	<u>Tuition Change</u>	<u>Resident Undergraduate Tuition Rates</u>
Bridgewater State College	\$0	\$ 910
Fitchburg State College	\$0	\$ 970
Framingham State College	\$0	\$ 970
Massachusetts College of Art	n/a	n/a
Massachusetts Maritime Academy	n/a	n/a
Massachusetts College of Liberal Arts	\$0	\$1,030
Salem State College	\$0	\$ 910
Westfield State College	\$0	\$ 970
Worcester State College	\$0	\$ 970

FAAP 06-13 STATE COLLEGES—NON-RESIDENT UNDERGRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education adopts the following non-resident undergraduate tuition rates at the state colleges for the Fiscal Year 2007:

	<u>Tuition Change</u>	<u>Non-Resident Undergraduate Tuition Rates</u>
Bridgewater State College	\$0	\$7,050
Fitchburg State College	\$0	\$7,050
Framingham State College	\$0	\$7,050
Massachusetts College of Art	n/a	n/a
Massachusetts Maritime Academy	n/a	n/a
Massachusetts College of Liberal Arts	\$0	\$9,975
Salem State College	\$0	\$7,050
Westfield State College	\$0	\$7,050
Worcester State College	\$0	\$7,050

FAAP 06-14 STATE COLLEGES—RESIDENT GRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby adopts the following resident graduate tuition rates for state-supported programs at the state colleges for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Resident Graduate Tuition Rates</u>
Bridgewater State College	\$0	\$1,675
Fitchburg State College	\$0	\$1,675
Framingham State College	\$0	\$1,675
Massachusetts College of Art	n/a	n/a
Massachusetts Maritime Academy	n/a	n/a
Massachusetts College of Liberal Arts	\$0	\$1,675
Salem State College	\$0	\$1,675
Westfield State College	\$0	\$1,675
Worcester State College	\$0	\$1,675

FAAP 06-15 STATE COLLEGES—NON-RESIDENT GRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby adopts the following non-resident graduate tuition rates for state-supported programs at the state colleges for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Non-Resident Graduate Tuition Rates</u>
Bridgewater State College	\$0	\$7,050
Fitchburg State College	\$0	\$7,050
Framingham State College	\$0	\$7,050

Massachusetts College of Art	n/a	n/a
Massachusetts Maritime Academy	n/a	n/a
Massachusetts College of Liberal Arts	\$0	\$9,975
Salem State College	\$0	\$7,050
Westfield State College	\$0	\$7,050
Worcester State College	\$0	\$7,050

FAAP 06-16 UNIVERSITY OF MASSACHUSETTS—RESIDENT UNDERGRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby approves the following resident undergraduate tuition rates for state-supported programs at the University of Massachusetts for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Resident Undergraduate Tuition Rates</u>
University of Massachusetts Amherst	\$0	\$1,714
University of Massachusetts Boston	\$0	\$1,714
University of Massachusetts Dartmouth	\$0	\$1,417
University of Massachusetts Lowell	\$0	\$1,454

FAAP 06-17 UNIVERSITY OF MASSACHUSETTS—NON-RESIDENT UNDERGRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby approves the following non-resident undergraduate tuition rates for state-supported programs at the University of Massachusetts for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Non-Resident Undergraduate Tuition Rates</u>
University of Massachusetts Amherst	\$0	\$9,937
University of Massachusetts Boston	\$0	\$9,758
University of Massachusetts Dartmouth	\$0	\$8,099
University of Massachusetts Lowell	\$0	\$8,567

FAAP 06-18 UNIVERSITY OF MASSACHUSETTS—RESIDENT GRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby approves the following resident graduate tuition rates for state-supported programs at the University of Massachusetts for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Resident Graduate Tuition Rates</u>
University of Massachusetts Amherst	\$0	\$2,640
University of Massachusetts Boston	\$0	\$2,590
University of Massachusetts Dartmouth	\$0	\$2,071
University of Massachusetts Lowell	\$0	\$2,183
University of Massachusetts Worcester Medical	\$0	n/a
University of Massachusetts Worcester Graduate	\$0	\$2,640

FAAP 06-19 UNIVERSITY OF MASSACHUSETTS—NON-RESIDENT GRADUATE TUITION RATES FOR FISCAL YEAR 2007

MOVED: The Board of Higher Education hereby approves the following non-resident graduate tuition rates for state-supported programs at the University of Massachusetts for the Fiscal Year 2007.

	<u>Tuition Change</u>	<u>Non-Resident Graduate Rates</u>
University of Massachusetts Amherst	\$0	\$9,937
University of Massachusetts Boston	\$0	\$9,758
University of Massachusetts Dartmouth	\$0	\$8,099
University of Massachusetts Lowell	\$0	\$8,567
University of Massachusetts Worcester Medical	\$0	n/a
University of Massachusetts Worcester Graduate	\$0	\$9,856

The Authority and Contact for Motions FAAP 06-10 through FAAP 06-19 follow:

Authority: Massachusetts General Laws, Chapter 15A, Section 9 (i)
Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

Aaron Spencer introduced the following two motions. Kurt Steinberg, Associate Vice Chancellor for Fiscal Policy, remarked that it may be necessary, depending upon the Legislature's decision of funding of cash grants, to appear before the Board to adjust the amounts of some of the recommended cash grant and tuition waiver allocations.

The following motions were seconded and unanimously approved.

FAAP 06-20 FISCAL YEAR 2007 CASH GRANT AWARDS

MOVED: The Board of Higher Education allocates cash grant awards, contingent upon state funding, to institutions of public higher education for Fiscal Year 2007, as attached.

Authority: Massachusetts General Laws, Chapter 15A, Section 9 (i) and 16

Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

The following motion was seconded and unanimously approved.

FAAP 06-21 FISCAL YEAR 2007 TUITION WAIVER AWARDS

MOVED: The Board of Higher Education requires that each institution provide a program of need-based tuition waivers to qualifying students and authorizes the Chancellor to administer the Need-Based Tuition Waiver Program at the level of \$18,095,495 for Fiscal Year 2007 with institutional need-based tuition waiver awards not to exceed the allocation, as attached.

Authority: Massachusetts General Laws, Chapter 15A, Section 9 (i) and 19

Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

Aaron Spencer introduced the following motion. Dr. Clantha McCurdy, Associate Vice Chancellor for Student Financial Assistance, informed the Board that the purpose of the GEAR UP grant is to encourage lower-income students to become prepared for college. Students, primarily from urban areas, are followed from the seventh grade through graduation. GEAR UP coordinators provide early awareness counseling services to students, parents, teachers and guidance counselors and supervision of tutors and academic advisors. Jo Corro, GEAR UP Director, was introduced by Dr. McCurdy. The motion was seconded and unanimously approved.

FAAP 06-22 GEAR UP SCHOLARSHIP GUIDELINES

MOVED: The Board of Higher Education hereby adopts the following guidelines for the Gaining Early Awareness and Readiness for Undergraduate Programs Scholarship (GEAR UP).

Authority: CFR Part 694

Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

Aaron Spencer introduced the following motion, explaining that Massachusetts College of Liberal Arts (MCLA) and Berkshire Community College (BCC) reside in communities that border the state of New York and are attracting an increasing number of New York residents as students. Offering New York residents alternative tuition rates is financially beneficial to those campuses.

Chair Tocco brought up the controversial issue of setting in-state and out-of-state tuition rates in California and suggested that the Board may be seriously exposed to charges of discrimination. Joseph Sullivan, Legal Counsel, advised that this alternative non-resident vote is a different issue from the California case. The California case is an immigration issue, and a court ruling has yet to be made on this case.

Chancellor Gill remarked that every year the Board works with officials in New York to seek reciprocity for New York students. Our rates, set at 150 percent of resident student rates, coincide with those offered under the New England Regional Student Program offered by the

New England Board of Higher Education. Kurt Steinberg told the Board that passage of this motion will allow Berkshire Community College the opportunity to increase their fall New York student enrollments—MCLA to 210 and BCC to 75.

FAAP 06-23 FISCAL YEAR 2007 ALTERNATIVE NON-RESIDENT UNDERGRADUATE TUITION RATES—BERKSHIRE COMMUNITY COLLEGE AND MASSACHUSETTS COLLEGE OF LIBERAL ARTS

MOVED: The Board of Higher Education adopts the following alternative tuition rates and enrollment caps for new students at Massachusetts College of Liberal Arts and Berkshire Community College for Fiscal Year 2007:

<u>Tuition</u>	<u>Tuition Change</u>	<u>Annual Rate Per Credit Hour</u>	<u>Alternative Tuition</u>
Massachusetts College of Liberal Arts	\$0	-	\$1,545
Berkshire Community College	\$0	\$39	\$1,170

<u>Enrollment for New Students</u>	<u># of Students</u>	<u>Change</u>
Massachusetts College of Liberal Arts	200	-
Berkshire Community College	75	+25

Authority: Massachusetts General Laws, Chapter 15A, Section 9 (i)
Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

Aaron Spencer introduced the following motion and explained that the Massachusetts State College Building Authority (MSCBA) establishes rents, subject to the Board’s approval. Peter Alcock and Aaron Spencer serve on the MSCBA as representatives of the Board of Higher Education.

Edward Adelman, Executive Director of the MSCBA, was introduced and explained that effective July 1, 2006, the average rent will increase—primarily due to higher utility costs—by 6.2 percent to \$4,145.

Mr. Spencer explained that students can choose from an array of rooms, available by price, with the greater demand for the newer, more expensive units.

Chair Tocco asked Mr. Adelman if there was a better way to collectively negotiate utility costs, and Mr. Adelman responded that there are many creative options being reviewed, including the innovative design of energy-efficient buildings. Mr. Adelman agreed with Chair Tocco’s suggested that a discussion with regulators from the Department of Public Utilities might reveal ways to reduce costs for the entire state campus system.

On the subject of faculty housing, Mr. Adelman announced that the MSCBA is examining demand for and revenue generation of these units. A prototype has been developed, and a full presentation on faculty housing will be made next month. Chair Tocco suggested that Mr. Adelman inform the Commonwealth Development Coordinating Council of the MSCBA work on faculty housing to determine if it ties in to that agency's involvement with smart growth.

Referring to the sentiments of former Board member, Matt Carlin, Chair Tocco took up the issue of the negative impact of fees on low-income students and stated that the "hefty increase" in the rent certificate fee was troubling to him. Mr. Spencer, in remembering Matt Carlin's passion for affordability, stated that the demand for better rooms continues to grow, as the low price, value and high quality of the units are maintained.

The following motion was seconded and approved. Chair Tocco abstained from voting.

FAAP 06-24 FISCAL YEAR 2007 MSCBA RENT CERTIFICATE

MOVED: The Board of Higher Education hereby approves the attached Fiscal Year 2007 residence hall rent schedules, effective July 1, 2006, provided that any subsequent adjustment in the rent schedules shall be subject to the approval of the Board of Higher Education.

Authority: Massachusetts General Laws, Chapter 73 App., Sections 1-9 and the *Contract for Financial Assistance, Management and Services*, dated February 1, 2003, made between the Commonwealth of Massachusetts, acting by and through the Board of Higher Education and the Massachusetts State College Building Authority

Contact: Kurt T. Steinberg, Associate Vice Chancellor for Fiscal Policy

There being no further business, the meeting adjourned at 11:40 a.m.