

BOARD OF HIGHER EDUCATION

October 18, 2022

10:00 a.m.

Hybrid - Livestreamed, via Zoom

Meeting Minutes

A meeting of the Board of Higher Education ("BHE" or "the Board") was held in person and virtually on Tuesday, October 18, 2022 on the web-conference platform Zoom.

The following Board Members were present:

Chris Gabrieli, Chair

Veronica Conforme

Alex Cortez

Patty Eppinger

Paul Mattera

Travis Lawrence

Judy Pagliuca¹

Jim Peyser, Secretary of Education

Paul Toner

Bill Walczak

Robert Huttig, non-voting Student Advisor, State University segment²

Andrew Whitcomb, non-voting Student Advisor, UMass segment

Carlos E. Santiago, Commissioner and Secretary to the Board

The following Board Members were absent:

Mary Burns

Ann Christensen

I. CALL TO ORDER

Chair Chris Gabrieli called the meeting to order at 10:04 a.m. and announced that this meeting is being held remotely and in accordance with relevant amendments to the Open Meeting Law. Chair Gabrieli announced that the meeting is hybrid, but is also being livestreamed via Zoom and recorded, and members of the public who signed up for public comment would be allowed to join the Zoom meeting to provide comment. Chair Gabrieli then took roll call attendance (see above for attendance roster).

¹ Arrived at 10:43 a.m. after attendance roll call due technical difficulties

² Arrived at 11:00 a.m. after attendance roll call due class schedule

II. PUBLIC PARTICIPATION

Chair Gabrieli reported that the Board received a few requests for public comments, and each speaker will have three minutes for their remarks. He stated that we would start with Massachusetts State College Association President Dr. Maria Hegbloom, followed by Mr. Michael Vanderpool, and final comments from Mr. Jim Gannon.

Dr. Maria Hegbloom is the President of the Massachusetts State College Association, representing faculty and librarians across the nine State Universities. She acknowledged that, the Board has spent many hours discussing the needs of our institutions, the challenges, and the problems we face. However, faculty and librarians, along with staff and students, live with these daily needs, challenges, and problems. Dr. Hegbloom stated that her members walk daily onto their campuses, many into unhealthy buildings with poor ventilation and crumbling infrastructure.

Dr. Hegbloom stated that while it is good the Board has advocated for increased funding to the MASSGrant program more is needed to address the needs of our universities, innovative programming, student support, and fair and equitable compensation. She referenced the Fair Share Amendment, posed in Ballot Question No. 1, this upcoming November. Dr. Hegbloom asked that the Board join with faculty and librarians across the state, with university presidents, and with students to support a "yes" vote on Ballot Question No. 1.

At the conclusion of Dr. Hegbloom's comments, Chair Gabrieli then turned to the next speaker, Mr. Michael Vanderpool. Mr. Vanderpool introduced himself as a Fitchburg State University alum. His comment related to Title IX reporting policies on campuses. Referencing his own experience in reporting an alleged assault under Title IX, not as an enrolled student but as an alumnus, Mr. Vanderpool asked the BHE to expand the capabilities of alumni in reporting sexual misconduct to their school. Mr. Vanderpool stated that, if an alumnus reports an assault, it is at the Title IX officer's discretion to sign the complaint. Mr. Vanderpool claimed that in his case, the Title IX officer chose not to sign his complaint. Mr. Vanderpool requested that the Title IX policies be updated to include a standardized ethical response. He noted that students should not be left to rely on the discretion of a staff member (e.g., the Title IX officer).

Chair Gabrieli turned to the final member of the public who signed up for public comment. Mr. Jim Gannon, to share his comments. Mr. Gannon stated that he is a 67-year-old lifelong resident of Massachusetts. He stated that after applying for a senior citizen tuition waiver last year, he discovered that it covers 10% of the tuition costs. Mr. Gannon also stated that UMass grants 28 Senior Citizen waivers on an annual enrollment of 64,000 students. He noted that Massachusetts is last in New England in offering no low-cost higher education to its senior citizens. Mr. Gannon added that there are thousands of empty seats in classrooms every semester, and he urged Massachusetts Colleges and Universities to allow a senior citizen to occupy an open seat, noting that the cost would be minimal. Mr. Gannon concluded by stating the BHE and UMass board may want to consider discounted or no-cost senior tuition for senior citizens.

Chair Gabrieli moved to the next section of the agenda.

III. WELCOME

Chair Gabrieli welcomed everyone to the first regularly scheduled meeting of FY23. He acknowledged that the Board convened for several meetings at the start of the fiscal year, including a meeting in August 2022 to select the next Commissioner of Higher Education. Earlier this month, the Board also held a special meeting where Commissioner Santiago presented on the past, present, and future of public higher education. He stated that it was wonderful to reflect with Board members on the Commissioner's accomplishments.

Chair Gabrieli reviewed the agenda, noting that the Board will consider a series of motions that were brought before the Executive Committee last week. The motions include approval and adoption of regulatory amendments related to Financial Assessment and Risk Monitoring (FARM), approval of Bunker Hill Community College's proposed alternative disposition leasing process for the current Charlestown campus, consideration of one new institution application from the (American University of Greece), and affirmation and amendment of the FY23 Endowment Incentive Program guidelines for the FY2023 GAA Budget Appropriation. The Board will also receive a motion to approve Dr. Ortega's compensation and terms of appointment. Chair Gabrieli noted that, in addition to those motions, the meeting would also include two presentations: the first on early enrollment reports for Fall 2022 and an update on the Strategic Review of Finance for Public Higher Education.

IV. ACCEPTANCE OF MINUTES

Chair Gabrieli then asked for a motion to bundle and approve two sets of Board meeting minutes. One from the last Board meeting held on June 21, 2022 and another from the Board meeting held on August 30, 2022. The motion to approve both set of minutes was duly moved and seconded. With no further discussion, the motion proceeded to a roll call vote and passed unanimously by all members present, as follows:

- Veronica Conforme – Yes
- Alex Cortez – Yes
- Patty Eppinger – Yes
- Chair Chris Gabrieli – Yes
- Travis Lawrence – Yes
- Paul Mattera – Yes
- Jim Peyser, Secretary of Education – Yes
- Paul Toner – Yes
- Bill Walczak – Yes

V. REMARKS & REPORTS

A. Chair's Remarks

Chair Gabrieli opened his remarks by recapping an Early College event held at North Shore Community College (NSCC). He stated that NSCC has become the first community college in Massachusetts to have a dedicated Early College high school on its campus. Developed in partnership with the Lynn Public Schools and called the "Frederick Douglas Collegiate Academy," NSCC will host this program, in are purposed a modular building it no longer needs due to enrollment shifts... Seventy-five (75) ninth graders from Lynn Public Schools opted into the NSCC the Frederick Douglas Collegiate Academy.

Chair Gabrieli also provided an overview of today's agenda. He stated that Executive Committee reviewed all the action items, including the Bunker Hill Community College proposal. Chair Gabrieli noted the Board would also review the Advisory Committee's work on Strategic Public Higher Education Finance. He further noted that today's meeting would funnel into the December 13, 2022, meeting to bring ideas for a vote on higher education financing. Chair Gabrieli stated that the difficulty with higher education financing is its misalignment with the DHEs' equity goals and transparency. He suggested that all Board members attend the November 3, 2022, FAAP Advisory Council Meeting, where the outpour of ideas and the review of alternatives from other states would begin.

Chair Gabrieli concluded his remarks by stating Commissioner Santiago will continue as a consultant to the new commissioner through the end of the calendar year. The official change will occur on November 1, 2022. In January 2023, Chair Gabrieli will return to the Board to consider bestowing *emeritus* status on Commissioner Santiago.

B. Commissioner's Remarks

Commissioner Carlos Santiago opened his remarks by welcoming everyone to the first Board of Higher Education meeting for the academic year. He welcomed and congratulated Commissioner elect Dr. Noe Ortega on his new appointment. He stated that he looked forward to working with Dr. Ortega to ensure the continuity of the Equity Agenda. Commissioner Santiago summarized the state of public higher education in three points. He stated the following:

- The DHE has become more focused and deliberate in their policy initiatives. It has carried over the seven primary goals of the Vision Project, yet has particularly honed in first on the big three: Enrollment or participation; Graduation; and Eliminating disparities

The singular focus is now on equity and eliminating these disparities.

- Equality is not equity. Aggregate metrics show that substantive progress has been made over time, yet growing numbers of students, particularly students of color, have yet to

share equally in its success.

- College affordability alone will not reduce disparities in outcomes. We are fortunate to receive legislative and administration support for more financial aid and now at historical levels, but affordability is not a sufficient condition for student success.
- Focusing exclusively on whether students are prepared for college rather than whether our Colleges and Universities are ready for the changing student body is a recipe for failure.
- To be successful in closing disparities in promoting equity requires a fundamental change in the following:
 - a. How institutions of higher education operate;
 - b. How they treat students and employees; and
 - c. How their stakeholders have meaningful influence over the critical decisions of the day.

Commissioner Santiago highlighted where we are in public higher education. He stated that he joined the academy in 1980 as an assistant professor. Some historians have remarked that it marked the end of public higher education's glory years. Commissioner Santiago stated that it was to our success that public higher education institutions moved social mobility forward, opening the doors for students to pay for their education. Higher education moved away from grants and aid and went to loans, leading to the current situation..

Commissioner Santiago added that our primary purpose, which is to create knowledge and disseminate that knowledge and seek truth, is undermined almost daily by absurd notions of what is reality and alternate fact. He continued, stating that we teach our students to seek the truth, no matter what that truth may be. It is those principles that have kept us strong. Commissioner Santiago commended Massachusetts institutions' leaders, the faculty, staff, and students, noting they have maintained the high quality of our public higher education institutions. He stated that our institutions are not only generators of knowledge and progress but also the movers of social mobility.

Commissioner Santiago concluded that as he turns the reigns to our new commissioner, he wants to thank the Board for the support it provided to him over the last nine and a half years working in the Department. He noted they stood up for public higher education and have focused exclusively on the students we serve to ensure our students succeed. He thanked the Board, noting it had been a privilege and an honor to serve. Commissioner Santiago turned to Chair Gabrieli.

C. Secretary of the Executive Office of Education's (EOE) Remarks

Secretary Peyser shared his appreciation for Commissioner Santiago and his service to the Commonwealth of Massachusetts and the higher education system. He opened his remarks by noting that this week is STEM Week across the Commonwealth, Secretary Peyser stated that several STEM events are happening around the state in preschools, K-12 and higher education settings, and with employers. The goal is to highlight the great things concerning STEM education and career pathways, as well as to help stimulate and strengthen partnerships across the various sectors to create broader opportunities for young people.

Secretary Peyser concluded his remarks by reporting that a variety of proposals are pending before the legislature, through the supplemental budget and other vehicles, to access and utilize some of the federal funding that is still available and will be available over the next several years. One of the proposals the Governor put forward is \$55 Million to expand nursing pathways at our state and community colleges.

D. Report from Presidents

State University Segmental Report

Salem State University President John Keenan shared his report on behalf of the State University Council of Presidents. He provided update from the 36th Annual Hispanic Association of Colleges and Universities, HACU, conference in San Diego, that focused on championing Hispanic higher education success. He stated that HACU President Antonio Flores, made it clear that our nation's future success and economic prosperity depend heavily on the ability of higher education to deliver the promise and opportunity of education to our growing Hispanic population.

President Keenan reported that the MASSGrant Plus program has proven to be an asset to students at Massachusetts State Universities. He noted challenges in maximizing the reach of the additional aid for students. President Keenan stated that the reduction in state support for public higher education has resulted in a cost shift from the Commonwealth to our students and families, leading to increased student fees and student loan debt. He stated that as we consider the funding MASSGrant brings to our students, we also need to consider opportunities that bring funding to our campuses. Without it, President Keenan stated that continued inadequate funding for public higher education risks our ability to serve our communities of need, precisely those targeted in the DHE strategic plan.

President Keenan closed his remarks by thanking Commissioner Santiago for his service to the Massachusetts public higher education system and all our campuses.

Community College Segmental Report

For a copy of President Podell's full remarks, please see:

https://www.mass.edu/bhe/documents/BHE_Community%20College%20Report_10.18.22.pdf

MassBay Community College President Podell shared his report on behalf of the Community College of Presidents. He opened his remarks by welcoming Dr. Michelle Schutt, President at Greenfield Community College, who joined in July, and Commissioner-Designee elect Ortega. President Podell stated that we are in a time of opportunity and change and that he looks forward to working with Dr. Schutt and Commissioner-Designee Ortega to support our Community Colleges and students. President Podell extended gratitude to Commissioner Santiago for all his contributions to Massachusetts higher education and wished him the best.

President Podell reported on the FY23 budget process, noting that priorities outlined in June were adopted in the final conference committee report. He reported that the distribution of \$15 million in Educational Training Funds (ETF) across our campuses to support workforce development in high-demand occupations is underway. He stated that the ETF funds cover the cost of training and student supports such as food, transportation, and childcare.

President Podell stated the FY23 budget officially secured a change to Chapter 15A, exempting the Community Colleges from Section 26. He also discussed additional funding that will significantly impact two important community college priorities that were secured in the conference committee report: 1) a planning grant from the Lumina Foundation to explore non-credit enrollment and data collection, and 2) funding awarded to fund the hiring of a part-time, temporary Early Education and Care Liaison. He stated that the role would be centrally located and would work on exploring credential pathways for early educators and a consistent approach to awarding credit for prior learning.

President Podell concluded his remarks by stating that he looks forward to discussing the Community College early enrollment outlook later in the agenda.

E. Report from Student Advisory Council

Chair Gabrieli turned to the Student Advisory Council (SAC) report and recognized the BHE's newest student members: SAC Chair and Student Voting Member Travis Lawrence (Community College); BHE UMass Segmental Advisor Andrew Whitcomb; and State University Segmental Advisor Robert Huttig (State University).

Mr. Huttig spoke first, briefly outlining his background and noting his desire to bring a STEM perspective to the Board. He stated that the two primary goals identified at the SAC meeting are the Equity Agenda and discovering new technologies. Mr. Huttig noted that ensuring an opportunity for everyone to excel, as well as leveraging technology to supplement courses for groups otherwise unable to take them, would be an enhancement to the current system.

SAC Chair (and BHE voting member) Lawrence reminded the Board that the SAC is a legislatively mandated council created to establish a dialogue between and among student leaders in every public college and university in Massachusetts and the Board of Higher Education. He stated that during their last SAC meeting, they had the opportunity to meet with student presidents and trustees, and they elected officers to the group. Twenty-two members participated in the executive team elections. The positions filled included Vice Chair, Mariangel (Mari) Dus from Berkshire Community College,

Public Relations Chair Mark Haskell from Framingham State University and Policy Chair Cindy Mack from Bridgewater State University. Chair Lawrence turned to Member Andrew Whitcomb to close out the discussion.

Member Whitcomb thanked Commissioner Santiago on behalf of SAC for his dedication to the Commonwealth. He stated that the SAC meetings would focus on upcoming policies relevant to the Board. The SAC invited Department staff members to join their meetings to help engage College presidents and trustees on board policies and how to best solicit the students' feedback and gather their views. Member Whitcomb added that SAC's goal is to ensure that students are always at the table and remain a central part of the policy-making efforts. Member Whitcomb stated the Student Advisory Council hoped to reinstate their past social luncheons with the Board and listening sessions with the Commissioner.

Chair Gabrieli thanked the students for their remarks. When turning to the next item on the agenda, he stated that the Strategic Planning Committee will return with a new charge after the Annual Meeting. Chair Gabrieli turned to Academic Affairs & Student Success (AA&SS) Co-Chair Patty Eppinger for her report.

VI. ADVISORY COUNCIL REPORTS

A. Academic Affairs & Student Success

Board member Patty Eppinger shared a summary of the meeting. The first presentation focused on an update on the SAT Optional Pilot. She stated that there was a recommendation to make the SAT optional continue, while acknowledging that there may be some areas where standardized testing might be required, such as nursing. Additionally, Board member Eppinger noted the continued work on the sliding scale concerning the GPA and admissions. The second presentation illustrated how different AA&SS initiatives aligned respectively with the Equity Agenda. The AA&SS Advisory Council identified different areas they would like to hear more about, including: the Massachusetts Inclusive Concurrent Enrollment Initiative; mental health services for students; STEM Starter Academy; and civic engagement and learning.

VII. EXECUTIVE COMMITTEE REPORTS & MOTIONS

List of Documents Used

[BHE 23-12](#)

[Attachment A](#)

[Attachment B](#)

[BHE 23-13](#)

[BHCC Redevelopment Proposal](#)

[BHE 23-14](#)

[BHE 23-15](#)

Chair Gabrieli provided a brief overview of the Executive Committee meeting and turned to the first item, Bunker Hill Community College's (BHCC) proposed alternative disposition leasing process for the Charlestown Campus (BHE 23-12). Commissioner Santiago opened by expressing his support of the proposal, noting the building's outdated condition since his initial visit in 2013. He stated that proposal is an important modernization of the facilities and that public-private partnerships are increasingly the way that many public institutions will get to their next level of providing support to students.

Secretary Peyser provided a high-level summary of the Bunker Hill Community College (BHCC) proposal and the role of the Board in reviewing it. He stated that when a building or a construction project comes forward, it's generally for a space renovation or adding incremental square footage. However, this proposal is for the redevelopment of an entire campus. The property's value is unique, given the location of BHCC. The proposal represents an opportunity for the campus to transform its parcel of land to benefit the local community. Secretary Peyser stated that EOE has been interested in expanding space on our campuses in a way consistent with enrollment patterns and the changing delivery modalities of higher education.

The project is part of BHCC's overall strategic process and visioning work. Secretary Peyser stated that even though BHCC is undergoing the same kind of pressure on their enrollment experienced by other institutions, the campus is still operating on a footprint designed initially for far fewer students than they currently have enrolled or will have enrolled in the future. He continued, stating that the updates are supported by expert evaluations of the buildings' conditions as "poor". Evaluators include experts in the field, particularly those from Division of Capital Asset Management & Maintenance (DCAMM), which is the agency that oversees public assets. Secretary Peyser stated that putting forward a proposal that results in less square footage but is better able to accommodate more students reflects the thoughtfulness in putting together this proposal.

The proposal is for a lease back of the parcel, resulting in a private developer coming in to develop the parcel. The campus will receive a 99-year ground lease from the developer to right-size the campus' current campus from its current size (510K sq ft) to a smaller footprint of approximately 400K sq ft. When the redevelopment project is complete, the partner will own and maintain those buildings specifically for the campus. The proposal will spin off \$450 to \$500 Million in capital available to the campus to fund these projects.

Secretary Peyser stated the project has gone through rigorous review. Based on the analyses conducted, the proposal fully meets the requirement around ensuring an opportunity for expanded collaborations such as workforce and economic development. In terms of next steps, after the Asset Management Board has approved the proposal, DCAMM will work closely with the college and then will initiate an open, competitive process to find a private developer who will do the work, take ownership of the parcel, and manage the redevelopment of the site. The Commissioner of DCAMM will execute the agreement in close collaboration with the BHCC president.

The Board's role in this proposal is deciding whether a strategic issue is relevant at the campus level against the broader backdrop of the higher education system. The Board's role is also to provide a

unique perspective on how this proposal fits within the overall responsibilities of the public higher education system.

Chair Gabrieli then turned to BHCC's President Pam Eddinger, who stated that the proposal is equity in the physical sense because that which students see when they walk into the college does not match their aspirations. She continued that the project is an investment in the economic development of the Commonwealth as well as workforce development. President Eddinger asked the Board for their support in considering BHCC's request before turning to the BHCC's Chair of Board of Trustees, Bill Walczak.

Board Member Walczak, who serves as the Chair of BHCC's Board of Trustees, stated that the institution consists of rusticated cinder block. The BHCC Board of Trustees has been working with institutional leaders for the last two years to develop a plan utilizing property as an asset in order to build a campus that will sustain the institution for the next 50 years. Mr. Walczak explained that BHCC is an investment, and we should be able to create a new campus that will partly support Massachusetts while also taking into account future educational considerations.

Member Judy Pagliuca commented that there needs to be more detail to help understand the financial risk involved and asked for clarity. Secretary Peyser responded that the request for proposal has yet to be submitted because the project is still in the process phase. He also stated that the question is more about whether the proposed revenue is enough to make it worth the transaction, rather than whether it will create a risk that will burden the institution. The College's Chief Financial Officer, John Pitcher, stated that three feasibility studies confirmed the project's viability. As part of the Asset Management Board work, the group has undertaken a formal appraisal, showing the same results. He stated they constantly conduct due diligence as they progress because they realize things could change.

Member Veronica Conforme asked what happens following termination of the 99-year lease and what happens to the students during construction. She also asked if the Board is requested to waive regulations through the partnership, and further inquired as to the history of the engagement process. President Pam Eddinger stated the Student Success Building would host students during construction. The building is new and would be the designated swing space as demolition begins around the campus. She also stated the engagement process includes the following:

- Meeting with internal faculty and staff.
- Ongoing connections with congressional and state delegations.
- Municipal partners.
- External public meetings to familiarize the community with the project.

Ashely Emerson, the Project Manager from DCAMM's Public-Private partnership division, stated that with a 99-year lease, the land in the buildings would revert to the landlord, which would be the Commonwealth of Massachusetts.

Member Paul Mattera stated that there were unresolved question and asked if the current time is suitable for the BHE to approve the proposal. Secretary Peyser stated that the Asset Management Board would meet on November 3, 2022, in anticipation of the Board’s vote of approval. The project can only proceed with the consent of the Board. Anything that changes the proposal's core features would need to return to the Board. Our responsibility is to ensure these proposals are consistent with the objectives of and the strategy of the campus and higher education system.

Member Pagliuca asked if the DCAMM could add a provision to the proposal based on financial viability, stipulating that any deviation in the numbers would send the proposal back to the Board for additional vetting. Instead it was suggested that perhaps the Board could require that the Commissioner or his designee participate in the procurement evaluation team and the evaluation process. Ashley Emerson from DCAMM's real estate office stated that adding someone from the Board to the Evaluation Committee to help evaluate the request for proposals is feasible. BHCC and DCAMM committed to adding the Commissioner of Higher Education as a designee on the Evaluation Committee for the project. The Department’s Chief Legal Counsel Constantia Papanikolaou stated that in order to codify this approach the Board had two options—either reflect in the minutes DCAM’s/ BHCC’s expressed commitment to include the Commissioner/ his designee in the procurement process, or amend the motion to specifically state that the motion was being passed “subject to” the Commissioner/ his designee so participating. The Board opted for the second option (amending the motion).

Chair Gabrieli asked for a motion of approval for BHE 23-13 Approval of BHCC’s Proposed Alternative Disposition Leasing Process for The Current Charlestown Campus, subject to the Commissioner or his designee participating in the procurement evaluation and selection process. On a motion duly amended and seconded, the motion was approved, as amended, unanimously by all Board members present, through roll call vote, as follows:

- Veronica Conforme – Yes
- Alex Cortez – Yes
- Patty Eppinger – Yes
- Chair Chris Gabrieli – Yes
- Travis Lawrence – Yes
- Paul Mattera – Yes
- Judy Pagliuca – Yes
- Jim Peyser, Secretary of Education – Yes
- Paul Toner – Yes
- Bill Walczak – Yes

BHE 23-13 APPROVAL OF BUNKER HILL COMMUNITY COLLEGE’S PROPOSED ALTERNATIVE DISPOSITION LEASING PROCESS FOR THE CURRENT CHARLESTOWN CAMPUS

VOTED The Board of Higher Education (Board) hereby approves Bunker Hill Community College’s (BHCC) proposed alternative disposition leasing process for the

Charlestown Campus, in accordance with the institution's proposal (Attachment A), and subject to the completion of the public comment process required pursuant to Asset Management Board regulations, and further subject to the Commissioner, or his designee, participating in the procurement evaluation and selection process Massachusetts General Laws Chapter 15A, Sections 9(q) and 21

The Board further delegates to the Commissioner the authority to act, in consultation with the Board Chair, on requests to approve non-substantive changes made to the proposal as a result of the public comment process; and to take such other actions as the Commissioner deems necessary or desirable to carry into effect the proposal hereby authorized.

Authority: Massachusetts General Laws Chapter 15A, Section 9(m)

Contact: Joe Wallerstein, Interim Deputy Commissioner for Administration and Finance

Chair Gabrieli proceeded to the next motion, BHE 23-12 and stated that the Executive Committee discussed motion BHE 23-12 in depth during their last meeting. The vote is for an approval of regulatory amendments related to the Board and Department's work of monitoring the financial health of private higher education institutions. Chief Legal Counsel Dena Papanikolaou added that the board approved the substantive amendments in June, the amendments were put out for public comment over the summer, and no changes are recommended. A Surety Worksheet is also included in the Board motion for Board member review and comment.

Chair Gabrieli asked for a motion of approval for BHE 23-12 Approval and Adoption of Regulatory Amendments To 610 CMR 13.00: Financial Review and Risk Monitoring of Institutions of Higher Education, and Receipt and Endorsement of Implementation Procedures. On a motion duly made and seconded, the motion was approved unanimously by all Board members present, through roll call vote, as follows:

- Veronica Conforme – Yes
- Alex Cortez – Yes
- Patty Eppinger – Yes
- Chair Chris Gabrieli – Yes
- Travis Lawrence – Yes
- Paul Mattera – Yes
- Judy Pagliuca – Yes
- Jim Peyser, Secretary of Education – Yes
- Paul Toner – Yes
- Bill Walczak – Yes

**BHE 23-12 APPROVAL AND ADOPTION OF REGULATORY AMENDMENTS TO 610 CMR
13.00: FINANCIAL REVIEW AND RISK MONITORING OF INSTITUTIONS OF**

**NEW INSTITUTION APPLICATION OF THE AMERICAN UNIVERSITY OF GREECE
TO AWARD DEGREES**

VOTED

The Board of Higher Education (BHE) hereby conditionally approves the Articles of Incorporation of THE AMERICAN UNIVERSITY OF GREECE with the authority to award the following degrees:

Bachelor of Science in Accounting with Finance
Bachelor of Science in Biomedical Sciences
Bachelor of Science in Cybersecurity and Networks
Bachelor of Science in Entrepreneurship Management
Bachelor of Science in Environmental Studies
Bachelor of Science in Finance
Bachelor of Science in Human Resources Management
Bachelor of Science in Information Technology
Bachelor of Science in International Business
Bachelor of Science in International Tourism & Hospitality Management
Bachelor of Science in Logistics and Supply Chain Management
Bachelor of Science in Management
Bachelor of Science in Management Information Systems
Bachelor of Science in Marketing
Bachelor of Science in Shipping Management
Bachelor of Science in Sports Management

Bachelor of Arts in Art History
Bachelor of Arts in Cinema Studies
Bachelor of Arts in Communication
Bachelor of Arts in Economics
Bachelor of Arts in English
Bachelor of Arts in Graphic Design
Bachelor of Arts in History
Bachelor of Arts in International Relations and European Affairs
Bachelor of Arts in Music
Bachelor of Arts in Philosophy
Bachelor of Arts in Psychology
Bachelor of Arts in Sociology
Bachelor of Arts in Theatre Arts
Bachelor of Arts in Visual Arts
Master in Business Administration
Master in Business Administration in Financial Services
Master in Business Administration in Shipping
Executive Master in Business Administration
Master of Science in Business for Lawyers
Master of Science in Counseling Psychology and Psychotherapy

Master of Science in Data Science
Master of Science in Entrepreneurship
Master of Science in Finance
Master of Science in International Business and Management
Master of Science in International Shipping and Finance
Master of Science in Marketing
Master of Science in Organizational Psychology
Master of Science in Shipping Management
Master of Science in Strategic Human Resource Management
Master of Science in Supply Chain Management
Master of Science in Tourism Management

Master of Arts in Applied Educational Psychology
Master of Arts in Digital Communication and Social Media
Master of Arts in Strategic Communication and Public Relations
Master of Arts in Advertising Communications
Master of Arts in Teaching English to Speakers of Other Languages

Doctor of Humane Letters, Honoris Causa
Doctor of Laws, Honoris Causa
Doctor of Science, Honoris Causa

Provided further that the BHE will undertake to review, during the twelve year period set forth in 610 CMR 2.05(5), the continued progress of the institution toward meeting and maintaining compliance with the BHE's regulations, the Visiting Committee's recommendations, the goals and representations set forth in connection with the institution's petition to the BHE, and its compliance with the following conditions:

1. For the first three years of operation, the institution shall submit to the BHE semi-annual status reports by January 15th and July 15th of each year, providing narrative and statistical information on the institution's compliance with BHE standards and with the goals and representations set forth in connection with the institution's petition, including the institution's enrollment, finances, program and student outcomes, and other information as requested by Department staff.
2. Within the first two years of the program's operation, the Department will schedule a periodic review to monitor the institution's ongoing compliance with the Board's regulations.

The American University of Greece's conditional approval period, and the conditions imposed upon its approval, may be extended once by the Commissioner, for up to an additional three years, upon a determination by the Commissioner that the

institution is not meeting or maintaining regulatory compliance and/or is not complying with the terms of the conditions.

Authority: Massachusetts General Laws Chapter 69, Section 30 et seq.; 610 CMR 2.05(5).
M.G.L. c. 30A, § 3; 950 CMR 20.00

Contact: Cynthia Farr Brown, Ph.D., Associate Commissioner of Regulatory and Veterans Affairs

Chair Gabrieli turned to the next item on the agenda. He asked if there were questions regarding the BHE 23-15, the next motion up for vote which relates to confirming Endowment Incentive guidelines for a new round of available funding. Member Conformer asked if the distribution allocations of the endowment are historic. Interim Deputy Commissioner for Administration and Finance Joe Wallerstein stated that the distribution of the campus allocations was adopted as part of the guidelines on the last funding under the BHE approved. However, the amounts specified for each segment are in the line-item language.

Chair Gabrieli asked for a motion of approval for BHE 23-15 Affirmation and Amendment of the FY2023 Endowment Incentive Program Guidelines for The FY23 GAA Budget Appropriation. On a motion duly made and seconded, the motion was approved unanimously by all Board members present, through roll call vote, as follows:

- Veronica Conforme – Yes
- Alex Cortez – Yes
- Patty Eppinger – Yes
- Chair Chris Gabrieli – Yes
- Travis Lawrence – Yes
- Paul Mattera – Yes
- Judy Pagliuca – Yes
- Jim Peyser, Secretary of Education – Yes
- Paul Toner – Yes
- Bill Walczak – Yes

BHE 23-15 AFFIRMATION AND AMENDMENT OF THE FY2023 ENDOWMENT INCENTIVE PROGRAM GUIDELINES FOR THE FY23 GAA BUDGET APPROPRIATION

VOTED The Board of Higher Education hereby affirms the attached Endowment Incentive Program guidelines approved by the BHE in May 2022 (BHE 22-50), provided that the funding allocations and disbursement timelines are hereby amended to include the additional \$20 million in funding appropriated in the FY23 GAA Budget, as set forth in Attachment A (as amended).

Authority: Massachusetts General Laws, Chapter 15A, Section 15E; Chapter 126 of the Acts of 2022 (Line Item 7066-0115); BHE 22-50

Contact: Joe Wallerstein, Interim Deputy Commissioner for Administration and Finance

VIII. MOTIONS

A. Board of Higher Education

List of Documents Used

BHE 23-16

Chair Gabrieli turned to the next item on the agenda. He stated the Board would need to approve the new Commissioner's compensation terms of appointment. Chair Gabrieli noted that BHE motion 23-16 approves the Commissioner's compensation and terms of appointment.

Chair Gabrieli asked for a motion of approval for BHE 23-16 Approval of Commissioner's Compensation and Terms of Appointment. On a motion duly made and seconded, the motion was approved unanimously by all Board members present, through roll call vote, as follows:

- Veronica Conforme – Yes
- Alex Cortez – Yes
- Patty Eppinger – Yes
- Chair Chris Gabrieli – Yes
- Travis Lawrence – Yes
- Paul Mattera – Yes
- Judy Pagliuca – Yes
- Jim Peyser, Secretary of Education – Yes
- Paul Toner – Yes
- Bill Walczak – Yes

IX. PRESENTATIONS

List of Documents Used

[Strategic Review of Public Higher Education Financing](#)

[Preliminary Report on Massachusetts Public College and University Enrollments](#)

A. Strategic Review of Public Higher Education Financing

Due to time constraints, Chair Gabrieli shifted the meeting agenda to turn next to EY Parthenon's update on the Strategic Review of Public Higher Education Finance, followed by the Commissioner's Summer Delegation of Authority report, and then DHEs Preliminary Report on Massachusetts Public College and University Enrollments.

Chair Gabrieli provided an introductory overview of the slides on the Strategic Review of Public Higher Education Financing. Chair Gabrieli stated that today's presentation aimed to provide the Board background and context to the FAAP Advisory Council's previous discussions on Strategic Finance. He recommended that all Board members review the available, in-depth presentation slide deck to gain more information than the Board would hear during today's presentation. The premise is to prioritize a system that works for students and institutions, makes college affordable and equitable, and recognizes institutional context. He stated that the objective is also to develop recommendations based on information about how we fund undergraduate education and how to invest more- not just rearrange current financing. Chair Gabrieli noted that EY-Parthenon produced three significant reports that generated feedback from internal and external stakeholders and are resulting in policy options and recommendations. Additionally, the Board will discuss those recommendations during the Special FAAP Advisory Council Meeting scheduled for November 3, 2022. Chair Gabrieli then turned to EY Parthenon Partner, Haven Ladd, to continue the presentation.

Mr. Ladd stated today's goal is to extract a summary level of the EY-Parthenon and FAAP Advisory Council's findings to inform future revisions to how we think about funding public higher education compared to how we currently fund the system. He provided an overview of what taxpayers in the Commonwealth of Massachusetts spend on public higher education. Mr. Ladd noted that the presentation displays FY20 inflation-adjusted spending to get meaningful, historical, comparative sets that are useful for future decision-making. Chair Gabrieli commented that FY23 is the most significant amount of funding the Massachusetts has spent on public higher education since the previous FY01 benchmark. He also commented that fringe benefits are not part of the budget the Board of Higher Education approves; 90% of funding goes to the institution, 9% to students, and 1% to performance-based funding. Mr. Ladd stated that as the Commonwealth thinks about any changes to our models of how to fund institutions, we must understand the impact they will have on their entire business model. We must also consider how different revenue sources affect students. To the same extent, we need to consider the impact on the federal aid sources students receive as we think about changes to financial aid. Mr. Ladd stated that when reviewing student access, the substantial equity gaps between low-income students and those who are not is a systematic issue that will take a policy initiative to resolve.

Mr. Ladd provided an overview of how other states contemplate funding public higher education. There are three levels: funding level, funding strategy, and funding tactics. The three institutional allocation tactics used by other states that Massachusetts could consider are base-plus, enrollment-based, and performance-based. Mr. Ladd stated that the overall feedback from stakeholders indicates support for expanding MASSGrant Plus and a preference for doing more with base plus enrollment-based funding. However, whatever system the Commonwealth designs, the idea is to maintain the ability of individual institutions to be strategic in meeting their enrollment needs. Mr. Ladd turned to Chair Gabrieli, who then introduced non-BHE-member Co-Chair of FAAP Advisory Council JD LaRock, to provide an overview of the next steps.

Co-Chair LaRock stated that the data raises fundamental questions about whether the current system of funding public higher education works for students and institutions and what measures could best improve our system and student outcomes. He stated that the next step is to develop a range of

policy scenarios resulting from stakeholder input, which will be discussed at the FAAP Advisory Council Meeting on November 3, 2022 followed by the Board of Higher Education meeting on December 13, 2022. Co-Chair LaRock then turned to Chair Gabrieli to open the floor for questions.

Chair Gabrieli stated that Board members must take responsibility for being sufficiently informed in order to weigh options, such as by reviewing the in-depth FAAP presentation slides available for further clarity. He continued, stating that the goal is to drive a thoughtful discussion within the Commonwealth about how we could do better, which begins with the Board having a point of view. Secretary Peyser added that there is an opportunity for the Board to get ahead of the conversation before it begins in January 2023, and to understand that data analysis is the best way to start the process. Member Pagliuca asked how she and other board members might engage in getting questions answered. Member Conforme agreed and requested a meeting ahead of November 3, 2022 to review the data with EY-Parthenon. Chair Gabrieli confirmed the Board could schedule an additional meeting for October 2022. Chief of Staff Elena Quiroz-Livanis noted that Board members could send questions to the DHE ahead of the October meeting at Member Pagliuca's suggestion and that staff would soon follow-up to schedule the meeting. Chair Gabrieli turned to Commissioner Carlos Santiago to address the next agenda item.

B. Preliminary Report on Massachusetts Public College and University Enrollments

Commissioner Santiago turned to Associate Commissioner Mario Delci to discuss early enrollment. Associate Commissioner Delci stated that the Fall 2022 numbers are estimates provided by the campuses that are subject to change. He noted that based on the last 20 years of enrollment, there had been a steady decline, with this being the ninth consecutive year of declined registration at the undergraduate level. Community Colleges represent the steepest decline of all three segments (Community College, State University, and UMASS). The rate of transfer students has also declined. He noted a two-year decrease in student enrollment among students of color across all three segments. Associate Commissioner Delci added that although enrollment has not fully recovered to pre-pandemic numbers, the decline rates have improved since the Falls of 2019 and 2020. He noted that we are anticipating a slight increase in first-time student enrollment this year, but not across all three segments. Associate Commissioner Delci identified the Early College initiative and its work to encourage students to complete Associate degrees and transfer through the MASS Transfer pathway as an equity strategy. Through a partnership with external researchers, he stated that the goal is to increase the number of student transfers and track their success. Associate Commissioner Delci concluded by opening the discussion for questions.

President Podell commented that Associate Commissioner Delci's presentation does not include late-start semesters and non-credit enrollments, rendering incomplete the landscape of what's happening at the Community Colleges. He added that Community Colleges are committed to Early College but subsidize the cost of operation due to limited state funding. President Keenan stated that the enrollment numbers focus on our need to redouble our efforts on retention. In addition, President Keenan discussed the need to ensure that students successfully matriculate through our higher education system by removing barriers and thinking more broadly about online learning opportunities. President Keenan also pointed out the growing Hispanic population served at the 11

gateway communities Salem State University serves.

C. Summer Delegation of Authority

Commissioner Carlos Santiago provided a brief overview of actions taken under the Summer Delegation of Authority. He stated that all actions pursuant to his delegated authority are done in consultation with Secretary James Peyser and Chair Chris Gabrieli for input before making a final decision. This summer, he approved the revocations of the degree-granting authority of the following closed institutions: Becker College, High Meadows Graduate School of Teaching and Learning, Northern Vermont University at Northern Essex, and Southern Baptist University. In addition, he approved restated articles of organization for the Urban College of Boston regarding a change in governance structure. Under the restated articles of organization, the institution must submit annual status reports to the Commissioner and work closely with Department staff for the first three years of UCB's operation. Commissioner Santiago stated that he also granted legal authority to Syracuse University to deliver dual enrollment courses for college credit for students enrolled in Massachusetts high schools. In August 2022, he approved equity adjustments to the annual housing and car allowances for State University and Community College presidents. Commissioner Santiago noted that the change is consistent with the recent compensation study conducted by EY-Parthenon and the furtherance of the Board's commitment to the continuing assessment of the compensation environment. Commissioner Santiago stated that he also approved a letter of intent from BHCC to award the Associate Degree of Arts and Social Work, in addition to a motion to reinstate and modify the Board's policies regarding non-unit professional "use or lose" vacation time. The Board put the "use or lose" policy on hold during the pandemic. Finally, Department staff recommended approval of Northern Essex Community College's and Mount Wachusett College's Strategic Plans. Commissioner Santiago turned to Chair Gabrieli to close out the meeting.

X. OTHER BUSINESS

None.

IX. ADJOURNMENT

Chair Gabrieli adjourned the meeting at 2:00 p.m.

*Respectfully Submitted,
Carlos E. Santiago
Commissioner and Secretary to the Board*