



Massachusetts Department of Higher Education

One Ashburton Place, Room 1401
Boston, MA 02108-1696

TEL (617) 994-6950
FAX (617) 727-0955
WEB www.mass.edu

Carlos E. Santiago, *Commissioner*
Chris Gabrieli, *Chairman*
Massachusetts Board of Higher Education

Notice of Closure Guidelines for Massachusetts Independent Institutions¹

As an increasing number of Massachusetts institutions of higher education are merging with other institutions or closing completely, the Department of Higher Education has developed a protocol to support the process and to help institutions meet the challenges of closing, such that students are protected and enabled to complete their degree programs via teach-out plan or transfer to another institution.

Massachusetts law requires a closing institution to notify the Board of Higher Education of its intention to close “as far as possible in advance” by contacting the Department of Higher Education (DHE). The following Notice of Closure Guidelines must be adhered to by a closing institution. These Guidelines are designed to ensure that students are supported and protected through the institution’s final closure and termination date. As such, the DHE should be the first entity notified of an institution’s decision to close and the institutional leadership should remain in close communication with DHE throughout the process. See 610 CMR 2.07(3)(f)(2).

PART I: NOTICE OF INTENT TO CLOSE

1. It is expected that DHE will be the first point of contact for the closing institution. The President or CEO should contact the DHE with the Notice of Intent to Close, sent to the Commissioner of Higher Education. The written notice should include:
 - a.) A statement of intent to close and the general rationale;
 - b.) An estimated timeline for the closure, the anticipated final termination date, and the approximate number of students currently enrolled; and
 - c.) Disclosure of any preliminary discussions or plans with other institutions that may offer the potential for articulation.
2. The DHE will work in consultation with the Office of the Attorney General to safeguard student, employee, and consumer protections and to ensure compliance with other state and federal laws.

¹ Any institution, other than institutions within the public system of higher education as set forth in M.G.L. c. 15A, § 5, that offers or seeks to offer courses for credit or courses leading to an academic degree in Massachusetts (e.g. non-profit, for profit, religious, corporate, etc.).

PART II: NOTICE OF CLOSURE

3. Institutional leadership must maintain ongoing and close communication with DHE staff members throughout the duration of the closing process. This includes, but is not limited to, forwarding copies of all communications to students, former students, alumni, and the media regarding the closure.
4. The closing institution must complete the Independent Institution Notice of Closure template. DHE staff members are available to support a closing institution by responding to questions and providing technical assistance as needed and requested. A closing institution must submit one hard copy (which can be a copy on a flash drive) and one electronic copy in MS Word format of the Independent Institution Notice of Closure to awilliams@bhe.mass.edu.
5. A closing institution must include a check for the \$500.00 closing fee for administrative costs per statute with its completed Notice of Closure. See 610 CMR 2.06(b)(f). The check should be made out to the Massachusetts Department of Higher Education Licensing Fee Trust Fund.