

## MASSACHUSETTS BOARD OF HIGHER EDUCATION

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October 28, 2025

10:00 a.m.

Via Zoom

### Meeting Minutes

A meeting of the Board of Higher Education (BHE or Board) was held on Tuesday, October 28, 2025, remotely via teleconference (Zoom).

The following Board Members were present:

Chris Gabrieli, Chair

Danielle Allen

Harneen Chernow, Vice-Chair

Lisa Battaglino

Mary Burns

Ann Christensen

Veronica Conforme

Alex Cortez

Michael Hannigan, Voting Student Member, Community College Segment

Bob LePage, Secretary of Education Designee

Bill Walczak

Noe Ortega, Commissioner and Secretary to the Board

Hannah Rosenkrantz, Non-voting Student Advisor, University of Massachusetts Segment

The following Board Members or Advisors were absent:

Judy Pagliuca

Christina Royal

Patrick Tutwiler, Secretary of Education

### I. CALL TO ORDER

Board Chair Chris Gabrieli called the regular meeting of the Board to order at 10:04 a.m. Roll call attendance was taken (see above for attendance roster).

### II. COMMISSIONER'S SPOTLIGHT

*Documents used:* [October Spotlight Presentation](#) - [Enrollment and Student Success](#)

## **Fall 2025 Enrollment & Student Success Report**

Commissioner Noe Ortega stated that this month's spotlight would focus on the preliminary Fall 2025 enrollment report and consider how recent state investments in affordability and student success are shaping enrollment and outcomes across the public higher education system.

Commissioner Ortega anchored the presentation in the strategic priorities adopted by the Board in January 2025. He reiterated that the Board's equity goals remain the central driver of the Department's work: raising enrollment, attainment, and long-term success for underrepresented student populations in the Commonwealth

As far as major state investments impacting enrollment, Commissioner Ortega referenced the launch of MassReconnect in Fall 2023, providing free community college for eligible adults age 25 and older, the expansion of MASSGrant Plus so that Pell-eligible students at public institutions can have tuition and fees fully covered; and the implementation of MassEducate, creating universal free community college beginning in Fall 2024.

Commissioner Ortega also noted continued investments in student SUCCESS programs, including the Community College SUCCESS Program launched in 2021 and the new State University SUCCESS Program launched in 2024. He emphasized that the impact of these initiatives should soon be reflected in enrollment and early success indicators.

Commissioner Ortega explained that the day's presentation would rely on preliminary Fall 2025 enrollment data reported to the Department in October. The data include:

- Enrollment by segment, institution, and systemwide.
- Graduation (completion) rates as of June 2024; and
- On-time credit accumulation as of June 2025 as a leading indicator of persistence and completion.

Commissioner Ortega then shared key takeaways from the Fall 2025 Enrollment Report. He stated that overall, public higher education enrollment in Massachusetts has experienced an overall increase, driven primarily by significant growth at the Community Colleges. Since 2022, Community College enrollment has increased by approximately 38.5%, a trend that runs counter to national enrollment declines and provides reason for optimism. However, he stated that completion rates at Community Colleges remain below national averages and State Universities are also struggling. Within both segments, completion rates for Black and Latinx students have declined in recent cohorts, widening equity gaps. He also shared that on-time credit accumulation is increasing at Community Colleges, while it has been slightly down or only recently stabilizing at state universities. Commissioner Ortega cautioned that investments in

State University success programs are relatively recent, and it will take time for their impact to be reflected in the data.

Commissioner Ortega stated that it is not enough just to get students in the door—Massachusetts must focus on helping students get through and out, with strong completion and equitable outcomes.

Next, DHE's Associate Commissioner of Research and Planning Mario Delci expanded upon Commissioner Ortega's summary of the Fall 2025 Early Enrollment and Student Success Report. He began by noting that the Report contains early enrollment estimates reported by institutions in October 2025, and that final enrollment data, with fuller detail on student characteristics (demographics, degree-seeking status, etc.), will be submitted in December 2025. He explained that, if necessary, the Department will share any significant updates early in calendar year 2026, but he emphasized that early estimates have historically provided a reliable "pulse check" for overall trends.

### **Systemwide and Segment Enrollment**

Focusing on the last fifteen years of enrollment at Massachusetts public higher education institutions, Associate Commissioner Delci shared that systemwide enrollment has been restored to pre-pandemic levels after a sharp decline between 2019 and 2020 and continued erosion in the immediate years following COVID-19. He stated that this rebound has largely been driven by Community Colleges since Fall of 2022 due to the introduction of "Free Community College" through MassReconnect in Fall 2023, whereas there has not been substantial enrollment growth across the State University or UMass segments. He stated that specifically the enrollment of first-time students has grown dramatically across the Community College segment since the introduction of "free Community College" programming, compared with modest positive growth across the State University segment among that same demographic.

Associate Commissioner Delci then stated that it is particularly important to study enrollment data pertaining to first-time, degree-seeking students because this demographic likely includes many of those students drawn by "free Community College" and the expansion of MASSGrant Plus. In this population, He stated that the enrollment of first-time students has grown dramatically across the Community College segment since the introduction of "free Community College" programming, compared with modest positive growth across the State University segment.

Associate Commissioner Delci shared that with the introduction of "free Community College," most Community Colleges have returned to mid-range enrollment levels, and that some particularly small institutions are now near the highest enrollment levels seen in two decades.

He stated that all Community Colleges have seen substantial growth, with particularly striking increases since 2022, where some institutions have grown 50% or more. For first-time students,

these growth trends are even more pronounced, with several colleges reaching their highest first-time enrollment in 20 years.

Turning to the State Universities, Associate Commissioner Delci linked current enrollment patterns to long-anticipated demographic changes—fewer college-age students and fewer high school graduates going on to college. He noted:

- Continued enrollment pressure on total undergraduate headcount at State Universities.
- First-time enrollment trends that are somewhat more positive, with some growth at certain campuses (e.g., Massachusetts Maritime Academy and Bridgewater State University), but overall, a mixed picture with limited positive growth across the segment.

For the University of Massachusetts campuses, he reported a similar pattern, with some outliers, generally noting that UMass did not experience as steep a demographic-related decline as the state universities over the last decade, but undergraduate growth has flattened rather than increased.

Associate Commissioner Delci then introduced a slide on international student enrollment, noting that although international student enrollment data have not typically been included in past Early Enrollment Reports, Associate Commissioner Delci explained that such data were included in this year's Report due to heightened public interest and media coverage around changes in immigration policy. He stated that trends in international enrollment are mixed across the State University and UMass segments, though he noted that international students make up only a small share of overall enrollment in those segments. Pointing to UMass Boston and UMass Amherst as public institutions with a substantial percentage of international undergraduates, Associate Commissioner Delci shared that the latter institution experienced a slight increase in international student enrollment over the past year, while the former experienced a decline. As such, he stated that at least at the undergraduate level, the decline or fluctuation in international students is not a major driver of public enrollment trends in Massachusetts.

Shifting from access to success, Associate Commissioner Delci reminded the Board that, beginning in May 2023, the BHE adopted new outcome goals for students across all three segments. These goals were intended both to set ambitious systemwide targets and to ensure that the state's equity challenges are addressed by raising all students toward the same outcome levels. For the second year in a row, the report uses these goals as a framework for examining completion and progress

He began with the "completion story" at the system level:

- The measure used is a six-year completion rate, defined as the share of students who enter the system in a given fall and complete a degree or certificate within six years at any institution (not just the one at which they started).

- Across cohorts from 2012 to 2018, the system shows some small increases but, overall, the completion rate has been flat, and the state is not making sufficient progress toward the Board's targets.

He pointed out that several cohort years are shaded red to denote pandemic-impacted cohorts—students whose first or final years overlapped with Spring 2020, when campuses shifted to remote instruction and students and families experienced significant economic and social strain. He noted that these disruptions are expected to affect student outcomes and that the subsequent slides show how those impacts appear at each segment.

For Community Colleges, Associate Commissioner Delci reported:

- Completion rates that mirror the system picture—largely flat with no notable changes across the cohorts examined.
- A positive shift in transfer: after many years of little movement and slight decline, the percentage of students who transfer to a four-year institution within four years of entry has shown a recent uptick (for example, for the Fall 2021 cohort, measured four years out);
- Fall-to-fall persistence that has moved up and down across the four pandemic-impacted cohorts, with alternating declines and increases and, for the most recent group (students enrolling in Fall 2023 and returning in Fall 2024), a slight decline in persistence.

Associate Commissioner Delci highlighted on-time credit accumulation as a particularly important indicator. This metric—24 credits in the first year for full-time students, 12 for part-time students—has a strong relationship with eventual completion. At the community colleges, on-time credit accumulation has shown steady progress over time, with especially sharp improvement in the most recent years as the system emerges from the pandemic; the cohorts ending in 2023 and 2024 continue this upward trajectory.

Examining the data through an equity lens, he reported that:

- Increases in on-time credit accumulation are occurring for white, Black, and Latino students, which is positive.
- However, gaps between groups are not closing. The Board's dotted-line targets for 2033 are common to all students (not separate targets by group), and current trends show that the state still has significant work to do both to raise overall attainment and to close equity gaps in completion and student success.

Turning to the State Universities, Associate Commissioner Delci reported:

- A slow, steady decline in completion rates over the six cohorts under review.
- A flat trend in completion for students who enter as transfer students (completion after transfer), with no progress toward the target for that group.

- Persistence that dropped sharply at the start of the pandemic but has since seen some recovery, including an increase for the cohort entering in Fall 2023.
- On-time credit accumulation that had been declining for several years but has stopped declining and begun to increase as the segment comes out of the pandemic period.

Under an equity lens, he highlighted that:

- Completion rates for Black and Latino students at State Universities show not just flat lines but marked declines across several cohorts.
- This has resulted in a widening of achievement gaps, rather than the narrowing envisioned by the Board's goals.
- Meeting the 2033 targets will require substantial effort and investment, as changes of this magnitude are difficult for colleges to achieve and sustain.

With regard to UMass, Associate Commissioner Delci stated:

- The story is one of limited progress on completion and persistence: traditional fall-to-fall persistence has not moved significantly, and completion rates have not improved in a meaningful way.
- There had been some progress in the share of transfer students who graduate within four years of entry, but those gains flattened in the most recent year.

Through the equity lens, UMass shows:

- Little progress in closing gaps and, in fact, an increasing completion gap between white students and Black/Latino students.
- White student completion rates have inched up, while Black and Latino student completion rates have trended down, leading to worsening disparities.

He concluded by noting that there are clear equity concerns across the system, and that Massachusetts is making slow progress at best toward the 2033 completion and success goals. He closed his presentation by stating that this was the update on enrollment and success for this year and invited Board members to ask questions about any of the data or trends presented.

Following the presentation, Commissioner Ortega stated that the findings raise questions about what needs to be done differently and how the Commonwealth might work more closely with institutions to rethink current approaches. Continuing to do the same things, he said, may produce some growth or "mixed results," but the Board must consider strategies that make a meaningful difference for the students currently enrolling in public colleges and universities.

Commissioner Ortega emphasized the importance of examining the efficacy of recent investments—almost \$400 million in financial aid, plus continued investments in student success

and institutional funding—and asked how the state can ensure that students who are coming into the system are successfully getting out.

Chair Gabrieli noted two questions. First, whether the enrollment and success data would be posted publicly, including on the DHE Data Center? Associate Commissioner Delci confirmed they will be publicly posted shortly after the meeting. Second, Chair Gabrieli raised a question about Community College growth, asking whether recent increases are concentrated in certificates and short-term credentials versus degrees? Associate Commissioner Delci responded that DHE does not yet have that breakdown for the current fall, but historically growth has been fairly even across non-degree, certificate, and degree-seeking students, with no pronounced shift toward non-degree or certificate programs. He added that the Department can revisit this analysis once final Fall 2025 data are available.

Board Member Allen asked how the Department engages with “outlier institutions”, what lessons are learned from them, and how the Board should think about outliers in its oversight and policy work. In response, Associate Commissioner Delci stated that the Department has often used communities of practice, especially around student success initiatives, to foster idea-sharing regarding effective programs, technology, and practices that appear to work. He said the Department tends to focus on lesson-sharing rather than formal interventions: trying to understand what is happening at campuses facing challenges and what is working at those that are seeing success. Commissioner Ortega added that many interventions funded to move the needle on access and success have been fairly traditional—for example, focusing on affordability primarily through financial aid on the access side, and more moderate but still important success investments at institutions, sometimes drawn from national models. He suggested that more attention may need to be paid to outlier institutions to understand what is working in specific places. He raised Massachusetts Maritime Academy as an example where applied learning might be more closely tied to persistence and success and stated that drawing lessons from such outliers would be important, especially in relation to the Board’s economic mobility priority.

Questions were raised about race-based and income-based student outcome disparities. Chair Gabrieli cited research showing that, even when MCAS readiness is held constant, there remains an approximately twenty-percentage-point graduation gap between low-income (Pell-eligible) and non-low-income students, underscoring how strongly socioeconomic status predicts college completion. Associate Commissioner Delci also acknowledged the significant outcome gaps along economic – as well as racial – lines, and he confirmed that the Report’s early enrollment estimates do not yet include Pell status, but DHE will have that information once financial aid data are matched with the final enrollment data later in the fall.

Vice Chair Chernow asked whether increased Community College enrollments were attributable to increased financial resources or the perception generated by “free Community College” marketing, and inquired about the Department’s efforts to qualitatively understand the drivers of success in transfer rates, graduation rates, and credit accumulation as well as the barriers that still exist.

In response, Commissioner Ortega stated that the Department cannot point to a single driver of the enrollment increase or success outcomes, but must consider the issue holistically, in partnership with institutions, and avoid misleading anyone into thinking that one intervention alone is sufficient. He suggested that understanding the long-term effects (10–15 years out) will also be important.

Associate Commissioner Delci acknowledged that program marketing also plays a role: some students are drawn in by “free college” messaging and then discover that, given their existing aid, they may not actually require MassReconnect or MassEducate but still become part of the “enrollment growth story.”

Voting Student Member Michael Hannigan expressed his appreciation for seeing the international student data, particularly as someone who has spent a lot of time at UMass. He expressed interest in seeing how increased financial aid assists UMass students from Massachusetts compared with their out of state peers. Associate Commissioner Delci noted that it would take additional effort—but would be worthwhile—to examine success and enrollment outcomes by residency and income and that the Department would look into that analysis.

Chair Gabrieli thanked Commissioner Ortega and Associate Commissioner Delci for the presentation and discussion and moved the meeting to the next agenda item, public participation.

### **III. PUBLIC PARTICIPATION**

Max Page, President of the Massachusetts Teachers Association spoke favorably on the 38.5% growth in community college enrollment which he attributed to investments resulting from the Fair Share Amendment. He expressed disappointment about recent Department cuts to the scholarship program student stipends, noting that even a few hundred dollars per student can make a real difference, and welcomed efforts in the Legislature to restore those funds. He urged continued focus on sustaining investments and argued that expanding debt-free public higher education to State Universities and UMass would produce similarly large enrollment gains. Mr. Page referenced the forthcoming report of the Commission on Higher Education Quality and Affordability (CHEQA), noting that while it rightly focuses on affordability and student success programs, it also stresses that the state must address the pay and working conditions of staff and faculty. He highlighted the growing reliance on adjunct faculty to meet increased enrollment, describing their circumstances—no retirement benefits, no health insurance, and no job security—as a form of exploitation and noted that the MTA has worked on bills now before the Legislature to address these issues. Mr. Page also drew attention to an upcoming hearing on the Governor’s proposed DRIVE Act, scheduled for Thursday, October 30h.. He stated that the bill would direct approximately \$200 million in excess Fair Share revenue to backfill federal cuts,



including reductions to TRIO, food security programs, and other advising and student support services. He urged Board members to advocate that the funds support not only research but also student-facing programs and services affected by federal reductions. Finally, Mr. Page warned of two proposed ballot initiatives backed by the Massachusetts High Technology Council, which he said would “blow a \$7 billion hole” in the state budget and devastate recent progress in public higher education. He ended by stating that despite these “dark clouds,” the Board’s current enrollment and success results are encouraging, and that there is significant momentum to build on, even as substantial work remains.

#### **IV. ACCEPTANCE OF MINUTES**

N/A

#### **V. REMARKS**

##### **A. Board of Higher Education Chair**

Chair Chris Gabrieli noted that, considering the extensive discussion on enrollment and student success, he would keep his remarks brief. He reiterated the Board’s commitment to the advancing equity-- specifically to raising outcomes for students from low-income, first-generation, and minoritized backgrounds. He stated that he looked forward to continued dialogue—led by Commissioner Ortega and Department staff—about what can be done at the state and departmental level, alongside the work taking place on individual campuses.

##### **B. Secretary of Education**

Secretary of Education Designee, Bob LePage acknowledged STEM Week and remarked on efforts to align educational programs with employer needs through partnerships among employers, higher education institutions, and K–12 schools. He stated that applied and work-based learning experiences as central to how students understand the value of higher education and specifically referenced Bridgewater State University’s cybersecurity program as an example of adapting academic programming to meet local labor market demand and offer credentials that employers are actively seeking.

### C. Presidents

#### [State University Segmental Report](#)

Westfield State University President Linda Thompson reported that, two weeks earlier, the State Universities had testified collectively before the Massachusetts legislature's Joint Committee on Racial Equity, Civil Rights, and Inclusion on the impact of recent federal actions on equity in higher education in Massachusetts. She stated that the State Universities have achieved a 13% increase in historically-underrepresented student enrollment over the past five years, despite the U.S. Supreme Court's decision on race-conscious admissions and related federal actions.

Specifically, President Thompson shared that 54% of Framingham State University undergraduates identify as people of color; 58% of entering students are Pell-eligible; 85% of first-year students receive financial aid; and 56% of first-year students are the first in their families to attend college. President Thompson stated that these data reflect a broader system pattern: with strong financial aid, evidence-based educational practices, and SUCCESS grant support, first-generation and lower-income students are not only gaining access but persisting and graduating at higher rates. President Thompson urged the Board to join the State Universities in federal advocacy efforts to protect Pell, TRIO, GEAR UP, and other equity-focused initiatives. She also shared that the State Universities are seeing encouraging gains in transfer enrollment, though overall enrollment remains below pre-pandemic levels. She stated that State Universities are working with the Board, the Executive Office, and the Department to increase enrollment, retention, and graduation through system-level strategies such as strengthening MassTransfer and the MassTransfer portal, and through external efforts such as the Go Higher campaign.

#### [Community College Segmental Report](#)

On behalf of the Community Colleges, William (Bill) Heineman, President of North Shore Community College reported that it has been an immensely busy period for the Community Colleges and that nearly 24,000 additional students have enrolled across the segment since the start of "free Community College" programming, observing that campuses "feel like different places" than three years ago. President Heineman shared that, in recognition of Massachusetts' "free Community College" efforts, a national non-partisan, nonprofit initiative that promotes funding for the first two (or more) years of postsecondary education recently awarded Massachusetts its National Impact Award, honoring programs that transform lives through access, career opportunities, and community partnerships.

He further reported that the Community College presidents and chief academic officers met with UMass President Marty Meehan and campus leaders to ensure that transfer pathways from Community Colleges to UMass are as clear and seamless as possible. With growing Community College enrollment, he anticipates an increase in the number of students completing associate degrees and transferring to State Universities and UMass.

Looking ahead, President Heineman noted that Community College leaders will join EdTrust–Massachusetts, the Hildreth Institute, Commissioner Ortega, and Joint Committee on Higher Education Co-chairs Senator Jo Comerford and Representative David Rogers, for a legislative briefing on the SUCCESS program.

In response to questions related to the imminent loss of SNAP benefits, President Thompson stated that Westfield State University is working to raise funds through the local community, maintaining a well-stocked campus food pantry, and communicating openly and transparently with faculty and staff. President Heineman reported that the Community Colleges are taking similar steps such as reviewing pantry inventories and coordinating with suppliers. He indicated that while conditions appear manageable in the short term, SNAP disruptions will become increasingly challenging over time and are a major concern for the Community Colleges.

#### D. Commissioner

Commissioner Ortega referenced the Department's participation in the Joint Committee hearing, which included a presentation of the Board's equity goal and progress toward expanding access and opportunity in public higher education. He stated that the committee offered very positive feedback on the Board's work. Commissioner Ortega reported that the Department recently launched its "Go Higher" advertising campaign, which is focused on getting clear information about state affordability programs to students.

Commissioner Ortega reported that the MassTransfer Steering Committee held its first meeting on October 3. He explained that the committee is charged with advising the Department and the Board on strategies to improve transfer and articulation across the system, with a particular focus on ensuring that Community College students have clear and robust pathways to four-year institutions.

Commissioner Ortega noted that the Department, in coordination with the Attorney General's Office, updated its DEI guidance to institutions on September 23 and distributed the revised guidance systemwide. He emphasized that the Healey–Driscoll Administration has clearly conveyed that institutions should continue to foster diversity, equity, inclusion, and access among their student bodies, and that—based on the Administration's reading—nothing in current law prevents them from doing so. He characterized this stance as an example of courageous and strategic leadership that aligns with the pressing need to close equity gaps highlighted in the enrollment and outcomes data.

He next turned to student loan developments at the federal level, noting ongoing national attention to changes in student loan repayment plans and the future of loan forgiveness. He explained that there had been a pause in student loan cancellation for borrowers in the Public Service Loan Forgiveness (PSLF) program, but that a recent settlement, led in large part by the American Federation of Teachers (AFT), will allow PSLF borrowers to resume receiving loan forgiveness once the federal government shutdown ends.

Commissioner Ortega also noted that Governor Healey has been vocal about the importance of SNAP for students and stated that the Department will continue to advocate for the program and underscore its significance for students and institutions across the Commonwealth.

In closing, Commissioner Ortega reminded the Board that national debates about the value of higher education can sometimes obscure the substantial progress being made in Massachusetts.

Expressing a similar sentiment, Chair Gabrieli described a recent STEM Week visit to Framingham State University at which he and Commissioner Ortega toured the Christa McAuliffe Center, which features astronomy, planetarium, and virtual simulation facilities and serves about 10,000 middle and high school students each year. He stated that the visit was a powerful reminder that Framingham State University—and campuses across the system—are not only fulfilling their educational mission but also deeply serving their communities, and he described the experience as very uplifting.

#### E. Student Advisory Council

Student Member Michael (Mike) Hannigan described how MassReconnect enabled him to return to college after spending years in the workforce. He spoke about finding a strong sense of belonging at Greenfield Community through various internship, volunteer, and advocacy efforts, and spoke firsthand about the life-changing impact of state investments in public higher education. Student Member Hannigan then reported on Student Advisory Council concerns regarding the loss of state basic needs grants amid uncertainty at the federal level, the impact of recent federal actions on minority-serving institutions, working conditions for adjunct faculty at their campuses, and the need for increased investment in campus facilities.

Student Member Hannigan emphasized that MassReconnect, MassEducate, and MASSGrant Plus have brought many students back to school and into careers in fields like nursing, education, and finance. He expressed hope that the state would “double down on its investments in higher education so that “enrollment gains become graduation gains” and so students will know that Massachusetts “has their back” despite federal uncertainty.

Chair Gabrieli noted that Hannigan’s experience is a strong example of how increased affordability can help students return to and persist in higher education. He expressed appreciation for Hannigan’s deep engagement on campus and in the community.

## **VI. BOARD OF HIGHER EDUCATION MOTIONS**

*List of documents used:*

[BHE 26-28 – Attachment A](#)

Commissioner Ortega invited Dena Papanikolaou, DHE’s Chief Legal Counsel, and Richard Riccardi, DHE’s Deputy Commissioner for Academic Affairs and Student Success, to present on the proposed innovation regulation and the related motion before the Board.

Chief Legal Counsel Papanikolaou stated that the motion presently before the Board would authorize Commissioner Ortega to solicit public comment on the draft Board “innovation” regulation (610 CMR 16.00), which would create a process for the Department to consider proposals for time-limited pilot programs that may be inconsistent with specific, existing BHE regulatory standards. She clarified that the motion intended only to initiate the statutorily required public comment process on the draft regulation and was not tailored to a particular pilot proposal.

Chief Legal Counsel Papanikolaou reminded the Board that the proposed regulation’s “innovation framework” was discussed at no fewer than five prior BHE meetings, and she credited those discussions with shaping the current draft regulation. She stated that the draft regulation’s overarching goal is to responsibly enable experimentation in response to changes in societal, demographic, technological, and public expectations, consistent with the Board’s strategic priority on innovation. Chief Legal Counsel Papanikolaou stated that draft regulation synthesized Board feedback, existing BHE policies, NECHE’s policy on innovation and sub-120 credit bachelor’s degrees, and similar approaches elsewhere in state government.

Chief Legal Counsel Papanikolaou summarized key provisions of the draft regulation, noting:

- institutions using this pathway would need to be accredited and in good standing with both BHE and their accreditor;
- proposals would need to be consistent with the institution's mission;
- institutions would need to demonstrate sufficient fiscal, human, and physical resources to launch and sustain the pilot;
- applications would have to address program integrity, including admissions standards, curriculum, and degree requirements;
- use of degree nomenclature must be clear and not misleading; and
- applications must specify intended student outcomes and how the pilot will be evaluated, both formatively and summative.

She noted that the regulations also clarify how prior accreditor actions on a proposal would be weighed in the Board's review.

Chief Legal Counsel Papanikolaou described the structure in the regulations as a "Program Approval Plus" process. Institutions would first have to meet all requirements of existing program approval (610 CMR 2.00 for private institutions and current BHE program-approval policies for public institutions). In addition, they would be required to identify the specific Board regulation or standard they are asking to waive or suspend, explain the problem or need they aim to address, describe the innovative approach and anticipated benefits for students, and specify the metrics and measures that will be used to evaluate progress and success.

In terms of Board decision-making, the regulations center on two foundational questions: 1) whether the proposal represents an innovation the Board supports piloting, and 2) from a consumer protection perspective, whether the potential benefits justify the risks of waiving or modifying a standard.

Chief Legal Counsel Papanikolaou reported that, over the summer, draft regulations were shared with Board members, and several stakeholders including public IHE segmental representatives (Community Colleges, State Universities, and the University of Massachusetts), and the Association of Independent Colleges and Universities in Massachusetts (AICUM). She noted that AICUM did not submit comments, but UMass, the State Universities, and the Community Colleges did. Their feedback clustered around three themes—innovation, evaluation and success, and consumer protection—and led to several refinements. For example, stakeholders asked for clearer expectations about what constitutes an "innovative" proposal and what problem a pilot is intended to address. In response, the Department added more detail to the Letter of Intent requirements. Stakeholders also sought clarity on who defines success and how.

The revised draft now makes it explicit that the Board will be the ultimate evaluator of pilot success. On consumer protection, stakeholders requested: stronger safeguards to ensure pilots are not used primarily as a financial rescue strategy for struggling institutions; requirements around informed student consent and transparency about pilot status and degree naming; and confirmation that the Board retains its authority to revoke or suspend degree-granting authority if an institution acts inappropriately or fails to comply. Chief Legal Counsel Papanikolaou confirmed that adjustments were made to the draft regulations to address all cited concerns. She added that the Department also clarified language around the visiting committee review process while leaving the underlying process unchanged.

Chief Counsel Papanikolaou concluded her remarks by outlining next steps and the proposed timeline for promulgating the regulation. Chair Gabrieli noted that Department staff extended the original, intended timeline and delayed bringing the draft regulation before the Board in order to allow for additional informal stakeholder feedback and vetting over the summer, which informed the current draft.

Commissioner Ortega thanked Chief Legal Counsel Papanikolaou and the DHE team for their work on the draft regulations, noting that the Board and staff have been engaged in this discussion for some time and that staff had given the issue the due diligence requested by the Board.

Chair Gabrieli introduced the motion, BHE-26-28 the *Authorization for the Commissioner to Solicit Public Comment on 610 CMR 16.00: Degree Granting Regulations for Pilot Proposals on Innovation*. He stated that the innovation framework has been discussed repeatedly as it evolved and thanked Chief Legal Counsel Papanikolaou and the DHE team for their diligent work. He commented that action on the item was delayed allowing additional stakeholder input, which informed revisions to the draft. He emphasized that this vote would only authorize release of the draft regulations for public comment, with a future vote required before any regulations are adopted and before any specific pilot proposals come to the Board.

Hearing no further discussion, Chair Gabrieli called for a vote. On a motion duly made and seconded, BHE 26-28 was approved unanimously by all members present through a roll call vote, as follows:

- Chris Gabrieli, Chair – Yes
- Danielle Allen– Yes
- Lisa Battaglino – Abstain
- Mary Burns – Yes
- Harneen Chernow, Vice-Chair – Yes
- Ann Christensen – Yes
- Veronica Conforme – Yes

- Alex Cortez – Yes
- Michael Hannigan – Yes
- Assistant Secretary Bob LePage – Yes
- Bill Walczak – Yes

**BHE 26-28      AUTHORIZATION FOR COMISSIONER TO SOLICIT PUBLIC  
COMMENT ON 610 CMR 16.00: DEGREE GRANTING  
REGULATIONS FOR PILOT PROPOSALS ON INNOVATION**

**VII.**

**VOTED**      The Board of Higher Education hereby authorizes the Commissioner to proceed in accordance with the Administrative Procedure Act, M.G.L. c. 30A, § 3, and solicit public comment on the proposed regulation, 610 CMR 16.00: Degree Granting Regulations for Pilot Proposals on Innovation.

**Authority**      M.G.L. c. 15A, § 9(a) and (b); M.G.L. c. 69, § 30 et seq., and M.G.L. c. 30A, § 2; 950 CMR 20.00.

**Contact**      Constantia T. Papanikolaou, Chief Legal Counsel, Richard Riccardi, Deputy Commissioner for Academic Affairs and Student Success

**OTHER BUSINESS**

With no further business, Chair Gabrieli adjourned the meeting.

**VIII. ADJOURNMENT**

The meeting was adjourned at 11:51 a.m.

*Respectfully Submitted,  
Noe Ortega, Ph.D.  
Commissioner and Secretary to the Board*