



Massachusetts Department of Higher Education

MAIN OFFICE
One Ashburton Place, Room 1401
Boston, MA 02108
TEL (617) 994-6950
WEB www.mass.edu

OFFICE of STUDENT FINANCIAL ASSISTANCE
75 Pleasant Street
Malden, MA 02148
TEL (617) 391-6070
WEB www.mass.edu/osfa

Carlos E. Santiago
Commissioner
Chris Gabrieli
Board Chairman

April 10, 2018

VIA EMAIL AND U.S. MAIL

Barry Brown, President
Mount Ida College
777 Dedham St.
Newton, MA 02459

Dear President Brown:

Through recent press coverage and subsequent conversations with Mount Ida College's counsel, the Massachusetts Board of Higher Education (the "Board") has become aware of a transaction between Mount Ida College ("Mt. Ida") and the University of Massachusetts ("UMass") that would result in the sudden closure of Mt. Ida within the next few months. In a February 26, 2018 letter to you regarding a potential merger between Mt. Ida and Lasell College, I reminded you of the requirements in the Board's regulations as they pertain to mergers and closures. See 610 CMR 2.00, Degree-Granting Regulations for Independent Institutions of Higher Education. Specifically, 610 CMR 2.08(3)(f) states: "*If an institution knows that it may close, or if it is planning to merge with another institution, it shall so notify the Board and should follow appropriate procedures as far as possible in advance of the closure or merger, including filing appropriate documents with the Office of the Secretary of State; and it shall arrange, in association with the Board to safeguard the needs of students by organizing educational transfer opportunities, and ensuring the preservation of student records...*" (emphasis added). We are disappointed with the lack of appropriate and timely communications with our office regarding the closure of Mt. Ida, and with the accelerated timeline that is now in place.

The Department is seeking to ensure that currently enrolled students will be able to continue their degree programs despite Mt. Ida's unanticipated closure. To that end, Mt. Ida is required to provide the Department with a Notice of Closure submission outlining Mt. Ida's plans for the closure.¹ It is incumbent upon Mt. Ida to work with the Department to make arrangements and facilitate transfer opportunities for its students as quickly as possible. While it is our understanding that Mt. Ida has agreed to a certain transfer arrangement with UMass Dartmouth, please be advised that the choice of where Mt. Ida students decide to

¹ I forwarded a copy of the Department's Notice of Closure Guidelines and a closure submission template to your attention on February 26. Additional copies are enclosed for your convenience and are also available on the Department's website at <http://www.mass.edu/foradmin/closures/home.asp>.

continue their education is up to them, not Mt. Ida or UMass. Ensuring that appropriate arrangements are in place for Mt. Ida students who cannot transfer to UMass, or who do not wish to do so, is a Department priority for this closure at this time. In that regard, multiple transfer agreements with other institutions that already offer one or more programs comparable to a Mt. Ida program and are willing to accept Mt. Ida students who wish to transfer to that particular institution are encouraged. It is imperative that Mt. Ida provide students with multiple transfer options, along with counseling on the availability of a closed school discharge of their federal student loans.

At this time, we are requesting that Mt. Ida provide the Department with a degree program mapping document outlining which Mt. Ida degrees align with degrees offered by UMass Dartmouth. This document should show current enrollment in each Mt. Ida program as well as expected enrollment once the last Mt. Ida graduating class has completed their degrees (i.e., how many students will remain in the program at the time of Mt. Ida's formal closure). I am enclosing a template for this purpose. We are also requesting a list of Mt. Ida degree programs that do not align with a program at UMass Dartmouth and a description of what, if any, arrangements have been made at this time regarding transfer opportunities for students in each program. We need to receive these preliminary mapping documents, which are required as part of the closure template, **no later than close of business on Thursday, April 12.**

Second, the Department also has serious concerns about the impact of this closure on students admitted to Mt. Ida for the fall 2018 semester. It is our understanding that these students will not be eligible to enroll at UMass; with many admissions periods closed and the May 1 deadline for students to accept offers of admission at institutions of higher education fast approaching, it is likely that many of those admitted to Mt. Ida will be left without an option for continuing their education in the fall. The Department is prepared to work with you to see what arrangements can be made to accommodate these students. In order to determine the scope of this issue, we would like to receive data on the number of students admitted to Mt. Ida for the fall 2018 semester and the number of those students who have made deposits to Mt. Ida to secure their place. We would like to receive this information **no later than close of business on Thursday, April 12.**

Third, please complete and submit a first draft of your closure template **no later than close of business on Monday, April 16.** Please include in your submission specific information regarding Mt. Ida's veteran students and what guidance they may have received about the steps needed to ensure a seamless transition of their benefits to another institution, including what, if any, provisions Mt. Ida will be making for veteran students receiving the Yellow Ribbon program benefit.

Barry Brown
Mount Ida College
April 10, 2018
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Finally, we would like to meet with representatives from your institution to discuss the closure and Mt. Ida's closure plan on **Thursday, April 19 at 11:00am** at our offices at One Ashburton Place in Boston. Please contact me if this time does not work for you and we will try to reschedule.

Sincerely yours,

Patricia A. Marshall, PhD.
Deputy Commissioner for Academic Affairs
and Student Success

Enclosures

CC: Ronald Akie, Provost and Chief Academic Officer, Mount Ida College (via email)
Paul G. Lannon, Esq., Holland & Knight LLP (via email)
Constantia T. Papanikolaou, General Counsel, Department of Higher Education
Ashley H. Wisneski, Assistant General Counsel, Department of Higher Education



Massachusetts Department of Higher Education

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

TEL (617) 994-6950
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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.

Institution:

Proposed Closure:

Independent Institution Notice of Closure - Submission Template

BHE regulations require closing institutions to notify the Board “as far as possible in advance” of intentions to close, to follow the appropriate procedures, such as responding to information requests, and to work with the Board in organizing educational transfer opportunities “to safeguard the needs of students”. See 610 CMR 2.07(3)(f)(2).

Review guidelines prior to submitting materials. Required information should be typed directly into form rows. Boxes will expand. Submit one hard copy to Massachusetts Department of Higher Education Legal Division inclusive of a copy on flash drive. Submit one electronic copy in MS Word format to awilliams@bhe.mass.edu.

Institution Name:
Institution Address:
Main Campus Location:
Additional Campus Locations:
(if applicable) Headquarters Location:

Is the institutional closure fee of \$500 included? Yes No (please circle)

Date of Trustee Board Vote to Confirm Closure:

Date [Letter of Intent \(attach copy\)](#) submitted to Commissioner:

President Name and Title:

Phone Number: Email:

Chief Academic Officer (CAO) Name and Title:

Chief Financial Officer (CFO) Name and Title:

CAO Phone Number: Email:

CFO Phone Number: Email:

Has the President, CAO, and CFO reviewed this petition? Yes No (please circle)

A. Statement of Institutional Closure

Provide detailed rationale for the closure.

Provide an anticipated closure date.

Identify the campus location(s) that is/are closing in the state of Massachusetts. Indicate if other campus locations will remain open and in what states.

Institution:

Proposed Closure:

B. Teach-Out Plan and Academic Integrity

1. Teach Out. Describe the teach-out plan for each currently operational program leading up to the final closure date.

2. Transfer Agreements. It is the DHE's expectation that the institution presents students with appropriate options during the teach-out period. To that end, the DHE highly recommends at least 1-2 opportunities for students to transfer to an alternative institution. Describe transfer or articulation agreements with other institutions that may be proposed for students. Explain the anticipated transferability of program participants' credits to other institutions. ([attach agreements](#))

C. Student Data and Student Services

1. Students. Provide enrollment numbers by program, average credits earned, average credits remaining, and anticipated student completion and graduation dates. This information shall be reported to the DHE in a quarterly status report. [See attachment A below.](#)

2. Student Services. Describe the services that will be provided to students during the teach out period, leading up to the subsequent closure of the institution; including but not limited to career services, counseling and health services, financial aid, bursar, academic supports, Veterans Education Services, Residential Life, Library, etc. Please provide a timeline for the winding down of these services by department/service area. Explain how this information will be communicated to students.

3. Financial Aid. Confirm that financial aid eligibility and institutional scholarship aid will continue during the teach-out period. Explain how this will be communicated to students.

4. Student Veterans. Please provide a list of GI Bill beneficiaries currently enrolled at your institution in the state of Massachusetts.

D. Administration

1. Faculty and Staff. Please provide the current number of full-time faculty, the number of part-time faculty, the number of full-time support staff, the number of part-time support staff. This information shall be reported to the DHE in a quarterly status report.

2. Employee Reduction Plan. Provide a staffing timeline by semester/quarter that includes anticipated reductions for both faculty and administrative staff, noting that employee/student ratios should remain constant during the teach-out period. [See attachment B below.](#)

E. Communication & Records

. BHE regulations require an institution's publications to be "comprehensive, accurate, unambiguous and up-to-date in presentation of the institution's mission, policies, resources, general environment, instructional offerings and other services. As a general guide, the institution's publications available to applicants and students should provide full, accurate and current information...." 610 CMR 2.07(3)(g)(1).

1. Current Communication Describe any publications, communications and public disclosures and their location (e.g., institution's website, email communications, etc.) regarding the closure. Attach any specific communications that the institution has sent and anticipates sending to students, faculty, staff, and alumni regarding the proposed teach-out, closure, and potential transfer and articulation arrangements.

Institution:

Proposed Closure:

2. Future Communication. The institution shall send to the DHE, copies of all communications sent to students, former students, alumni, and media regarding the closure during the teach-out period.

3. Records. Provide specific information regarding how and where student records will be maintained, including the name, address, and contact information. Describe how this information will be communicated to current and former students.

F. FISCAL

1. Refund Policy. *BHE regulations require institutions to have refund policies, which are fair, equitable and available publicly. See 610 CMR 2.07(3)(e)(4).*

Provide the institution's refund policy and describe student eligibility for refunds during the teach-out period. How will this information be communicated to students?

2. Physical Resources. Indicate how courses and programs will continue to be supported by adequate physical resources during the teach-out period, including but not limited to instructional space, library assets, electronic databases, and the general campus environment.

3. Fiscal Resources. Provide a statement attesting to the fact that sufficient resources are available to support the described plan in sections A-F. Provide a budget indicating that the organization will have sufficient resources to support the obligations set-forth above throughout the teach-out period

CEO/President Signature

By signing below, I understand and attest that all the foregoing statements are true and accurate. I agree to abide by the terms of the teach-out plan and all other applicable laws, regulations, and accreditation standards throughout the teach-out period.

Signature:		Date:	
Print Name:			

Institution:

Proposed Closure:

Attachment A: QUARTERLY STUDENT ENROLLMENT BY PROGRAM – SAMPLE

Program with CIP Code	# of students currently enrolled	Average Credits Earned	Average Credits Remaining for Program Completion	Expected Graduation Date
Example: BS Graphic Communications 500499B	8	81.1	8.9	6/28/2008
	14	68.8	21.2	9/27/2008
Example: Visual Arts	20	80.9	9.2	6/28/2008
	11	69.5	20.5	9/27/2008

Institution:

Proposed Closure:

Attachment B: QUARTERLY REPORT OF EMPLOYEES BY PROGRAM/FUNCTIONAL AREA

Semester/Quarter &Year	Program/Functional Area	Number of Fulltime Faculty	Number of Part-time Faculty	Number of Administrative Staff

QUARTERLY PROGRAM TEACH OUT / TRANSITION PROJECTIONS

	Teach Out Year 1	Transfer Year 1	Year 2 Teach Out	Year 2 Transfer	Year 3 Transfer
Full Time					
Part Time					
Totals					

APPENDICES TO BE ATTACHED

Letter of Intent
Communications to Students
Massachusetts GI Bill Beneficiaries