

**BOARD OF HIGHER EDUCATION
REQUEST FOR BOARD ACTION**

NO.: BHE 23-39

BOARD DATE: March 28, 2023

APPROVAL OF EXECUTIVE COMMITTEE MEMBERSHIP AMENDMENT

MOVED: The Board of Higher Education approves adding Board Member Alex Cortez as a member of the Executive Committee. The BHE Executive Committee membership, therefore, as follows:

- Chris Gabrieli, Chair of the BHE (and Chair of the Executive Committee)
- *Vacant*, Vice-Chair of the BHE
- Veronica Conforme, BHE Chair of the Finance and Administrative Policy Advisory Council
- Alex Cortez, BHE Chair of the Evidence Based Policy Making Advisory Council
- Patty Eppinger, BHE Chair of the Academic Affairs & Student Success Advisory Council
- Bill Walczak, BHE Chair of the Strategic Planning Advisory Council

VOTED: Motion adopted by the BHE 3/28/2023.

Authority: Massachusetts General Laws Chapter 15A, Section 4; BHE By-Laws Article I, Section 3(d) and Article III, Section 2 (as amended, June 22, 2021).

Contact: Constantia T. Papanikolaou, Chief Legal Counsel

Background

The Board of Higher Education (BHE) By-Laws establish the BHE's governance and procedural structure and form the foundation of how the Board functions, to the extent that such matters are not otherwise addressed in the Massachusetts General Laws.

During its June 22, 2021 meeting, the BHE amended its By-Laws to require the BHE to, among other things, annually review and renew the appointment of the Vice-Chairperson, and all committee and advisory council membership. [BHE 21-49](#) Subject to further discussion on scheduling, the Board intends to hold an annual meeting (retreat) this calendar year, preferably prior to the Board's first regularly scheduled meeting for FY2024 (Academic Year 2023-3024).

With regard to Executive Committee membership, the BHE By-Laws provide that the "membership of the Executive Committee shall be proposed by the Chairperson, shall be subject to approval of the Board, and shall be reviewed annually by the Board during the Board's annual meeting." *BHE By-Laws, Article III, Section 1(a)(ii)*. The By-Laws further provide that:

- the "Executive Committee shall be composed of the Chairperson, the Vice-Chairperson of the Board and at least two other members who also serve as chairs of committees or advisory councils;" and
- the Chairperson of the BHE shall be the chair of the Executive Committee.

BHE By-Laws, Article III, Section 1(a)(i) and (ii).

Board member Alex Cortex was recently appointed to serve as the chair of the BHE's Evidence Based Policy Making Advisory Council to fill a vacancy in that position previously held by Chair Gabrieli. During the Board's last Annual Retreat on September 22, 2021, Chair Gabrieli expressed a preference that all other members of the BHE who also serve as chairs of committees¹ or advisory councils serve on the BHE Executive Committee.

¹ In addition to the Executive Committee, the BHE only has one other committee this fiscal/academic year- the Early College Joint [BESE] Committee (ECJC). Chair Gabrieli serves as the BHE-Member co-chair of that committee, pursuant to the appointment process established in BHE17-06.

Therefore, for the remainder of this fiscal year 2023 (AY2022-2023) and until the BHE has an opportunity to review board structure, including committee and advisory council membership, during its next annual meeting, the proposed membership of the BHE Executive Committee is as follows:

- Chris Gabrieli, Chair of the BHE and Chair of the Executive Committee
- *Vacant*, Vice-Chair of the BHE
- Veronica Conforme, BHE Chair of the Finance and Administrative Policy Advisory Council
- Alex Cortez, BHE Chair of the Evidence Based Policy Making Advisory Council
- Patty Eppinger, BHE Chair of the AA&SS Advisory Council
- Bill Walczak, BHE Chair of the Strategic Planning Advisory Council