

BOARD OF HIGHER EDUCATION

June 18, 2013
9 a.m.

Middlesex Community College
Campus Center, Café East
591 Springs Road
Bedford, Massachusetts

Minutes

A meeting of the Board of Higher Education (BHE) was held at Middlesex Community College (MCC) in Bedford, Massachusetts.

The following Board members were present:

Charles Desmond, Chair
Louis Ricciardi, Vice Chair
Saeyun Lee, Designee for Secretary Malone
David Barron
Dani Monroe
Keith Peden
Tina Sbrega
Henry Thomas
Paul Toner
David Chapin, Segmental Advisor, Quinsigamond Community College

The following Board members were absent:

Gianni Falzone
C. Bernard Fulp
Nancy Hoffman
Fernando Reimers
Nathan Gregoire, Segmental Advisor, Fitchburg State University

I. **CALL TO ORDER**

Chair Desmond called the meeting to order at 9:10 a.m. and invited MCC President Cowan to offer remarks.

II. **WELCOME**

President Cowan welcomed the BHE to campus and provided a brief background on the campus and building construction. She then detailed MCC's accomplishments and current activities as they pertain to Vision Project goals. Among the items highlighted were the College's 22 years of work with the k-12 sector, including: the creation of the Lowell Middlesex Academy Charter School; MCC's work on accelerated developmental math programs and the Kaleidoscope Project; and its work in all areas of Workforce Development including contract and casino-related training. President Cowan noted that MCC just celebrated its 20th anniversary of civic engagement. She also highlighted that, in the area of Closing the Achievement Gap, the school conducts summits for faculty and staff.

III. ACCEPTANCE OF MINUTES

Chair Desmond then brought forth a motion to accept the minutes of the April 30, 2013, BHE meeting. The motion was seconded and the minutes were approved unanimously by all board members present.

He then brought forth a motion to accept the minutes of the May 23, 2013, BHE special meeting. The motion was seconded and the minutes were approved unanimously by all board members present.

IV. CHAIRMAN'S REMARKS

Chair Desmond initiated his remarks by thanking the student board member and segmental advisors for their contributions this year. He recognized Roxbury Community College (RCC) Interim President Linda Turner and thanked her for her service as the school undertook a search for the next president. Interim President Turner took a moment to acknowledge the value of RCC and to thank Chair Desmond, Commissioner Freeland, Executive Officer Bill Hart, and her fellow Community College Presidents for their support during her time at RCC. Chair Desmond also read citations recognizing outgoing North Shore Community College President Wayne Burton and outgoing Framingham State University President Tim Flanagan for their service.

Chair Desmond also addressed the charge of the Task Force on For-profit Institutions and On-line Delivery. He noted that at the AAC meeting last week, the Committee heard an updated on the work of this Task Force from Task Force Chair Barron. Within that context the Committee also heard a proposal to expand the scope of the Task Force. The Task Force's current charge is quite specifically focused on considering consumer protection and jurisdictional issues posed by the rise of the online delivery of educational materials. However, the proliferation of this new form of delivering educational content raises a host of broader questions with regard to the Commonwealth's system of public higher education, such as: How—and how effectively—is our public system currently using on-line capabilities? Are there additional opportunities, or challenges, that we can or should consider? What role should the BHE play in advancing a system-level strategy in this area? The formation of the new Task Force has prompted discussion of all these matters and drawn attention to the fact that the BHE has not yet systemically addressed them. Accordingly, and with the support of Task Force Chair Barron, Chair Desmond stated that he is formally amending the Charge of the Task Force by asking it to undertake the following two phases of work:

- **Phase I:** Task Force will consult widely over the coming months among Massachusetts public college presidents and chief academic officers, experts in the field of on line learning, and other interested parties-- including union leaders and scholars-- to identify and understand the questions that are most important to answer about online learning, such as the impact on student learning, cost effectiveness, and the like. The anticipated result of Phase I would be a brief overview of key issues and questions, the identification of a group of people who are willing to serve on a task force on educational technology, and a high level overview of the current utilization of on-line opportunities on our campuses.
- **Phase II:** Assuming that Phase I results in a plan for further investigation, Phase II would address the questions identified in Phase I—again, working in close

consultation with the BHE interested presidents and chief academic officers, and other interested parties including union leaders. The anticipated result of the Task Force's Phase II work would be recommendations to the Board of Higher Education on specific steps the Board and/or individual campuses might take to utilize the capabilities of on-line programming and other forms.

The Task Force was further charged to consider Phase I, and to report its findings to the BHE by January 2014. To assist the Task Force with undertaking Phase I of this work, Chair Desmond named Mr. Colin Diver, former President of Reed College, and former Dean of the University of Pennsylvania Law School as a member of the Task Force, to assist in the consultative process and undertake the analysis called for in this expanded charge. Chair Desmond added that we will need to make a decision as to how to proceed with respect to Phase II of the work at the conclusion of Phase I. Chair Desmond also formally added Senior Deputy Commissioner Carlos Santiago as a member of the Task Force.

V. COMMISSIONER'S REMARKS

Commissioner Freeland began his remarks, thanking President Cowan for welcoming the BHE to MCC's campus. He acknowledged MCC Board Chair Royall Mack and MCC Dean of Facilities Management Matt Sepe. He also recognized the presidents who were in attendance, but not scheduled to address the Board. They were: Berkshire Community College President Ellen Kennedy, Mount Wachusett Community College President Dan Asquino, Massasoit Community College President Charles Wall, and Salem State University President Pat Meservey. He also recognized Bill Hart and Vincent Pedone, Executive Officers for the Community College Council of Presidents and State University Council of Presidents, respectively.

Commissioner Freeland then noted several staff changes at the Department of Higher Education (DHE). Nate Mackinnon, Assistant Commissioner, was recently awarded the Harvard Bradford Fellowship and will take a leave of absence. Anne Perkins will take on areas of Nate's responsibility that pertain to the BHE Chairman and Board, the Councils of Presidents, and the Senior Staff of the Department of Higher Education. Mike Mizzoni will take on the areas of Nate's responsibility that pertain to the legislature.

Additionally, Sheila Tunney has joined the DHE as Budget Director; Kathy Taylor has joined as Director of the Office of Workforce Coordination; Bonnie Orcutt has joined as Director of Learning Outcomes Assessment and Chair of the Massachusetts Team on the LEAP State Project. Allison Scheff has joined as STEM Executive Director.

Regarding the FY14 Budget, it is currently in conference and items such as the Performance Incentive Fund, campus allocations, and the community college formula are under consideration.

VI. SECRETARY OF EDUCATION'S REMARKS

List of Documents Submitted by the Secretary of Education:
None submitted.

Dr. Saeyun Lee offered remarks on behalf of Secretary Malone who was unable to attend today's meeting. She conveyed his regrets for being unable to attend and his thanks to those who were in attendance. She also thanked President Cowan and her leadership team for hosting the BHE meeting. To the presidents and students who are moving on, she offered thanks and best wishes in future endeavors on behalf of the Secretary. She reiterated that the FY14 budget is in conference. Dr. Lee then went on to describe the Roxbury/ Madison Park partnership. She noted that the partnership does not change authority, but augments the structure that already exists. Dr. Lee also remarked on the Early Learning Policy Academy which links Early Learning with K-12 and Higher Education objectives.

VII. REPORTS FROM PRESIDENTS

A. Community College Presidents' Report – Holyoke Community College President William Messner

List of Documents Submitted by President Messner:

None submitted.

President Messner expressed thanks to President Cowan for hosting the BHE meeting at MCC. He highlighted two reports: one from Sightlines, a national organization that provides analysis of capital infrastructure, and one from the Century Foundation. The Sightlines report findings suggest that there are major infrastructure needs at both the state university and community college level. President Messner expressed hope that this report would provide the motivation for a new capital bond bill to meet these needs. The Century Foundation's report from the Task Force to Prevent Community Colleges from Becoming Separate and Unequal recommends "ways to reduce the racial and economic stratification and create new outcomes-based funding in higher education, with a much greater emphasis on providing additional public supports based on student needs."

B. State University Presidents' Report – Fitchburg State University President Robert Antonucci

List of Documents Submitted by President Antonucci:

None submitted.

President Antonucci opened his remarks by wishing President Flanagan the best in his new role. He noted that Massachusetts College of Liberal Arts President Mary Grant will be the new Chair of the State University Council of Presidents and Worcester State University President Barry Maloney will be Vice-chair. Regarding the presidential guidelines, President Antonucci observed that there are existing tensions regarding issues of local authority versus central authority, and while we respect the efforts of the Commissioner and the BHE to build a system, at the same time there are concerns that the local authority of the institutions is being eroded. Any criticisms we make are intended to get us to work together and push the cart in the right direction. He also noted that Bridgewater State University President Mohler-Faria is the outgoing Chair of the Partnership Advancing Collaboration and Efficiency (PACE) and that the new chair would be chosen. President Antonucci noted that the National Council on Teacher Quality report is coming out and commented that recent commencement ceremonies were great celebratory occasions. He added that many campuses are opening new buildings and starting construction.

VIII. REPORT FROM STUDENT ADVISORY COUNCIL

List of Documents Submitted by the Mr. David Chapin:
None submitted.

David Chapin thanked everyone in attendance for their support of students. He introduced newly elected student BHE member Kathy Matson and noted that the segmental advisors will be chosen in the fall. He commented on the year's success and noted that Student Advocacy Day and the Student Leadership Conference went well.

IX. MOTIONS

A. Academic Affairs

List of Documents Used:
AAC Motions 13-32 through 13-39

Mr. Barron reviewed the activities of the Academic Affairs Committee (AAC) meeting which he chaired on behalf of AAC Chair Hoffman. Mr. Barron then brought forth the following motions on a consent agenda. The consent agenda motion was made and seconded. The motion passed unanimously.

AAC 13-39 CONSENT AGENDA

MOVED: The Board of Higher Education approves the following motions on a consent agenda:

- AAC 13-32 Bridgewater State University
 Master of Science in Speech-Language Pathology
- AAC 13-33 Middlesex Community College
 Associate in Science in Medical Laboratory Technician
- AAC 13-34 Salem State University
 Bachelor of Arts in Philosophy
- AAC 13-35 Bay State College
 Associate in Applied Science in Information Technology and
 Bachelor of Science in Information Technology
- AAC 13-36 Benjamin Franklin Institute of Technology
 Associate in Science in Construction Management; Associate in
 Science in Technology Business and Management; and
 Associate in Science in Health Information Technology
- AAC 13-37 Fisher College
 Bachelor of Science in Nursing
- AAC 13-38 Atlantic Union College
 Bachelor of Science in Health Science/Biology and the Bachelor
 of Arts in Theology/Religion

Authority: Article III, Section 6, By-Laws

Contact: Dr. Shelley Tinkham, Assistant Commissioner for Academic, P-16 and Veterans Policy

Mr. Barron then brought forth the following motions on a consent agenda. The consent agenda motion was made and seconded. The motion was passed unanimously.

AAC 13-46 CONSENT AGENDA

MOVED: Approval of Commonwealth Honors Program Motions 13-40 through 13-45 on a Consent Agenda:

AAC 13-40 Establishment of Berkshire Community College membership in the Commonwealth Honors Program

AAC 13-41 Renewal of Bridgewater State University in the Commonwealth Honors Program

AAC 13-42 Renewal of Fitchburg State University in the Commonwealth Honors Program

AAC 13-43 Renewal of Mount Wachusett Community College in the Commonwealth Honors Program

AAC 13-44 Renewal of University of Massachusetts Boston in the Commonwealth Honors Program

AAC 13-45 Renewal of Worcester State University in the Commonwealth Honors Program

Authority: Commonwealth Honors Program Approval Process Guidelines as Revised by the Board of Higher Education in November 2006

Contact: Shelley Tinkham, Ph.D., Associate Commissioner for Academic, P-16 and Veteran's Policy

Mr. Barron then brought forth the following motion. The motion was made and seconded. The motion was passed unanimously. A brief discussion followed regarding the effect this motion would have on other experience being evaluated for credit.

AAC 13-47 VALOR ACT ACADEMIC CREDIT EVALUATION POLICY

MOVED: The Board hereby approves the VALOR Act Academic Credit Evaluation Policy.

Authority: G.L. c. 15A, §42; Chapter 108 of the Acts of 2012 (Senate Bill 2254).

Contact: Dr. Shelley Tinkham, Assistant Commissioner for Academic, P-16 and Veterans Policy

Mr. Barron then brought forth the following motion. He asked DHE Senior Deputy Commissioner for Academic Affairs to provide the board with an abbreviated version of the presentation made to the Academic Affairs Committee regarding housing at community colleges. After that brief overview, the motion was made and seconded. The motion was passed unanimously.

AAC 13-48 APPROVAL OF A POLICY REGARDING THE ESTABLISHMENT OF STUDENT HOUSING AT COMMUNITY COLLEGES

MOVED: Consistent with Sections 121 and 122 of the FY2012 General Appropriations Act, the Board of Higher Education will consider proposals for the establishment of student housing at the Commonwealth's community colleges, subject to criteria to be specified by the Board of Higher Education. Specific proposals and projects shall be subject to Board of Higher Education review and authorization on a case by case basis.

Authority: G.L. c. 15A, § 9; Sections 121 and 122 of Chapter 68 of the Acts of 2011.

Contact: Carlos Santiago, Senior Deputy Commissioner for Academic Affairs

Chair Desmond then recognized the President of Atlantic Union College who wished to briefly address the board. The President thanked the Board for their consideration and thorough due diligence in the matters concerning Atlantic Union College.

B. Fiscal Affairs and Administrative Policy

List of Documents Used:

FAAP Motions 13-39 through 13-41

Chair Desmond then turned to Mr. Peden who chaired the FAAP committee meeting on behalf of FAAP Chair Fulp. Mr. Peden gave an account of the activities of the FAAP committee meeting and then brought forth the following motion. The motion was seconded and passed unanimously.

FAAP 13-39 CAPITAL PROJECT REFINANCING REQUEST ON BEHALF OF NORTH SHORE COMMUNITY COLLEGE AND MIDDLESEX COMMUNITY COLLEGE

MOVED: The Commissioner of the Board of Higher is authorized, upon consultation with the Chair of the Board of Higher Education and the Chair of the Fiscal Affairs and Administrative Policy (FAAP) Committee, to undertake the following:

- to make a written request of the Massachusetts Development Finance Agency, as successor to the Massachusetts Health and Educational Facilities Authority (the "Agency"), that that Agency undertake the issuance of Series 2013 Bonds for the purpose of refunding all of the Series B Bonds and Series C Bonds when such conditions, as determined by the Commissioner, warrant such refunding;
- to execute a contract with the Agency in accordance with Section 12 of Chapter 15A of the General Laws providing for the expenses of the Agency and the payment of the Series 2013 Bonds to be issued by the Agency as aforesaid, such contract to be substantially in the form as the Commissioner may determine is

advisable;

- to execute a memorandum of understanding with the Comptroller of the Commonwealth providing for the implementation of the contract referenced in the preceding sentence; and

upon the advice of counsel to the Board, execute such other documents and instruments and take such other actions as may be necessary or desirable in connection with the foregoing and the transaction contemplated thereby.

Authority: Massachusetts General Laws Chapter 15A, Sections 6, 9, and 10-14

Contact: Sean Nelson, Deputy Commissioner of Administration and Finance

Mr. Peden then brought forth FAAP Motion 13-40. Prior to the motion be seconded, discussion arose. Vice-Chair Ricciardi, as a representative of the State University constituency, expressed that the State Universities are not in favor of this policy and that there are major concerns that are not included in the policy. He offered an amended motion to accept two separate policies – keeping the content the same, but providing for one separate state university policy and one community college policy. Mr. Peden asked for a second. At that time, several board members asked clarifying questions seeking to understand the amended motion. Vice-Chair Ricciardi expressed concerns stating that the Community Colleges and State Universities were distinct constituencies and deserved separate policies. He also expressed concerns with the process and noted that including the State Universities in this policy was not mandated by the legislature. Chair Desmond noted that the Community Colleges and State Universities comprise one system and that he did not feel that linking the two segments together in this policy would have a detrimental effect on the State Universities. Mr. Peden reminded the Board that the amended motion was still on the table, and asked for a second to the motion. The motion was not seconded, and therefore failed. Mr. Peden then brought forth the original motion which was seconded. The motion passed, with one opposition; Vice-Chairman Ricciardi opposed the motion, and all other board members who were present voted in favor of the motion.

FAAP 13-40 APPROVAL OF COMPENSATION AND EVALUATION GUIDELINES AND PROCEDURES FOR STATE UNIVERSITY AND COMMUNITY COLLEGE PRESIDENTS

MOVED: The Board of Higher Education approves the attached Compensation and Evaluation Guidelines and Procedures for State University and Community College Presidents, and delegates to the Commissioner the authority to act on behalf of the Board of Higher Education as specified therein.

Authority: G.L. c. 15A, § 6, 9 and 21; Section 172 of Chapter 139 of the Acts of 2012

Contact: Constantia T. Papanikolaou, *General Counsel*

Mr. Peden then brought forth Motion FAAP 13-41. The motion was seconded. The motion passed, with one opposition; Vice-Chairman Ricciardi opposed the motion, and all other board members who were present voted in favor of the motion.

FAAP 13-41 APPROVAL OF AMENDED GUIDELINES AND PROCEDURES FOR THE SEARCH, SELECTION, APPOINTMENT AND REMOVAL OF STATE UNIVERSITY AND COMMUNITY COLLEGE PRESIDENTS

MOVED: The Board of Higher Education approves the attached Amended Guidelines and Procedures for the Search, Selection, Appointment and Removal of State University and Community College Presidents, and delegates to the Commissioner the authority to act on behalf of the Board of Higher Education as specified therein.

Authority: G.L. c. 15A, § 6, 9 and 21; Section 172 of Chapter 139 of the Acts of 2012

Contact: Constantia T. Papanikolaou, *General Counsel*

C. Board of Higher Education

List of Documents Used:

BHE Motions 13-04 through 13-05

Chair Desmond then turned to the BHE motions on the agenda. He brought forth the following motion. The motion was seconded. The motion passed unanimously.

BHE 13-04 BOARD OF HIGHER EDUCATION FISCAL YEAR 2014 MEETING SCHEDULE

MOVED: that the Board of Higher Education approve the schedule of regular board meetings for Fiscal Year 2014, as presented by the Commissioner.

Authority: G.L. c. 15A, § 4(f); *By-Laws of the Massachusetts Board of Higher Education*, Articles II and III.

Contact: Constantia T. Papanikolaou, General Counsel

Chair Desmond then brought forth the following motion. The motion was seconded. The motion passed unanimously.

IX. BHE 13-05 DELEGATION OF SUMMER AUTHORITY TO THE COMMISSIONER

MOVED: The Board of Higher Education delegates to the Commissioner until the next regularly scheduled meeting of the Board its authority to take such action, in consultation with and upon the advice of the Chairman or Vice Chairman of the Board, as is deemed necessary or desirable.

Authority: Massachusetts General Laws Chapter 15A, Section 6

Contact: Constantia T. Papanikolaou, General Counsel

ONS

Commissioner's Year End Report

Richard Freeland, Commissioner, Department of Higher Education

List of Documents Used:

Commissioner's FY13 Wrap-up, PowerPoint Presentation, June 13, 2013

Commissioner Freeland provided an overview of the year's accomplishments, including the number of capital projects underway and the increases in enrollments; degrees and certificates awarded; and new degree programs approved. He also reviewed the grants awarded, including the College Access Challenge Grant, Performance Incentive Fund grants, and Workforce Development grants. He highlighted DHE activity in the public communications arena, including the publication of the first annual Vision Project Report, outreach via traditional and social media, and events such as the AMCOA Summit, the 29 Who Shine Awards, and the Go Public sessions. He also discussed the DHE's developmental priorities which include the following BHE-approved goals: implementing legislative mandates, building capacity at the DHE, and maintaining Vision Project momentum. With regard to implementing legislative mandates, Commissioner Freeland highlighted the performance funding work done, such as the development of the Community College Funding Formula, and the Governance work done, such as the creation of the new Office of Trustee Relations and the development of new guidelines for the appointment, evaluation, and compensation of presidents. In terms of building capacity for the DHE, he noted that twelve new positions were created, including those of Senior Deputy Commissioner for Academic Affairs and Director of the Office of Trustee Relations. He then noted the various ways momentum on the Vision Project has been maintained. Included in this part of the presentation was information on the PARCC Initiative and its efforts in the area of College Participation; information on the Math Developmental Education Task Force and its contributions in the area of College Completion; and information on the AMCOA Project and its work in the area of Student Learning. Commissioner Freeland also noted that other BHE/DHE activities included the completed presidential searches at Bunker Hill Community College and Roxbury Community College, and the initiated presidential search at North Shore Community College.

X. OTHER BUSINESS

There was no other business.

XI. PUBLIC PARTICIPATION

There were no requests from the public to participate.

XII. ADJOURNMENT

The meeting was adjourned at 11:44 a.m.

Respectfully submitted,
Richard M. Freeland, Ph.D.
Commissioner of the Department and
Secretary to the Board