MASSACHUSETTS BAY COMMUNITY COLLEGE BOARD OF TRUSTEES
Minutes of the August 4, 2015 Board of Trustees’ meeting – Wellesley Hills Campus

Board members present: Sylvia Beville, Lyris Bauduy-Liautaud, Ken Der, Jamie Hoag, Dan Juliani, Tom Peisch, Emmett Price, and Katherine Tonelli.

Excused: Tom Dretler

Staff members present: John O’Donnell, President; Lynne Davis, Dean for Health Sciences; Eileen Gerenz, Controller; Linda Grisham, Executive Director; Lynn Hunter, Academic Affairs Vice President; Chitra Javdekar, Dean; Kathleen Kirleis, Vice President for Finance & Administrative Services, Enrollment Management and Student Services; Lee Koh, Director of Marketing and Institutional Communications; Christopher LaBarbera, Dean, Humanities & Social Sciences; Susan Maggioni, Interim Dean of Business and Professional Studies; Robert O’Connell, Professor; Yves Salomon-Fernandez, Vice President for Strategic Planning and Partnership Advancement; Mary Shia, Assistant Vice President of Institutional Advancement and Alumni Relations; Lisa Slavin, Assistant Vice President of Enrollment Management; Anthony Vecchione, Assistant Technical Director; and Deborah Georgopoulos, Staff Associate.

Guest present: Ken Tashjy, General Counsel.

CALL TO ORDER AND INTRODUCTIONS:

After establishing quorum, Vice Chair Tom Peisch called the meeting to order at 8:00 a.m.

Review and Approval of Minutes (Item 1) – Vice Chair Peisch asked for the review of the prior meeting minutes for July 8, 2015.

MOTION: Trustee Beville made the motion to revise a sentence in the draft minutes of the July 8, 2015 Board of Trustees’ meeting to emphasize that a priority of the Interim President is to continue progress. Trustee Juliani seconded the motion.

MOTION: Trustee Juliani made the motion to approve the minutes of the July 8, 2015 Board of Trustees’ meeting as amended and Trustee Der seconded. Motion passed unanimously.

FOUNDATION BOARD REPORT

Mary Shia, Assistant Vice President of Institutional Advancement and Alumni Relations, reported on Foundation activities.

- Income for June, 2015 is just over $46,000. Income for FY15 up 81% in contributions.
- Currently exploring a comprehensive campaign. Salem State College and Gateway Community College have had successful campaigns, and the AVP will evaluate their strategies for best practices.
- The MassBay 5K is scheduled for October 18, 2015. Preparation is underway and sponsors are being sought.
- A reunion of the 50th anniversary graduating class is also scheduled in October. That group has been particularly generous.
- The Annual Parent Appeal is scheduled for early October.
- The Donor Appreciation Scholarship Dinner is scheduled for October 22, 2015. Invitations will be extended to people who need to know more about MassBay.
- Staff Associate Teresa Mortell has retired, but will be staying on as half-time person, thankfully.
- 100% giving from the Board of Trustees and the Foundation Board of Directors is being requested.
BOARD COMMITTEE REPORTS

Interim Chair Tom Peisch noted that the Finance, Compliance, Personnel, and Audit Committee Meeting did not take place this month due to Public Meeting Notification omission. FCP&A Items will be reviewed by the full Board.

Finance Items

- **FY15 Budget vs. Actual Budget Comparison Report for May 2015 – (Item 2)**

  The results through the first 11 months of the fiscal year are positive, with a positive budget variance of slightly over $1.7M. To date, although revenues are closer to what was budgeted with only a $170K shortfall, expenses have increased in May so that expenses are now only $1.4M less than budgeted, down from $2.5M in April. However, the net effect is similar to the previous month in that the College has been able to realize $1.7M of the annual budgeted value of the reserves.

  On the expense side, there have been cost savings realized in the permanent salary account due to retirement and staff turnover. There have been delays in filling some of the College’s open positions, due to the specialized skill sets required of the open positions, however, adjunct faculty have had to be hired to fill some of the workload left open due to full-time faculty vacancies.

  **MOTION:** Trustee Ken Der made a motion to recommend trustees accept the May 2015 Budget vs. Actual Comparison Report as presented. Trustee Sylvia Beville seconded and the motion passed unanimously.

- **June 2015 Student Accounts Receivable Report (Item 3)**

  The Accounts Receivable report is as of 6/30/15. The College wrote off $1.3M of aged receivables in June so the A/R balance now stands at $2.7M. The College was able to realize the benefits of the state Intercept program in FY15, collecting $162K for the fiscal year. The College will be recognizing $670K of bad debt expense in FY15, to have an overall allowance for bad debts of $1.5M. Further discussion will be held with the auditors.

- **June 2015 Local Funds Cash Position Report (Item 4a)**

  Local funds cash stands at $9.9M as of May 31, 2015, the highest level that it has been at this date since May, 2010.

- **May 2015 Ten Year Cash Balances Report (Item 4b)**

  The $9.9M of local funds cash as of May 31, 2015 is the highest level of cash that the College has had since January, 2006.

- **Cash Projection Report (Item 4c)**

  The twelve week cash forecast shows the cash forecast beginning the first week of the current fiscal year projected through the end of first quarter. It is based on a mix of historical trends, actual current & budgeted information. The format has been changed to provide more payroll information and include the offset of main appropriation dollars. It was noted that the effect of having the College have to pay for salary cost out of local funds in June has reduced the cash balance by approximately $2.5M from May 31st to the beginning of the next fiscal year in July. Enrollment is the biggest challenge, making it difficult to establish a trend line. The budget was built on a 4% decrease, and budgeted for surplus, but enrollment will be the determining factor. The College is currently down approximately 16% FTE and 15% headcount.
• **Contract Report (Item 5)**

There are six new contracts over $25,000 this month. The services contracts are all renewals of contracts that had existed in previous years. The bookstore contract is part of the overall contract that was executed through PACE, in which 9 state colleges and community colleges were able to combine bookstore revenues to bid out and negotiate a contract that is significantly better than our old contract. The College also has a new food service vendor, Corporate Chefs, as of July 1, 2015 as a result of a procurement that was conducted for food service and vending machines.

**Compliance Items**

• **Final Audit Determination Letter Request (Item 6)**

Every year the Department of Education issues a Final Audit Determination letter after review of the College’s A-133 audit. For FY14, the College has not yet received this letter. Instead, it has received a request for additional information on two of last year’s audit findings. The College is presently preparing the response for the first finding and is consulting with DOE about some of the final items needed to complete it. The response for additional information for the second finding has been submitted. The College also has outstanding requests on reconciliation of certain program years, which is also underway and for which an extension has been asked.

It was reported that similar results may be expected for FY15. Solutions for these compliance issues need to be developed. Talent has been added, but there is much work to do. The Auditors are working with us to determine solutions. It was noted that faculty reporting of student enrollment status changes has a monetary value to the College, and Dr. Salomon-Fernandez will work with the academics on the importance of reporting. FY16 will show improvement as the procedures are implemented.

The Board noted concern that this was not the first Department of Education compliance issue and Title IV funding could be jeopardized. The President noted that while the final result of the Clery Audit is still pending; all compliance issues associated with Clery have been addressed.

• **Gainful Employment Reporting**

There are new requirements from the Department of Education on the reporting of gainful employment. The College does not yet have the procedures in place to have job placement data collected and reported as required and work is underway to get such procedures in place.

• **Comparative A-133 Audit Information (Item 7)**

O’Connor and Drew prepared a presentation at the statewide CFO and Comptroller meeting in June on the results of the A-133 audits. This report provides some background information on audit results statewide. It was noted that MassBay is one of 2 colleges to have 4 or more findings last year. Vice President Kirleis reported that the contract with O’Connor & Drew expires this year. The procurement process will occur in FY16 and all options will be considered, including potential participation on a statewide bid through PACE. It was suggested that some leadership from the Department of Higher Education would be welcome.

• **Update on Surgical Technology Program**

Dean Lynn Davis reported on the clinical placement issue where several students had not secured placements. The Dean is securing formal affiliation agreements with several area institutions. All students from the second semester cohort (Spring 2015) have obtained clinical placements. Some will have completed their clinicals during the summer. 13 remain enrolled.

First semester students have delayed clinical starts until Fall. Of 13 students, 1 withdrew, 8 clinical placements have been secured, and the remaining 2 are being finalized. Dean Davis is confident the placements will be secured by the end of August. The Surgical Technology Program will be reinstated for Spring of 2016. Enrollment will be dependent on the number of clinical contracts in place.
• **National Association for the Education of Young Children (NAEYC) Accreditation Renewal (Item 8)**
  
  Vice President Hunter reported that the National Accrediting team was on campus in March, 2015. Results of findings were very positive. The program has been granted full accreditation for the 7 year cycle. The annual reporting requirement will be due September 2016. The Accrediting Team was very impressed with partnerships and level of support. The Early Childhood Associate Degree Program alone has 100 students. Certificate programs in Elementary Education and Infant Toddler Teachers also have significant enrollment.

• **Update on Clery Report**
  
  Vice President Kirleis reported no communication has yet been received from the Department of Education regarding actions that may be taken as a result of the Clery Audit. It was suggested that the College insurance be reviewed to determine if any monetary adverse action may be included in coverage.

**Personnel Items**

• **Personnel Actions Report (Item 9)**
  
  In Vice President Robin Nelson-Bailey’s absence, Vice President Kathleen Kirleis reviewed the Personnel Actions Report with the Board, noting the information regarding departures reflected the date the employee came off payroll.

• **Information only - Interim President (Item 10)**
  
  Mr. Peisch received a letter from Board of Higher Education approving the appointment of Dr. Yves Salomon-Fernandez as the Interim President effective August 16, 2015.

• **RFR Timeline for Presidential Search, Selection Committee/Evaluation Group (Item 11)**
  
  Vice President Kirleis reported that the Request for Proposals (RFP) was released last Wednesday, July 29, 2015. Bids are due August 12, 2015. The goal is to award the contract the week of August 31, 2015 and to commence the search in September. It was noted the cost of the search in 2010 fee was $35,000.

• **Search Committee**
  
  Interim Chair Peisch will review the guidelines, develop the search committee, and report to the Board at the September 15, 2015 Board Meeting.

Trustee Emmett Price arrived at 9:05.

**CAMPUS REPORT**

Assistant Vice President Lisa Slavin and Director of Marketing Lee Koh presented an overview of the Strategic Enrollment Plan to the Board of Trustees. The Strategic Enrollment Plan is based on the College wide strategic plan and the recent review from the NEASC accrediting team.

Admissions and Enrollment have undergone a reallocation of staff and space. Relationships have been reestablished with key gatekeepers, and collaboration with Financial Aid, Orientation, and Student Development have been built. Processes are being developed to create a smoother experience for the students to apply and enroll. A student centric customer service training has been scheduled.

Strategic planning, particularly around student recruitment, enrollment management, student success is an all-college effort. The Marketing & Communications Department is developing a cohesive suite of admissions, financial aid, and student service pieces that will help recruit, guide, and retain students. Additionally, electronic communications, social and strategic media outreach will be implemented and the website redesign is underway.

The collaborative approach of the Strategic Enrollment Plan will create a clear pathway for all students.
Trustee Der advised that Massachusetts should be spelled out whenever possible to capitalize on the reputation the state has a technology leader. Also, the College should consider multi-language capability which would provide an opportunity to reach out nationally and internationally.

It was suggested that oversaturation may help make the College more visually recognizable. Subway, MBTA, newspaper advertisements make us recognizable.

The presentation led to a discussion regarding cultural competency and marketing strategies.

**ACADEMIC PROGRAM CHART - (Item 12)** Due to time constraints, the Academic Program Chart has been deferred to the September meeting.

**ASHLAND & FRAMINGHAM CAMPUS LEASES DISCUSSION** - President O’Donnell reported that the hold on capital appropriation imposed by the state would not enable the new Framingham Campus to move forward. The President participated in a phone conference with Senators Spilka, Sandicarro, and representatives from Senator Walsh’s office to discuss advocacy for making MassBay a priority on the list for next capital appropriation. Dr. O’Donnell further noted that the Secretary of Economic Development does not want to see appropriation requests based on economic development.

It was suggested that Governor Baker and Commissioner Santiago be invited to the Framingham campus. Yves Salomon-Fernandez will be the point person in developing a case study.

MassBay has reached the 15 year limit on the Ashland lease which expires January 1, 2016. The Commissioner of the Division of Capital Asset Management and Maintenance (DCAMM) will not support a unique extension. MassBay will appeal. A Request for Proposals will be prepared promptly.

MassBay Framingham campus lease expires the end of this month, at which point a month to month extension will be established. Interim President Salomon-Fernandez and Vice President Kirleis are meeting with town officials today to discuss the successor lease, including the increase in lease cost, noting that the value of the property comes from our investment.

Contingency plans will be developed and initial ideas are flowing. Progress report will be provided at the next Board Meeting.

**ENROLLMENT REPORT** - Vice President Lynn Hunter reported that enrollment for Summer School was up 7% in FTE as compared to last year. Particularly notable is the online and hybrid offerings which are up 37% from last year.

**COMMUNICATIONS** - (Items 13&14) Statistical information from the June 2015 Clery Report and the May 2015 State Police Report were provided to the Board for informational purposes.

**EXECUTIVE SESSION**

Interim Chair Peisch called for a motion to enter Executive Session to discuss strategy with respect to litigation.

**MOTION**: Trustee Dan Juliani moved to enter Executive Session to discuss strategy with respect to litigation. Trustee Katherine Tonelli seconded and the motion passed unanimously via roll call vote.

**Roll call vote of the body to enter executive session:**
Tom Peisch – Yes; Sylvia Beville – Yes; Ken Der – Yes; Jamie Hoag – Yes; Dan Juliani – Yes; Ermett Price Yes; Katherine Tonelli – Yes.
The Interim Chair announced that the meeting would adjourn from Executive Session and would not reconvene in open session.

Respectfully Submitted,

[Signature] 3/27/19

Thomas Petsch
Interim Chair
Board of Trustees