ESTABLISHMENT OF BOARD OF HIGHER EDUCATION ADVISORY COUNCILS

MOVED: The Board of Higher Education hereby approves the establishment of the following four Advisory Councils, in accordance with the charges and membership set forth in Attachment A:

- Finance and Administrative Policy (FAAP)
- Academic Affairs and Student Success (AA&SS)
- Strategic Planning
- Evidence Based Policy Making (EBPM)

Provided further that the Board may add additional members to the Advisory Councils at an appropriate pace, and as needed from time-to-time, subject to a nomination process consistent with the guiding principles set forth herein.

VOTED:

Authority: Massachusetts General Laws Chapter 15A, Section 4; BHE By-Laws Article I, Section 3 and Article III, Section 2 (as amended, June 22, 2021).

Contact: Constantia T. Papanikolaou, Chief Legal Counsel
Background

The Board of Higher Education (BHE) By-Laws establish the BHE’s governance and procedural structure and form the foundation of how the BHE functions, to the extent that such matters are not otherwise addressed in the Massachusetts General Laws. During its June 22, 2021 meeting, the BHE amended its By-Laws to, among other things, eliminate standing committees and authorize the Chair of the BHE to establish advisory councils, subject to BHE approval of the charges and membership of any proposed advisory councils.

Specifically, the amended BHE By-Laws provide that “the Chairperson, with the approval of the Board, may appoint advisory councils “as may be deemed necessary to help advise the Board and the Department” on matters pertinent to Board. BHE By-Laws, Article III, Section 2(a). The BHE By-Laws further provide as follows:

- the “mission and purpose of each advisory council shall support the goals and priorities of the Board and the Department and will inform the current work of the Board and the Department;”
- the “membership, charge and duration of the advisory councils shall be recommended by the Chair, in consultation with the Commissioner, and subject to Board approval;”
- the BHE “Chair will appoint a Board member to chair or co-chair each advisory council and may also appoint a co-chair who may be a non-Board member;” and
- advisory council membership will be reviewed and renewed annually by the Board.

BHE By-Laws, Article III, Section 2(b), (c) and (d).

During its August 23, 2021 Special Meeting, the BHE took a preliminary step in establishing advisory councils by approving Chair Gabrieli’s recommendations for BHE-member chairs and, if applicable, BHE non-member chairs, for fiscal, academic affairs and strategic planning advisory councils. Such approvals were recommended and made to help advance the establishment of the advisory councils, with the understanding that Chair Gabrieli would consult further with the Commissioner and the appointed chairs of the anticipated councils on the proposed charges and membership of the councils, and would bring final recommendations to the BHE for approval during the BHE’s September 22, 2021 Retreat, which is also serving as the BHE’s Annual Meeting.
Proposal

BHE Motion 22-01 seeks to establish the following four advisory councils:

- Finance and Administrative Policy (FAAP);
- Academic Affairs and Student Success (AA&SS);
- Strategic Planning; and
- Evidence Based Policy Making (EBPM).

The charges of the proposed advisory councils, along with BHE membership and initial Non-BHE membership, are specified in Attachment A.

The Board may add additional 1 non-BHE members to the advisory councils, as needed over the next several months, and in accordance with a nomination process outlined during the Board’s September 22, 2021 Retreat, and memorialized in the minutes.

At a minimum, the nomination process for the appointment of non-BHE advisory council members shall include the following guiding principles:

- The process shall be open and transparent.
  - All nominations shall be accompanied by the nominee’s CV and either the nominee’s statement of interest or a letter of support from the person nominating.
  - There shall be a formal nomination solicitation process for BHE members.
  - The Commissioner will establish a means to receive stakeholder nominations.

- The BHE will strive for diversity and geographic balance. BHE By-Laws, Article III, Section 2(c).

- BHE will seek to establish a reasonable balance of members representing stakeholder interests, content experience, and expertise. BHE By-Laws, Article III, Section 2(c).

1 As provided in the BHE By-Laws, in the event of a vacancy or if a member is unable to serve, successor and substitute members and chairpersons shall be appointed by the Chairperson of the BHE. BHE By-Laws, Article I, Section 3(e) and (f). The BHE will annually review and renew membership of the councils, as well as any committees. BHE By-Laws, Article III, Section 1(a) and Section 2(c).
The Executive Committee, in furtherance of its organizational and governance role, will help the Chair and the Commissioner screen applicants/nominees and formulate recommendations for appointment. *BHE By-Laws, Article III, Section 1(a)(i).*
APPROVAL OF BHE VICE-CHAIR APPOINTMENT AND EXECUTIVE COMMITTEE MEMBERSHIP

MOVED: The Board of Higher Education (BHE) By-Laws, as amended, require the BHE to annually review and renew the appointment of the BHE’s Vice-Chair and the BHE’s Executive Committee membership.

For fiscal year 2022 (AY2021-2022) the BHE renews and approves the appointment of Sheila Harrity as BHE Vice-Chair. The BHE further approves the BHE Executive Committee membership as follows:

- Chris Gabrieli, Chair of the BHE (and Chair of the Executive Committee)
- Sheila Harrity, Vice-Chair of the BHE
- Veronica Conforme, BHE Chair of the Finance and Administrative Policy Advisory Council
- Patty Eppinger, BHE Co-Chair of the AA&SS Advisory Council
- Bill Walczak, BHE Chair of the Strategic Planning Advisory Council

VOTED:

Authority: Massachusetts General Laws Chapter 15A, Section 4; BHE By-Laws Article I, Section 3(d) and Article III, Section 2 (as amended, June 22, 2021).

Contact: Constantia T. Papanikolaou, Chief Legal Counsel
Background

The Board of Higher Education (BHE) By-Laws establish the BHE’s governance and procedural structure and form the foundation of how the BHE functions, to the extent that such matters are not otherwise addressed in the Massachusetts General Laws.

During its June 22, 2021 meeting, the BHE amended its By-Laws to require the BHE to, among other things, annually review and renew the appointment of the Vice-Chairperson, and all committee and advisory council membership¹.

With regard to the Vice-Chair of the BHE, the amended BHE By-Laws provide that the Chairperson of the BHE has the authority to appoint and remove the Vice-Chair, subject to Board annual review and renewal. *BHE By-Laws, Article I, Section 3(d).* For fiscal year 2022 (AY2021-2022) Chair Gabrieli recommends that the BHE renew and approve the appointment of Sheila Harrity as BHE Vice-Chair.

With regard to Executive Committee membership the BHE By-Laws provide that the “membership of the Executive Committee shall be proposed by the Chairperson, shall be subject to approval of the Board, and shall be reviewed annually by the Board during the Board’s annual meeting.” *BHE By-Laws, Article III, Section 1(a)(ii).* The By-Laws further provide that:

- the “Executive Committee shall be composed of the Chairperson, the Vice-Chairperson of the Board and at least two other members who also serve as chairs of committees or advisory councils;” and
- the Chairperson of the BHE shall be the chair of the Executive Committee.

*BHE By-Laws, Article III, Section 1(a)(i) and (ii).*

For fiscal year 2022 (AY2021-2022) Chair Gabrieli recommends that all other members of the BHE who also serve as chairs of committees² or advisory councils serve on the BHE Executive Committee. Therefore, for fiscal year 2022 (AY2021-2022) the proposed membership of the BHE Executive Committee is as follows:

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¹ Advisory Council membership for fiscal year 2022 (AY2021-2022) is the subject of another motion (BHE 22-01) which is also on the agenda for the BHE’s September 22, 2021 meeting.
² In addition to the Executive Committee, the BHE only has one other committee this fiscal/academic year- the Early College Joint [BESE] Committee (ECJC). Chair Gabrieli serves as the BHE-Member co-chair of that committee, pursuant to the appointment process established in BHE17-06.
• Chris Gabrieli, Chair\textsuperscript{3}
• Sheila Harrity, Vice-Chair\textsuperscript{4}
• Veronica Conforme, BHE Chair of the Finance and Administrative Policy Advisory Council
• Patty Eppinger, BHE Co-Chair of the AA&SS Advisory Council
• Bill Walczak, BHE Chair of the Strategic Planning Advisory Council

\textsuperscript{3} In addition to serving as BHE Chair of the ECJC Committee, Chair Gabrieli serves as the BHE Chair of the Evidence Based Policy Making (EBPM) Advisory Council.

\textsuperscript{4} Vice-Chair Harrity also serves as a BHE Co-Chair of the AA&SS Advisory Council.