

**Massachusetts Board of Higher Education
ACADEMIC AFFAIRS COMMITTEE**

April 27, 2021
10:00 a.m. - 12:00

The April 27, 2021 meeting of the Academic Affairs (AAC) Committee of the Board of Higher Education (“BHE” or “the Board”) was held virtually on the web-conference platform Zoom.

Meeting Minutes

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| Committee Members Present | BHE Chair, Chris Gabrieli; AAC Co-Chair Patty Eppinger; Judy Pagliuca; Paul Toner; Bill Walczak; Secretary James Peyser; and Commissioner Carlos Santiago (ex-officio, non-voting member) |
| Other BHE Members Present | Community College Segmental Advisor, Jorgo Gushi; UMass Segmental Advisor, Kush Petal (both non-voting members) |
| Committee Members Absent | AAC Co-Chair Sheila Harrity |
| Department Staff Present | Cynthia Brown, Keith Connors; Winifred Hagan; Patricia Marshall; Constantia Papanikolaou; and Elena Quiroz-Livanis |

I. CALL TO ORDER:

AAC Committee Co-Chair Patty Eppinger called the meeting to order at 10:04 am. Roll call attendance of committee members was taken (see attendance roster reflected above).

II. ACCEPTANCE OF MINUTES

On a motion duly made and seconded, the minutes from the March 16, 2021 meeting of the Academic Affairs Committee were approved through a roll call vote with one abstention (Member Walczak abstained).

III. REMARKS

A. Chair’s Remarks

AAC Committee Co-Chair Eppinger welcomed new BHE and AAC subcommittee member, Bill Walczak. She added that Committee Member Walczak is the current Board Chair at Bunker Hill Community College, was recently elected segmental representative for the Massachusetts Community Colleges, and has been deeply involved in health care over his lifetime.

B. Commissioner’s Remarks

Commissioner Santiago welcomed Member Walczak and noted that he sent his biography to the AAC Committee members. He also said he found Member Walczak’s background in health

care and education to be very interesting. He also learning during a conversation with Member Walczak that he serves on 13 different boards. Commissioner Santiago added that he had the pleasure of reading Member Walczak's most recent article published in a local Dorchester newspaper on early education. In the article, Mr. Walczak made the argument for using federal stimulus dollars to help advance early education for Boston city kids. Commissioner Santiago commented how the article speaks to the Committee's work on the Equity Agenda and closing education gaps by reaching students early.

IV. DISCUSSION – Withheld Student Transcripts for Unpaid Balances

List of documents used:

Withheld Student Transcripts for Unpaid Balances PowerPoint

Deputy Commissioner Patricia Marshall gave a presentation on the topic of withholding student transcripts for unpaid balances to help frame the discussion. The information she presented, through PowerPoint slide, included the following:

Slide 3: Understanding Transcript Hold Policies and Practices – gave context around the practice of withholding transcripts with mention of the recent WGBH report on Massachusetts students unable to obtain their transcripts due to unpaid tuition and fees. The report also mentioned late fees charged on those unpaid balances. Additionally, the WGBH report raised concerns that the policy of withholding transcripts disproportionately affects low-income students and students of color. DHE staff researched the policy and practices related to transcript holds to understand statutory requirements and to identify how our public colleges and universities enforce the policy. As part of the research, Deputy Commissioner Simard reached out to his CFO colleagues to have a conversation regarding local policies. The DHE also had an in-depth conversation about the policies and practices with a campus representative to gain further insight. This conversation shed light on statutory requirements around debt collection and the use of holds as a tool to collect unpaid balances. The next slide provided details related to those statutory requirements.

Slide 4: MA Statutory Requirements and Attempts to Collect - State law requires that all debts, including student debts, be recognized and processed in accordance with Debt Collection and Intercept regulations (815 CMR 9.00). Deputy Commissioner Marshall noted that removing holds would not release a student from the debt obligation. Additionally, there are only a few administrative tools (mostly "holds") available to institutions to attempt to collect unpaid balances prior to sending them to collection agencies, in accordance with regulatory requirements.

Slide 5: Campus Policies and Practices Vary in the Use of these Tools - DHE outreach to stakeholders also made it clear that campus policies and practices vary in the use of holds as a tool to collect student debt. Some campuses withhold transcripts until obligations are met; other campuses withhold transcripts to students but will send them directly to potential employers upon request; and some will not allow a student to register for the following

semester until previous balances are paid. While the types of fees and minimum dollar amounts that can trigger a hold vary across campuses, most are for unpaid tuition and represent significant revenue dollars. For example, at one single institution there are 2,440 holds totaling \$5.5 million, for an average of \$2,254 per student.

Slide 6: *Other Important Information* – Through discussions with campus representatives, the DHE learned that while colleges and universities can write off 1% or \$5 (and do), universities cannot write off balances individually. Only balances over \$25 can be sent to collections. Balances are largely comprised of tuition, dining, residence hall fees and, as identified earlier, can be substantial (\$5.5M at just one institution). Research on this topic shed light on affordability and student success. In general, the Commonwealth offers a system of Community Colleges and State Universities to provide a more affordable education. Deputy Commissioner Marshall noted that on the one hand, the delinquent debt impacts affordability for all students. On the other hand, the amount of outstanding debt indicates that public higher education is not affordable for all students. She added that what is clear from our research thus far is that holds are symptomatic of larger issues. These issues include, but are not limited to, under-resourced institutions, growing student poverty, systemic inequities, and people who just choose to walk away. She also emphasized that it is clear from the research done thus far that in order to make any decisions or recommendations regarding this issue more information is needed.

Slide 7: *Measures to Address the Issue* – Turning to measures put in place to address this issue, Deputy Commissioner Marshall noted that some states have passed legislation. For example, CA was the first state in which both public and private universities were banned from withholding transcripts. WA law requires that students who owe money have access to their transcripts to apply for jobs. A similar bill has also been filed in Massachusetts. The bill, identified as H.1347/S.821 and entitled, “An Act Ensuring Students’ Access to Academic Transcripts” would prevent MA institutions of higher education from withholding academic transcripts for debts owed, but would not prevent higher education institutions from withholding student degrees. The DHE has also found out that there is a great deal of flexibility and discretion used at the campus level to ensure that student access to education and employment are not limited. For example, campuses have emergency funds and payment plans and many already release transcripts to employers.

Slide 8: *Measures to Address the Issue (Cont.)* – Deputy Commissioner Marshall stated that some state institutions have begun to review and revise their practices and offered the following examples:

- Bunker Hill CC dropped their transcript hold policy for students who owe any amount,
- UMass Boston relaxed its policy on withholding transcripts for unpaid balances; the University now only withholds transcripts for debts exceeding \$1000, and
- Middlesex CC is looking closely at policies related to withholding transcripts.

Slide 9: *Questions and Implications* - The final slide included some questions that committee members might consider such as:

- How does this issue fit within the larger issues of affordability and strategic/sustainable resourcing of public higher education?

- Do we need to review campus transcript hold policies and practices? What resources would be required to do so locally and at the state level?

Finally, Deputy Commissioner Marshall emphasized that a landscape analysis of campus policies and data collection around delinquent student debt will help to inform how/where this issue fits within BHE strategic priorities.

Deputy Commissioner Marshall concluded the presentation and opened the meeting up to questions. AAC Committee Member Pagliuca asked what it meant when a debt goes to a private debt collector. She said her question was anchored in learning about the state law in CA that prevents institutions of higher education from withholding transcripts but having all debts transferred to debt collectors. Member Pagliuca said she doesn't understand how CA can take this position. Deputy Commissioner Marshall stated that she is aware of the fact that MA has an identified debt collector, and asked Deputy Commissioner of Administration and Finance, Tom Simard, and Senior Deputy Commissioner of Access & Student Financial Assistance, Clantha McCurdy if they could respond in more detail to the questions posed by Member Pagliuca.

Deputy Commissioner Simard spoke about MA institutional debts and statutes that require institutions honor those debts. He assured the AAC that the state follows procedures for debt collection as identified in Statute 815 CMR 9.00. Member Pagliuca appreciated Deputy Commissioner Simard's information but still struggled with understanding the strategic issue of the impact on students when their delinquent accounts go directly to collections. For example, does it help them because they receive financial planning on resolving their delinquent accounts earlier in the process or does it hurt them because the accounts are more quickly identified as delinquent? The point she said she was making was not having the Board spend lots of research time on the issue of withholding transcripts when the issue might really be a financial one. For example, the CA model might indicate that it would be best to move delinquent accounts along to debt collection to at least collect a certain percentage on the dollar. Deputy Commissioner Marshall complimented Member Pagliuca's question and identified another important question that Chair Gabrieli wrote in the chat. Chair Gabrieli's question asked if the policy of withholding transcripts is on hold due to the related questions on collections policies. Deputy Commissioner Marshall believed the answer was "no" because withholding transcripts provides the campuses a mechanism/tool for collection of debts without having to send student accounts directly to a collection agency. She added that the DHE has anecdotal information that the soft touch (i.e., withholding student transcripts) is a better tool than sending students directly to collections.

Chair Gabrieli said the reason he asked is that it raises the question about transcripts being available to students. This is a fundamental policy question balancing what should be decided at the campus level and what should be decided at the system level. Chair Gabrieli questioned whether such decisions should be made independently at each campus and suggested the BHE should explore a comprehensive policy. Chair Gabrieli expressed his opinion that that as a student-centered Board, the BHE should help ensure that students can secure their transcripts when needed, particularly for submission to potential employers. He acknowledged the statutorily-based collection of student debts and its role in the financial health of campuses. But added that he would favor a statewide policy related to withholding transcripts, noting that

withholding transcripts does not appear to be effective as illustrated by the earlier example of the MA higher education institution that has been unable to collect \$5 million in student debt.

Member Pagliuca replied stating, for the sake of playing “devil’s advocate,” that our institutions are also important stakeholders, and the Board needs to carefully consider and balance their interests, noting that institutions do not have many other tools to secure the money they spent to educate students. She cautioned the Committee to be careful in efforts to remove this tool without offering something to replace it. She added the example of CA that went forward with a law passed to abolish transcript holds. She expressed concern about this policy meeting the needs of all stakeholders.

Commissioner Santiago spoke next, offering two points: 1) campuses differentiate between official and unofficial transcript, and unofficial transcript are generally made available irrespective of unpaid balances, so that a student’s job prospect is not delayed; and 2) the DHE offers and manages a no-interest student loan program. Commissioner Santiago invited Clantha McCurdy, Senior Deputy Commissioner for Access & Student Financial Assistance, to speak about this loan program and the issue of student debt because he felt this perspective would provide additional context for Committee Members.

Deputy Commissioner McCurdy acknowledged the DHE has no control over transcripts, but she said that for the No Interest Loan program, before a student’s loan is turned over to a debt collector, it is sent to the state Comptroller’s Office. At that point, the DHE and State can offer other terms to students to prevent the transfer to collections – a process our state institutions of higher education follow. This negotiating process is one that is also used with federal loans. Deputy Commissioner McCurdy also mentioned the withholding of state and federal refunds as part of an intercept process for students who do not respond to requests for payment. She also noted debt collection does not just involve students where tuition cost is an issue, but also those students who have the funds but decide to walk away.

Member Walczak, drawing on his experience in health care where debts pile-up, urged Committee members to be cautious with issues of accumulated debt, especially as it concerns Community College student populations, because the situation can quickly become bad for both parties. He acknowledged the perspective of the Comptroller’s Office, where it is not just about collecting debts owed, but also about counseling the person who owes money. The philosophy behind this approach is making people better, contributing citizens and not about being punitive. From the campus perspective, Member Walczak commented on the importance of institutions forming relationships with the student to help them avoid debt and, if debt has accumulated, helping them address it to avoid collections. Again, he emphasized the important goal of leading students to completion to become contributing citizens.

Secretary Peyser directed his question to Member Walczak, asking about BHCC’s thinking regarding its recent policy shift. Member Walczak responded that the BHCC decision was more than just about not withholding student transcripts. The decision included fully supporting students in tackling their debts (counseling, aid, etc.), while making sure they understood the importance of good credit. BHCC does not want to be responsible for inhibiting students’

futures. BHCC also committed to understanding how students accumulate debt and what can be done to prevent it. Secretary Peyser asked what BHCC might have learned about the practice of withholding transcript as a tool to collect debt. Member Walczak said BHCC learned that the threat or actual withholding of transcripts had very little impact on the collection of student debts from the answers students gave to this question.

UMass Segmental Advisor, Kush Petal added that he appreciated the discussion because the WBUR story pertained to a UMass Boston student on his campus and he and his peers were unaware of the policy of withholding transcripts. He said we welcomed the policy review by the Committee. He also reflected back to Commissioner Santiago's distinction between official and unofficial transcripts, hoping the Committee will research that topic more deeply because of concerns on potential employer rejection of unofficial transcripts and the negative impact on students.

V. MOTIONS

List of documents used:

AAC Motions 21-07 through 21-09

Links to videos accessible before the meeting:

- [AAC 21-07](#)
- [AAC 21-08](#)
- [AAC 21-09](#)

Committee Co-Chair Eppinger introduced the motions for member consideration. She referenced the staff video presentations that were made available prior to the Board meeting, and thanked Department staff for their preparation.

A. AAC 21-07 Approval of Letter of Intent of Greenfield Community College to award the Associate in Science in Business Administration General and authorization for Fast Track Review.

Committee Co-Chair Eppinger asked for a motion for approval of motion AAC 21-07. A motion was made and seconded. She then asked if there was any discussion of this motion and mentioned there were representatives from Greenfield Community College (GCC) in attendance, including Dr. Chet Jordan, Dean of Social Science and Professional Studies and Michelle Barthelemy, Business faculty. Committee Member Pagliuca asked about the comment in the video where it said the intent of the business degree was to ensure students earned enough business courses at GCC to apply for a baccalaureate at a 4-year institution. Her concern was wanting to make sure courses mapped to the requirements for a Bachelor's degree. Dean Jordan stated his department was fortunate because the business administration transfer program model was given to them and it maps directly to the Eisenburg School of Business. The courses that are part of this business degree program have established pathways to their local four-year partners. He added that the program GCC is proposing takes disparate degrees and brings them under one degree program, providing students a more focused way to transfer to a four-year institution. Dean Jordan added that GCC included the best of the business

courses to form part of this new degree, allowing for a more streamlined approach to transfer. Deputy Commissioner Marshall added that our MassTransfer Pathways also provide a framework to ensure seamless transfer from our Community Colleges to our four-year institutions through the establishment of foundational courses in several disciplines. She added that when DHE staff review the full proposal, we ensure alignment with MassTransfer.

Hearing no further questions, Committee Co-Chair Eppinger asked for a roll call vote. The motion passed unanimously by all board members pursuant to a roll call vote as follows:

- BHE Chair, Chris Gabrieli – yes
- AAC Co-Chair Patty Eppinger – yes
- Judy Pagliuca – yes
- Paul Toner – yes
- Bill Walczak – yes
- Secretary James Peyser - yes

AAC21-07 APPROVAL OF LETTER OF INTENT AND AUTHORIZATION FOR FAST TRACK REVIEW OF GREENFIELD COMMUNITY COLLEGE TO AWARD THE ASSOCIATE OF SCIENCE IN BUSINESS STUDIES GENERAL.

VOTED: The Board of Higher Education hereby approves the letter of intent and authorization for fast-track review for the **Associate of Science in Business Studies General** at **Greenfield Community College**.

Authority: Massachusetts General Laws Chapter 15A, §9(b).

Contact: Winifred M. Hagan, Ed.D. Associate Commissioner for Academic Affairs & Student Success.

B. AAC 21-08 Approval of Letter of Intent of the University of Massachusetts Lowell to Award the Bachelor of Science in Engineering Physics and authorization for Fast Track Review.

Committee Co-Chair Eppinger asked if there was motion for approval for AAC 21-08, which was made and seconded. She then asked if there was any discussion of this motion and mentioned there were representatives from UMass Lowell in attendance, including Associate Provost, Julie Nash, and Physics Professor Partha Chowdhury. Hearing no further questions, Committee Co-Chair Eppinger asked for a roll call vote. The motion passed unanimously by all board members pursuant to a roll call vote as follows:

- BHE Chair, Chris Gabrieli – yes
- AAC Co-Chair Patty Eppinger – yes
- Judy Pagliuca – yes
- Paul Toner – yes

- Bill Walczak – yes
- Secretary James Peyser - yes

AAC21-08 APPROVAL OF LETTER OF INTENT AND AUTHORIZATION FOR FAST TRACK REVIEW OF THE UNIVERSITY OF MASSACHUSETTS LOWELL TO AWARD THE BACHELOR OF SCIENCE IN ENGINEERING PHYSICS.

VOTED: The Board of Higher Education hereby approves the letter of intent and authorization for fast-track review of the **Bachelor of Science in Engineering Physics.**

Authority: Massachusetts General Laws Chapter 15A, §9(b).

Contact: Winifred M. Hagan, Ed.D. Associate Commissioner for Academic Affairs & Student Success.

C. AAC 21-09 Approval of Letter of Intent of the University of Massachusetts Lowell to Award the Bachelor of Science in Science in Quantitative Economics and authorization for Fast Track Review.

Committee Co-Chair Eppinger asked if there was motion for approval for AAC 21-09, which was made and seconded. She then asked if there was any discussion of this motion and mentioned there were representatives from UMass Lowell in attendance, including Associate Provost, Julie Nash and Economics Professor Monica Galizzi. Deputy Commissioner Marshall highlighted the focus on gender equity in both proposals and the strong infrastructure UMass Lowell is building in this area to increase gender diversity in these important fields. Deputy Commissioner congratulated UMass Lowell for their efforts in these areas. Committee Co-Chair Eppinger thanked Deputy Commissioner Marshall and, hearing no further questions, she asked for a roll call vote. The motion passed unanimously by all board members pursuant to a roll call vote as follows:

- BHE Chair, Chris Gabrieli – yes
- AAC Co-Chair Patty Eppinger – yes
- Judy Pagliuca – yes
- Paul Toner – yes
- Bill Walczak – yes
- Secretary James Peyser - yes

AAC21-09 APPROVAL OF LETTER OF INTENT AND AUTHORIZATION FOR FAST TRACK REVIEW OF THE UNIVERSITY OF MASSACHUSETTS LOWELL TO AWARD THE BACHELOR OF SCIENCE IN QUANTITATIVE ECONOMICS.

VOTED: The Board of Higher Education hereby approves the letter of intent and authorization for fast-track review of the **Bachelor of Science in Quantitative Economics.**

Authority: Massachusetts General Laws Chapter 15A, §9(b).

Contact: Winifred M. Hagan, Ed.D. Associate Commissioner for Academic Affairs & Student Success.

D. AAC 21-10 Approval of Academic Affairs Committee Motions AAC 21-07 through AAC 21-09 on a Consent Agenda

The following motion was brought forth without discussion, seconded and unanimously approved through a roll call vote, as follows:

- BHE Chair, Chris Gabrieli – yes
- AAC Co-Chair Patty Eppinger – yes
- Judy Pagliuca – yes
- Paul Toner – yes
- Bill Walczak – yes
- Secretary James Peyser - yes

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

- | | |
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| AAC 21-07 | Greenfield Community College Associate in Science in Business Administration General |
| AAC 21-08 | University of Massachusetts Lowell Bachelor of Science in Engineering Physics |
| AAC 21-09 | University of Massachusetts Lowell Bachelor of Science in Qualitative Economics |

Authority: Article III, Section 6, By-Laws

Contact: Winifred M. Hagan, Ed.D., Associate Commissioner for Academic Affairs & Student Success

VI. PRESENTATIONS

- **Advancing the Work of Prior Learning Assessment (PLA) through the Higher Education Innovation Fund Grant: MA Community College PLA Consortium (North Shore Community College)**

List of documents used:

AAC Meeting PowerPoint, April 27, 2021

Committee Co-Chair Eppinger invited Deputy Commissioner Marshall to introduce the presentation. Deputy Commissioner Marshall began by saying how fortunate she felt to have a campus representative from North Shore Community College deliver the presentation on the Prior Learning Assessment (PLA) Consortium. She added that the PLA Consortium has been funded for several years through the HEIF grant competitive process used to advance system wide initiatives. Like Competency Based Education, PLA boosts interest in pursuing coursework among adults. This innovative project includes all 15 Community Colleges, promotes affordability, and reflects an asset-based approach to student success. Granting credit for what students know and can do incentivizes college enrollment and completion, leading to a better-prepared workforce with increased earning potential. Deputy Commissioner Marshall then welcomed Cristy Sugarman, the Executive Director of the Center for Alternative Studies & Educational Testing from North Shore Community College, saying Dr. Sugarman would provide an overview of the work of the PLA Consortium and would tell the Committee more about the outcomes of this exciting project.

During the slide titled "MA CC's Awarding Academic Credit for Medical Coding/ Reimbursement Credentials before and after PLA," Secretary Peyser asked if the colleges offer the same amount of credit or differential credit hours. Dr. Sugarman replied that there were differentials in the credit hours because of the varying amount of credits offered through diverse courses and she gave examples. The Secretary followed up by asking whether the work occurring with this initiative could be an opportunity to align the credits. Dr. Sugarman responded that it was a matter of priorities with the first priority getting the faculty to work together. Adding in credit alignment at this time would have had a negative impact on the initiative, especially given the fact that faculty own their curriculum. The success of the initiative at this stage is being able to say all Community Colleges offer credit for PLA. Secretary Peyser asked if the data show students shop for courses based on where they would earn the most credits and Dr. Sugarman said course shopping for credits was happening and first seen occurring with military students.

Member Pagliuca wondered if students shopping for credits would cause what the Consortium is trying to avoid – competition with each other. She further contemplated if student shopping would increase over time and create a real problem. Dr. Sugarman responded that such a scenario encourages colleges to expand their course credit offerings. In this sense, the student shopping works both ways - as an impediment and as a benefit. To illustrate the benefit, Dr. Sugarman envisioned a scenario of being the only college not offering credit for certain courses. Reflecting on Dr. Sugarman's answer, Member Pagliuca said the scenario speaks to market competition and not really competition among campuses as a product of the initiative.

Member Walczak added, in his role as Chair of the Massachusetts Business Alliance for Education, that the business community embraces industry-recognized credentials and strongly supports PLA. He added that he personally supports the idea of giving credit for practitioner work with the goal of producing a knowledgeable and capable workforce.

Member Pagliuca asked if giving credit for 3 on an AP exam at the Community College but only giving credit for a higher score at the state universities sets up unwanted competition or inequitable disadvantages. She noted that at some point this scenario might result in the Community Colleges giving more credit than the State Universities. She asked if the PLA Consortium has considered this potential issue. Deputy Commissioner Marshall stated that, fortunately, there is not that much difference in the awarding of credit for AP scores, though one will see aberrations in certain disciplines with the differences usually being between an AP score of 3 or 4. Overall, most institutions offer credit for a 3 with differences mostly concentrated in certain subject areas. Deputy Commissioner Marshall also spoke about her encouragement to the PLA Consortium of drawing in the four-year institutions with the objective of having them achieve the same type of outcomes shown in the presentation. She also emphasized the importance of consistent messaging and transparency related to granting credit for PLA. Deputy Commissioner Marshall noted that this initiative requires a lot of work with faculty, including making sure they align student learning outcomes. She added that all PLA is based on assessing what students know and can do from what they learned in prior settings.

Dr. Sugarman let the Committee know that the Consortium is in conversations with the four-year institutions to begin to integrate them into the PLA work. Dr. Sugarman ended the presentation showing how the PLA website worked and by highlighting the progress the Consortium has made in moving the needle on several metrics. These metrics included the number of credits awarded for PLA systemwide, the number of students who receive credit for PLA, the amount of money saved based on the number of credits awarded and, lastly, retention and graduation rates of students receiving credit for PLA versus those who do not. The gains made in each of the metrics were shown as follows:

| Metric | 2017 | 2020 |
|---|-------------|-------------|
| # of credits awarded for PLA systemwide | 13,446 | 26,109 |
| # of students who received credit for PLA | 2,149 | 3,510 |
| Money saved based on # of PLA credits awarded | \$1,090 | \$1,763 |
| Retention and graduation rates of students receiving credit for PLA versus those who do not | 15% | 18% |

VII. OTHER BUSINESS

Committee Co-Chair Eppinger stated that she would like to spend the remaining time discussing vaccinations and campus reopening for fall 2021, and asked Chair Gabrieli to frame the discussion. Chair Gabrieli began by referencing announcements by our State Universities and several UMass campuses requiring student vaccinations. He compared these announcements to the joint statement made by the Community Colleges declaring they would not require students to be vaccinated prior to returning to campus in the fall. The disparate message and decision by the Community College presidents had him wondering about the policy logic in not requiring vaccinations. More broadly, he also wondered how the State Universities and UMass campuses would enforce and verify student vaccinations while also being mindful of equity considerations. What should be the BHE stance on this issue?

Member Walczak replied first saying he had a copy of the statement released by the Community College presidents in front of him. He pointed out that the full statement was far more nuanced and comprehensive than the media reported. He shared that the statement expressed the presidents' desire that all their students have their COVID vaccination, but it goes on to recognize the disparities among communities to access the vaccine and that they were not contemplating mandatory vaccines at this time. Based on the content of the full statement issued by the Community college presidents, Member Walczak recommended the Committee not rush to any action and keep the topic open as campus policies evolve.

Commissioner Santiago shared that he spent an hour the previous day with his counterparts from across the country on this topic. Most four-year and residential institutions are moving toward mandated vaccinations. Two states, Texas and Utah, are not allowing mandates. Most states are not providing state guidelines, allowing their higher education institutions to decide for themselves. The feeling among his counterparts on the lack of state guidelines rests in legal concerns. To this point, Commissioner Santiago shared that Rutgers State University and Yale are being sued for their mandated vaccine policies. The Attorney General in Virginia decided to allow institutions to mandate the vaccine. In Massachusetts, the Department of Public Health (DPH) makes the statewide policy determinations on vaccines, and they have not taken a stand at this time. In sum, Commissioner Santiago said the landscape on the issue is varied, that he expects more lawsuits against institutions that mandate vaccinations, and that even the federal government has not yet taken a stand on the issue.

Committee Co-Chair Eppinger highlighted the issue of equity being one of the motivating factors for the discussion. She emphasized the importance of helping students get the vaccine for those who need and want it whether the vaccine is required or not. Member Walczak furthered this thought by saying if Massachusetts can get vaccines into casinos, then we should be able to get them into Community Colleges. He recommended the BHE request from the Secretary of Health and Human Services that vaccines be available to our Community Colleges as soon as possible so we can start the process of making sure all our students have access to vaccinations.

Secretary Peyser commented on the overall question of a mandate saying he imagined our higher education segments hedged on the vaccine statements they released because of the uncertainties around the issue and lack of guidance from the federal government. He mentioned the "Emergency Use Authorization," making the point that even that authorization includes provisions for voluntary use. He confirmed Commissioner Santiago's understanding of the authority to mandate vaccines residing in the DPH, adding that the DPH has not made the vaccine mandatory. He added that the absence of any mandatory requirements by the DPH does not preclude our education institutions from doing so.

Member Pagliuca wondered about alternative ways to provide students the vaccine. She suggested Community College Student Days revolve around opportunities for student vaccinations, perhaps even through the local pharmacies. Member Walczak continued this line of thinking, mentioning mobile vaccinations through traveling vans and agreeing that

establishing relationships between our campuses and the many providers would be a good action.

The discussion concluded with Chair Gabrieli suggesting the Committee add this topic to a future committee meeting to better understand the arguments on both sides and to give the campuses an opportunity to speak on the subject.

VIII. ADJOURNMENT

On a motion duly made and seconded, the meeting adjourned at 12:05 p.m.