

BOARD OF HIGHER EDUCATION

June 17, 2014
9:00 a.m.

Massachusetts College of Art and Design
North Hall, Pozen Center, 1st Floor
Boston, MA

Minutes

A meeting of the Board of Higher Education (BHE) was held at Massachusetts College of Art and Design in Boston, Massachusetts.

The following Board Members were present:

Charles F. Desmond, Chair
C. Bernard Fulp
Nancy Hoffman
Stacey Deboise Luster
Matthew Malone, Secretary of Education
Kathy Matson
Dani Monroe
Keith Peden
Fernando Reimers
Henry Thomas
Paul Toner

The following Board Members were absent:

Louis Ricciardi, Vice Chair

I. CALL TO ORDER

Chair Desmond called the meeting to order at 9:18 a.m.

II. WELCOME

Dawn Barrett, President, Massachusetts College of Art and Design

List of Documents Used:
PowerPoint Presentation

President Dawn Barrett welcomed the Board of Higher Education to the Massachusetts College of Art and Design (MassArt). She noted that MassArt was the only state funded public art college in the Commonwealth and in the country. She added that Bachelors of Fine Arts degrees are not liberal arts degrees, but professional degrees.

President Barrett spoke about the Partnership Agreement between MassArt and the Board of Higher Education and stated that the only other institution to have a similar agreement was Massachusetts Maritime Academy. She stated that the partnership agreement allows MassArt to report on performance metrics and outcomes annually to the Board. President Barrett discussed graduation rates at the institution and showed the board a representative sample of students' creative

work. President Barrett also thanked the BHE for rewarding the institution with Performance Incentive Fund grants.

III. ACCEPTANCE OF THE MINUTES

Chair Desmond brought forth a motion to accept the minutes of the May 6, 2014 BHE meeting. The motion was seconded and the minutes were approved unanimously by all Board members present.

Chair Desmond then brought forth a motion to accept the minutes of the May 19, 2014 BHE training and strategic planning meeting. The motion was seconded and the minutes were approved unanimously by all Board members present.

IV. CHAIRMAN'S REMARKS

Chair Desmond welcomed attendees to the sixth and final regular meeting of the BHE for the 2013-2014 year. He said that it had been a remarkable year and thanked all of Board members for serving as stewards and leaders of public higher education in the Commonwealth of Massachusetts. Before turning to the Recognition section of the meeting, he asked each Board member to quickly introduce themselves.

V. RECOGNITION

Outgoing Board Members

- Bernie Fulp

Chair Desmond begun this portion of the meeting by recognizing Bernie Fulp, who served the Board for the longest period of time of the three departing members. During his tenure, Board member Fulp graced the BHE with his financial acumen and has served as a member of the Executive Committee and Chair of the Fiscal and Administrative Affairs Committee.

Chair Desmond then read a citation before presenting it to Board member Fulp. Board member Fulp said it was a pleasure to work with such a great team. He added that during past six and a half years that he has served on the Board, it has accomplished a lot of things he feels good about.

- David Barron

Chair Desmond then recognized Board member David Barron, a professor of public law at Harvard Law School, who will be stepping down to accept a judicial appointment on the United States Court of Appeals for the First Circuit. Chair Desmond thanked and lauded Mr. Barron for his contribution to the Board, noting that we have benefited from his incisive mind as a member of the Academic Affairs Committee and chair of our On-line Learning Task Force.

Board member Barron said it was a tremendous opportunity and pleasure to serve the BHE and that not many aspects of state government have more important worked to do. He thanked the BHE and especially Chair Desmond, Commissioner Freeland, and General Counsel Dena Papanikolaou.

- Kathy Matson

Chair Desmond also recognized Board member Kathy Matson, who served as the student trustee. He said Board member Matson has been a real teacher to all of

the BHE members by sharing the perspective of the adult student at our Community Colleges. Her engagement with the board has been exemplary, with perfect attendance at all regular board meetings and both retreats. Chair Desmond noted that Ms. Matson has also been a regular contributor at the board committee level, and in her role on the Student Advisory Council she has worked diligently to mentor other students and keep them involved. He added that this year's Student Leadership Conference was, by all accounts, one of the best ever held.

Interim Presidents During the 2013-2014 Academic Year

In addition to recognizing outgoing Board members, Chair Desmond recognized Interim Presidents Robert Martin, Framingham State University (FSU), and Jan Forsstrom, North Shore Community College. Ms. Forsstrom was unable to attend due to a prior commitment. Dr. Martin gave brief remarks, stating that FSU was left in excellent shape by former President Tim Flanagan, and that he felt very fortunate to be placed in a situation where he found himself with excellent support.

VI. COMMISSIONER'S REMARKS

Chair Desmond turned the meeting over to Commissioner Richard Freeland who thanked President Barrett for the wonderful and educational welcome. He thanked Presidents Ellen Kennedy, Jack Sbrega, and Charlie Wall for attending and recognized Bill Hart and Vincent Pedone, Executive Officers for the Community College Council of Presidents and State University Council of Presidents, respectively. Commissioner Freeland thanked the Board, particularly Board members Barron, Fulp, and Matson, for their service. He also thanked Presidents Grant and Rubenzahl who served on the Council of Presidents this academic year, and Anne Perkins who served as his Special Assistant during Nate Mackinnon's absence.

Commissioner Freeland stated that the FY15 budget was in Conference Committee and he briefly reviewed the differences between the FY15 proposals and the FY14 budget. He met with Speaker Robert DeLeo, Vincent Pedone and Bill Hart the week prior to request additional funding for the Community Colleges, State Universities, and PIF. Commissioner Freeland noted that the University of Massachusetts was to receive more funding because of their commitment to freeze fees, and although the Community Colleges and State Universities have expressed that they are willing to do the same if they receive full funding, he was fundamentally puzzled by the legislature's disparity of funding recommendations among the segments.

Commissioner Freeland briefly spoke about the Higher Education Finance Commission and said the group was in the process of finalizing its recommendations. He also said that the AICUM legislation has remained in the House and has not moved forward since its release by the Joint Committee on Higher Education.

VII. SECRETARY OF EDUCATION'S REMARKS

Chair Desmond turned the meeting over to Dr. Mathew Malone, Secretary of Education. Secretary Malone commended that the Massachusetts public higher education Presidents, stating that they are the best in the world. Regarding the Higher Education Finance Commission he added that once the report is released, it will help to build a lot of momentum for financing public higher education in the

Commonwealth.

Secretary Malone said there was also a push to build upon the work around Inclusive Concurrent Enrollment and that several of the public institutions were doing a great job.

Chair Desmond stated that he did not believe there was anyone else in the country that understood more about solving issues in the pipeline and thanked Secretary Malone for being a tremendous advocate of public higher education.

VIII. REPORTS FROM PRESIDENTS

Chair Desmond thanked President Ira Rubenzahl, Springfield Technical Community College, for serving as the representative of the Community Colleges on the Council of Presidents.

Community College Presidents' Report – Springfield Technical Community College President Ira Rubenzahl

List of Documents Submitted by President Rubenzahl

None

President Rubenzahl said it was a privilege to represent his 14 colleagues from the other Community Colleges and 50% of the undergraduate population. He thanked Board member Fulp for his efforts and encouraged the BHE to report periodically on deferred maintenance efforts.

He spoke of the funding disparities among the different sectors of public higher education and said he was disappointed in the actions of the legislature. He gave several examples of how Community Colleges are overburdened, citing the recent 3.5% increase for adjunct faculty that would not come from the state but rather from the institutions' individual budgets.

State University Presidents' Report – Salem State University President Patricia Meservey

List of Documents Submitted by President Meservey

None

President Patricia Meservey, Salem State University (SSU), thanked Chair Desmond and Commissioner Freeland for their leadership and partnership. She also thanked President Mary Grant for her leadership as the Chair of the State University Council of President and said she looked forward to President Barry Maloney, Worcester State University, stepping into that role.

President Meservey said she was also disappointed with the budget and called upon the BHE to formalize the tuition freeze. She said there was a need to better articulate to the legislature and the Governor what the campuses need and how they can reach their goal.

She concluded her remarks by stating that it was the end of commencement season and that there are now 10,000 new alumni in the State University system.

IX. REPORT FROM STUDENT ADVISORY COUNCIL

Chair Desmond asked Board Member Matson to provide an update from the Student Advisory Council. Board Member Matson stated that the Student

Advisory Council has not meet since the last Board meeting and will resume convening in September. She said that Leah Collins was elected to serve as the BHE Student Trustee in the upcoming academic year.

X. MOTIONS

List of Documents Used:

AAC Motions 14-49 through 14-64

BHE Motions 14-05 and 14-06

A. Academic Affairs

Committee Chair Nancy Hoffman reported that Academic Affairs Committee (AAC) members covered a wide-range of topics during their last meeting, which resulted in a total of seven different motions before the BHE today. In addition to motions involving campus programs and designations, before the BHE are motions pertaining to the results of two separate areas of inquiry: the online-learning task force and the Allied Health-Direct Care Workforce Plan.

Before turning to the consent agenda, she pointed out the Bridgewater State University proposal to offer a Bachelor of Arts and Arts History, noting that the arts and humanities were alive and well.

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-56 CONSENT AGENDA

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

- AAC 14-49 Bridgewater State University
 Bachelor of Arts in Art History
- AAC 14-50 Framingham State University
 Bachelor of Arts Completion Degree in American
 Sign Language/English Interpreting
- AAC 14-51 Framingham State University
 Bachelor of Arts in Global Studies
- AAC 14-52 Framingham State University
 Professional Science Master in Biotechnology
- AAC 14-53 Massasoit Community College
 Associate in Applied Science in Veterinary
 Technician
- AAC 14-54 Salem State University
 Master of Science in Behavior Analysis
- AAC 14-55 Worcester State University
 Bachelor of Arts/Science in Liberal Studies

Authority: Article III, Section 6, By-Laws

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

Committee Chair Hoffman introduced AAC Motion 14-57 by explaining that in 2011, the BHE adopted a new policy for establishing a branch campus and she summarized the major criteria in the policy. There being no discussion, the following motion was moved, seconded and unanimously approved as follows:

AAC 14-57 BRISTOL COMMUNITY COLLEGE BRANCH CAMPUS

MOVED: The Board of Higher Education hereby approves the Bristol Community College proposal to establish a branch campus at 11 Field Street in Attleboro, Massachusetts.

Authority: Massachusetts General Laws Chapter 15A, Section 9

Contact: Winifred M. Hagan, Ed.D., Director for Educator Policy

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-60 CONSENT AGENDA

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

AAC 14-58 Renewal of Bristol Community College in the Commonwealth Honors Program

AAC 14-59 Renewal of the University of Massachusetts Dartmouth in the Commonwealth Honors Program

Authority: Article III, Section 6, By-Laws

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

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-61 APPROVAL OF CRIMINAL JUSTICE PROGRAMS UNDER THE GUIDELINES FOR CRIMINAL JUSTICE AND LAW ENFORCEMENT ACADEMIC PROGRAMS

MOVED: The Board of Higher Education approves the **Lasell College Bachelor of Science in Criminal Justice program** under the *Guidelines for Criminal Justice and Law Enforcement Academic Programs*. The program has been found to meet or exceed all quality standards established by the *Guidelines*.

As required in the Guidelines, each institution shall submit two copies, including one electronic copy, of a report to the Board annually, certifying that each program is being maintained and operated within the provisions and spirit of the criteria and guidelines set forth by the *Guidelines*.

Authority: Chapter 41, Section 108L (as amended)

Contact: Winifred M. Hagan, Ed.D., Director for Educator Policy

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-62 BOARD REVOCATION OF THE DEGREE GRANTING AUTHORITY OF SANFORD-BROWN COLLEGE, INC: A PRIVATE TWO-YEAR COLLEGE

MOVED: The Board hereby revokes the legal authority of **Sanford-Brown College, Inc: A Private Two-Year College** to operate and grant degrees in the Commonwealth of Massachusetts.

Authority: Massachusetts General Laws Chapter 69, Sections 30-31B

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

Committee Chair Hoffman thanked David Cedrone, Associate Commissioner for Economic and Workforce Development, for preparing the Allied Health – Direct Care Workforce Plan and briefly spoke of the formation of a committee that would take a closer look at the issues outlined in the report.

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-63 ALLIED HEALTH –DIRECT CARE WORKFORCE PLAN

MOVED: The Board hereby accepts the Allied Health-Direct Care Workforce Plan, as presented by the Department of Higher Education. The Board calls upon the Presidents and the campuses to follow up along the lines outlined in the document, and calls upon the Commissioner to report back to the Board by June 2015 on progress implementing the plan.

The Board reconfigures the Healthcare Advisory Committee structure as follows: The Healthcare Workforce Advisory committee, which includes representatives of healthcare employers and educators and provides guidance to the DHE, will include two working groups: the Nursing Working Group, and the Allied Health Working Group.

Authority: M.G.L. c. 15A, § 9 and 6; Section 2 of Chapter 38 of the Acts of 2013 (Line Item 7066-0020)

Contact: David Cedrone, Associate Commissioner Economic and Workforce Development and STEM

Committee Chair Hoffman gave an overview of the work of the Task Force on For-Profit Institutions and Online Delivery. One of the primary issues explored by the Task Force is whether the state should have a role in regulating, whether it be through program approval or otherwise, online programs that serve Massachusetts students. It is a new and complicated issue and Board member Barron, with the help of General Counsel Papanikolaou and others, have explored ways in which the Board could approach this problem.

The following motion was moved, seconded and unanimously approved as follows:

AAC 14-64 ACCEPTANCE OF THE REPORT FROM THE TASK FORCE ON FOR-PROFIT INSTITUTIONS AND ONLINE DELIVERY

MOVED: The Board of Higher Education (BHE) accepts the following two reports issued by the BHE 's Task Force on For-Profit Institutions and Online Delivery:

1) Interim Report of the Task Force on For-Profit Institutions and Online Delivery on Possible Options for Regulatory Reform;

and

2) The Role of the Massachusetts Board of Higher Education in the Development of Online Education, by Colin S. Diver.

The BHE expresses its appreciation to Colin Diver and the members of the Task Force for their work.

The BHE calls upon the Commissioner to prepare and submit to the Academic Affairs Committee (AAC) proposed plans which address the Task Force's recommendations and advise on next steps. The Commissioner's proposed plans should be submitted to the AAC in the Fall of 2014.

Authority: M.G.L. c. 15A §§ 6 and 9; M.G.L. c. 69 §§ 30-31C

Contact: Carlos Santiago, Ph.D., Senior Deputy Commissioner for Academic Affairs; and Constantia T. Papanikolaou, General Counsel

B. Board of Higher Education

Chair Desmond asked Board member Fulp to give a synopsis of what occurred at the June 10th Fiscal Affairs and Administrative Policy (FAAP) Committee meeting. Board member Fulp stated that the Committee discussed the Senate budget proposal and continued the discussion around the Naming Rights Policy, which will be brought before the BHE in the Fall. The Committee also discussed potential areas of focus for FY15, and one particular area would be to review a matrix of the BHE's fiscal related statutory responsibility. Board member Fulp said no votes were taken at the meeting.

After brief discussion, Chair Desmond thanked Board member Fulp and moved on to BHE motions. He said that part of the reason he starts every meeting with introductions is so that attendees understand the level of responsibility the Board members have and what their external commitments are. He thanked Board members for their time and commitment, and reminded members that by statute, if a Board member misses four meetings in the year, they are automatically removed from the BHE.

The following motion was moved, seconded and unanimously approved as follows:

**BHE 14-05 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 2015, 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 stated that every year the BHE delegates its authority to the Commissioner during the summer until the BHE's next regularly scheduled meeting.

The following motion was moved, seconded and unanimously approved as follows:

**BHE 14-06 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

XI. PRESENTATIONS:

Commissioner's Year-End Report

Richard M. Freeland, Commissioner, Department of Higher Education

List of Documents Used:

Commissioner's FY14 Wrap-Up PowerPoint Presentation

Chair Desmond then turned the meeting over to Commissioner Freeland who provided an overview of the Board and the Department's accomplishments over the past year. He spoke of the increase in degrees and certificates awarded, as well as programs approved, and capital projects. He mentioned that there was a general increase in the distribution of financial aid and that the Board will receive a report on the Completion Incentive Fund Grant work in the upcoming year.

Commissioner Freeland also discussed the funds released by the Department through grants and highlighted the work of several initiatives, including the Performance Incentive Fund, Commonwealth Dual Enrollment Program, Improving Teacher Quality, and others. *Within Our Sights*, the second Vision Project annual report, was released in October and there was an increase in media coverage. The Department also organized 48 events, including the Vision Project Conference, Student Leadership Retreat, Herter Scholarship Ceremony, and *29 Who Shine*, as well as six *Go Public!* events.

Commissioner Freeland reviewed the different ways progress was made regarding the seven Board-approved goals, noting that momentum was regained around the Vision Project. In addition, he reviewed several Department projects that were being developed and implemented around the seven outcomes. A pilot around Strategic Planning was initiated this academic year and the PACE Board was planning implementation around the recommendations made in the Berry Dunn Report. Progress was also made in institutionalizing governance changes and resolving issues related to the Department's regulatory role. The Department continued to strengthen its organization and hired a number of new staff. The Department's advocacy role was also enhanced and there were a total of 25 in-person meetings with members of the legislature and five hearings.

The Commissioner referenced a number of ongoing projects, including those involving funding formulas for the Community Colleges and State Universities, as well as the Higher Education Finance Commission report. Commissioner Freeland thanked the Board, Presidents, faculty and campus staff, Department staff, and other partners for all of their work and said he looked forward to another successful year of advancing public higher education.

After a brief question and answer period, Chair Desmond thanked Commissioner Freeland and Department staff for their work and asked for a motion to adjourn.

XII. OTHER BUSINESS

None.

XIII. PUBLIC PARTICIPATION

None.

XIV. ADJOURNMENT

There being no further business, Chair Desmond adjourned the meeting at 11:53 a.m.

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