

## **Massachusetts Board of Higher Education Policy Establishing a Process for Public Comment on Articles of Organization and Foreign Certificates of Institutions of Higher Education**

This policy is established pursuant to [M.G.L. c. 69 s. 30](#) which requires the Board of Higher Education (the “BHE” or “Board”) to establish a process whereby the public will receive notice of, and have an opportunity to comment on, articles of organization or foreign certificates of incorporation of institutions of higher education (“IHE”) proposing to grant degrees in Massachusetts.

The Board has determined that it is appropriate for public notice and comment to be solicited in the following circumstances:

1. A new IHE filing its initial Articles of Incorporation and seeking degree-granting authority in the Commonwealth pursuant to [610 CMR 2.00](#);
2. An existing IHE seeking to add a new, non-honorary degree under its existing authority;
3. An IHE changing its name;
4. A consensual, administrative revocation of the degree-granting authority of an IHE authorized to grant degrees in Massachusetts but which is no longer doing so and where the IHE does not request an administrative hearing pursuant to [M.G.L. c. 69, s. 30A](#).

Where an IHE seeks to change its organizational documents in any of the above ways, the public notice requirement is satisfied in the following ways.

1. Notice by the Board

Notice of the proposed change will be posted on the Board’s website. Persons interested in providing comments on the proposed change(s) may provide comments via email or U.S. Mail. Comments must be made in writing. Both addresses will be clearly displayed on the website. Comments will be received for a period of 21 calendar days, and the last day and time that comments will be accepted will be clearly stated on the posting.

2. Notice by the IHE

Except in circumstances where an IHE is seeking to add a new degree by using the Notice of Intent or Expedited External Review processes as outlined in the Board’s [2014 Program Review Policy](#), an IHE must also provide public notice and solicit public comment through its website. An IHE should alert its campus communities and stakeholders who may be interested in the changes sought about the proposed change to its organizational documents; this could be accomplished through postings in campus or local newspapers and/or through the IHE’s social media accounts. In its public notice, the IHE must direct interested parties to submit comment via the Board’s website (as described above). The IHE must solicit public comment for a period of 21 calendar days, which period will align with the Board’s 21-day period.

At the end of the comment period, Board staff will review and take into consideration any and all comments received. The IHE will also be asked to describe its efforts, where required, to solicit

public comment and to provide supporting documentation that it has satisfied the Board's requirements as described above. Upon the conclusion of the review of public comment and the process, a recommendation will be made to the Board or the Commissioner of Higher Education, where authority has been delegated to him/her to act, regarding the proposed change(s).