



BOARD OF TRUSTEES MEETING

February 9, 2023

Murdock Hall, Room 208

375 Church St, North Adams, MA

Trustees in attendance:

Mohan Boodram
John Barrett III*
Brenda Burdick

Jean Clarke-Mitchell*
Taylor Hope
Frederick Keator*
Karen Kowalczyk

Denise Marshall*
Robert Reilly*
Kathleen Therrien*

Trustees absent:

Franklyn Reynolds

MCLA Staff in attendance:

James F. Birge, President
Lisa Lescarbeau, Clerk
Bernadette Alden, Director of Marketing and Communications
Barbara Chaput, Executive Director of Human Resources
Joseph DaSilva, VP, Administration and Finance
Richard Glejzer, VP, Academic Affairs
Christopher Macdonald-Dennis, Senior Advisor for Institutional Equity and Belonging
Gina Puc, VP, Strategic Initiatives and Enrollment Management*
Jeanette Smith, VP of Student Affairs
Robert Ziomek, VP of Institutional Advancement

*Denotes remote participation

As allowed by executive order of the Governor of Massachusetts, in compliance with the provisions of Massachusetts General Laws, Chapter 30 and 15A, Section 9, and with a quorum present in-person and via audio/video-conference, the Board of Trustees of Massachusetts College of Liberal Arts met on February 9, 2023 with Board Chair Burdick presiding.

Chair Burdick called the meeting to order at 4 p.m. with a review of the items in the consent agenda as presented, and asked if there were items in the meeting materials that members wish to be removed and discussed individually. Hearing none, Chair Burdick then asked for corrections to the minutes as provided from the prior meetings listed on the agenda as item 2a, and other reports listed as item 2b. Hearing no corrections, upon motion duly made and seconded, following a roll-call vote, it was unanimously:

VOTED: to approve the consent agenda as presented.

Releasing Minutes of November 17, 2023 Executive Session

Massachusetts Open Meeting Law requires that a public body review the minutes of its executive sessions at reasonable intervals to determine if the Open Meeting Law warrants continued non-disclosure.

The agenda for today's meeting includes further discussion of the use of Berkshire Towers, thereby prompting the review of the minutes of the executive session of November 17 where the Towers were first discussed. As the use of Berkshire Towers will become public knowledge and the exemption enacted no longer applies to the minutes, those minutes no longer warrant non-disclosure.

Upon motion duly made and seconded, with no further discussion and upon roll call vote, it was:

VOTED: To remove the confidential nature of, and release to public record, the Executive Session minutes of November 17, 2023.

Committee Action Items

Honorary Degree Recipients – May 2023 Commencement

The Executive Committee of the Board of Trustees met to discuss honorary degree recipients and commencement speaker selection at their meeting on January 23, 2023. President Birge provided an overview of the recipients the Executive Committee is recommending to the Board of Trustees for their consideration.

Kenneth Turner, Doctor of Science

Mr. Kenneth Turner is president and CEO of the Massachusetts Life Sciences Center, an economic development and investment agency dedicated to supporting the growth and development of the life sciences in Massachusetts. He directs and oversees the center's operations, investment strategy, programs, and partnerships.

Prior to joining the MLSC, Turner served as director of diversity and inclusion/compliance with the Massachusetts Port Authority (Massport). He oversaw and managed Massport's multiple diversity programs, including business and supplier diversity, workforce diversity, and airport concessions, as well as all compliance initiatives associated with the Authority's disadvantaged/minority/women business enterprise programs.

Prior to this, Turner served as deputy secretary for administration and finance for the Commonwealth of Massachusetts Department of Veterans' Services. He has more than 20 years of general management and executive experience in Fortune 100 media and package goods

companies, including having served as senior vice president of emerging markets at AOL Time Warner and having held marketing positions at Hallmark Cards and Hasbro Toys.

A retired U.S. Navy Captain and submarine nuclear weapons system officer with 26 years of service, Turner holds a bachelor's degree in liberal arts from Southern University and A&M College, Baton Rouge.

Joe Dwinell '82, Doctor of Journalism

Mr. Joe Dwinell is a 1982 graduate of MCLA and earned a master's degree in journalism from Boston University in 1988. He is now the executive editor of the Boston Herald, where he has worked for the past 18 years as both an editor and investigative/enterprise reporter. He was previously an editor and reporter at MetroWest Daily News in Framingham, Massachusetts, where he won numerous regional writing and editing awards. He was also a nightly on-air contributor to the former WB56/Boston "Ten O'clock News" show and has appeared on CNN, Fox, CBS, MSNBC, ABC and other cable and radio shows as a segment guest.

Brian and Vikki Fairbank, Doctors of Public Service

Brian Fairbank is chairman of The Fairbank Group, whose portfolio of properties includes Jiminy Peak Mountain Resort, Cranmore Mountain Resort, and Bromley Mountain Ski Resort. Brian has served on the board of Berkshire Health Systems for 12 years and has been the moderator for the town of Hancock for 45 years. In 2006, Brian established a donor-advised fund with Berkshire Taconic Community Foundation, allowing his family to direct gifts to the charities and causes they support.

Both Brian and Vikki have been longtime supporters of MCLA, its programs, and its students.

Upon motion duly made and seconded, with no further discussion and upon a roll call vote, it was unanimously:

VOTED: to approve the conferral of honorary doctorate degrees upon Kenneth Turner, Joe Dwinell, and Brian and Vikki Fairbank at the College's commencement exercises on May 13, 2023.

A commencement speaker will be announced at a future date.

Fiscal Reporting – FY23

President Birge provided an overview of the College's financial reports for the six-month period ending December 31, 2022, and for the fiscal year as budgeted. Reports of both were provided to Trustees with the materials for this meeting.

For the six-months ending December 31, 2022, the College is reporting a positive variance in revenue of \$284k as enrollment is up 13% over budget. Tuition is \$400k and fees are \$264k positive variance to budget.

Expenses for salaries have a positive variance to budget of \$706k, with positive variances in other employment related expenses. Total expenses are \$903k positive variance to budget, with net revenue of \$1.187m.

For the full fiscal year, net revenue is projected to be \$1.144m with expenses and revenues both ending the year with positive variances. The projected net revenue does not include the \$500k reserve funds requested, and it is likely that reserve funds will not be accessed this fiscal year.

In response to a question regarding employee salary lines, President Birge stated that some positions will be removed from the budget, but others are expected to be filled in the Spring.

President's Report

Early Retirement Incentive Program

President Birge discussed the College's proposal to offer an early retirement incentive program to employees who meet established criteria including at least 20 years of service. The incentive payout is \$30k per eligible employee plus any accrued leave payment. The cost in the FY23 budget is projected to be up to \$750k, with a savings in the FY24 budget of up to \$800k. This plan will need the approval of the Massachusetts Board of Higher Education and will require impact bargaining with employee unions.

Trustee Barrett posed numerous questions of the projected savings and a past retirement incentive the College offered employees. In response, a savings report of the incentive offered in 2021 will be provided to the trustees. With regard to costs that the college is responsible for, it was clarified that the employee's pension and insurance benefits are the responsibility of the Commonwealth.

Trustee Kowalczyk expressed concern with the loss of experience with the retirement of long-term employees then trying to find replacements for those positions, and asked if the College is having difficulty filling posted positions. President Birge stated that there are concerns with the loss of experience; however, the College is not able to select who can take advantage of the ERIP offering. He also noted that some positions continue to be difficult to fill with qualified applicants.

Athletic Facilities

President Birge reviewed the upgrades needed to the College's athletics facilities that have been discussed in prior meetings, and are now being reviewed for feasibility. The joint soccer and

lacrosse pitch has passed the end of its useful life at 15 years, and is showing signs of its end of use. The feasibility study for this to determine the replacement cost is underway and, at this time, it is estimated that this project could cost up to \$1.6m. Variables that impact the cost include the type of turf and drainage needs. This replacement may include the integration of a softball diamond, but that will be determined with the project study. Once the study is complete, and it is determined that the College would like to proceed with turf replacement, the options for financing will be presented to the Fiscal Affairs Committee.

The existing tennis courts at the athletics complex will be removed as the existing surface is unplayable and there is no demand for tennis.

With regard to financing for the replacement of turf, the debt service would be \$125k annually on a \$1.6m bond through the Massachusetts State College Building Authority.

Berkshire Towers Use

Conversations regarding the rental use of the College's Berkshire Towers residential buildings continue with the Massachusetts Department of Housing and Community Development (DHCD). DHCD has proposed using the Towers for temporary shelter for families and new arrivals that are without homes. The agreement between MCLA and DHCD would be for 18 months with a review of the rental agreement at that time. DHCD's intent is to house families short-term on campus until they are able to secure permanent housing in the community.

DHCD would coordinate all services for the temporary residents and are carefully considering important items including catering for meals, transportation, schools, and access to health care, counseling and day care. A third-party, human service agency, ServiceNet, will provide on-site management of the facility and staffing.

The College included City and public school officials in the most recent meeting, and will continue conversations to manage the impact on both the North Adams community and public school system.

It is estimated that the Towers could house up to 150 people, with about half of the families having a student under the age of 21. While the full impact is difficult to determine in this phase of discussions, the school system could see an additional 25-30 students at peak housing levels.

Trustee Keator expressed concern with security of those residing in the Towers and asked if MCLA's Chief of Police had been involved in planning conversations. President Birge stated that Chief Colonno has been engaged in the process. As DHCD will have onsite management for behavioral concerns, Campus Police will respond to typical emergency situations and Chief Colonno is confident his department can handle the impact of the proposed housing arrangement.

Trustee Barrett expressed concern with the change of housing from undocumented immigrants to families, and these people being housed longer than the three to five days initially discussed. He was concerned that housing conditions might be horrible, that security would be lax, and with the in-availability of food sources. As well, Trustee Barrett felt it would be irresponsible on the College's and City's part to enter into a temporary housing agreement given the unknown impacts on the Community and College, including the lack of public transportation and nearby playgrounds. He stated his concern with security noting that the College had cut security positions. He further expressed concern with what he deemed a lack of communication with Trustees on this rental agreement.

President Birge responded to the multiple concerns. The College has not cut any staffing in the campus police department, and continues to actively recruit to fill any existing openings. Families will likely consist of two parents and one child, and many are Berkshire County residences who seek to return to the Berkshires. Housing in the College's building is considered transitional as the DHCD works to integrate people to permanent housing in the community. Questions raised here are being addressed as conversations continue with DHCD, and the College will not move forward until administration is confident in the viability of the program beyond the revenue to the College. City and public school administration will continue to be part of the planning to manage the impacts on the broader community.

While the decision on this agreement resides with College administration, President Birge assured Trustees that he will continue to communicate with Chair Burdick and provide updates to all Trustees.

Nursing Program Approval Process Update

President Birge reviewed the approval process for the College's proposed bachelor of science in nursing program. On January 11, 2023, the Board of Registration in Nursing approved licensure contingent on the Massachusetts Board of Higher Education (BHE) approval. During the Department of Higher Education (DHE) public comment period, another institution challenged the need for a nursing program in Berkshire County. MCLA and DHE staff responded to the objection, and the DHE staff recommended to the BHE, MCLA's program for approval with fast track status. The BHE took no action at their February 6, 2023 meeting of the Executive Committee, and the proposal was moved to the BHE's meeting scheduled for February 14, 2023. DHE staff continue to recommend approval with fast track status. It is important to note that neither approving body has questioned the quality of the College's nursing program as designed, and issues continue to be procedural at the BHE/DHE level.

Hardman Journalist in Residence

On February 27, 2023, MCLA is hosting Mr. Joe Dwinell '82 as the Hardman Journalist in Residence. The day's events end with a public lecture at 6 p.m. in the Feigenbaum Center for Science and Innovation.

Summit on Racial Equity

At the January opening breakfast, President Birge suggested that the College will host a summit on racial equity. This idea comes from conversation with the College's Racial Equity and Justice Initiative Committee, and the recognition that progress on racial equity has slipped in recent months.

In response to questions regarding data, President Birge stated that there is clear evidence that there are disparities for students of color and their peer cohort, including academic suspensions where students of color are overrepresented. Data also shows that students of color have not been provided as much support for learning strategies as has been historically recorded. TRiO programs are anticipated to help here, as is the newly reengineered academic advising and resources division.

Thirty percent of MCLA's student population currently self-identify as members of ALANA, while only 13% of faculty and staff self-identify in the same group.

The intention of the proposed summit is to acknowledge and own the fact that there are gaps in achievement, and to continue to have conversations and find ways to address these gaps.

Grant Funds

MCLA recently received two small grants from the State: \$150k in partnership with Berkshire Community College to address food security and \$158k to address student mental health.

The food security grant allows the two institutions to hire a shared position to oversee food pantries, programming on food security, and to provide education on access to food sources and nutrition.

The mental health grant provides support for student access to mental health and will help destigmatize the need for these services.

Reserve Fund Investments

The Investment Advisory Council established at the direction of the Board of Trustees has been meeting to establish policies for managing investment of the College's reserve funds. Proposals were requested from investment advisory firms and, of the 17 received, four were selected to present to the Council. The Council will meet on February 10, 2023 to make their final selection and to recommend to this Board engaging with the selected investment advisory firm.

Funds to be managed consist of \$21m currently in low interest-bearing accounts. These funds will be divided into three categories for investing: \$10m in long-term investment vehicles, \$6.1m at Adams Community Bank in laddered treasuries that are guaranteed and have a higher rate of return with no risk, and \$5m at Berkshire Bank in liquid funds.

Trustee Clarke-Mitchell Departed the meeting at 4:55 p.m. and Trustee Hope joined the meeting at 5 p.m.

Chairperson's Report

Board of Trustees Retreat

Chair Burdick thanked the Trustees for their participation in the Board Retreat of January 27. Educational sessions included open meeting law and college accreditation, and elected officials provided information and insight on current support of the College and legislative activity that will impact the College.

Board Communications Summary

President Birge issued a summary report to the Trustees following the retreat in an effort to provide additional means of communication that provide important take-away topics from Trustee meetings in advance of the official meeting minutes. Trustees agreed that this format is helpful.

Trustee Nominations

There are currently three Trustees on this Board who have reached the end of their term, but continue to serve until an appointee has been identified by the Governor. One potential appointee of the Governor has left the area, and other recommendations have been submitted for the Governor's consideration. Trustees are encouraged to submit their recommendations for appointment to Chair Burdick and/or President Birge.

Trustee Mentoring

With the potential for three new trustees to be appointed to the Board, it was suggested that the current mentoring arrangement between Trustees Marshall and Clarke-Mitchell, be a more formal practice for all incoming trustees.

President's Goals FY23

President Birge's goals for FY23 were provided at the retreat and have been included in the material for this meeting for your review. These are the measures that will be used when evaluating the President's performance at the end of the fiscal year.

Remote Meeting Executive Order

The executive order allowing remote participation in public meetings is set to expire on March 31, 2023, and meetings of the Board will return to in-person at that time. To the best of our knowledge there has been no public discussion of extending the executive order. Trustee Barrett in his capacity as Representative confirmed that he has heard nothing further, but believes that an extension is being sought.

As a result of the expiration, this Board's meeting of April 20 will require in-person attendance to establish a quorum. Administration will provide updates on remote participation as information comes out of the Governor's Office.

Adjournment

With no other business being brought before the meeting, upon a motion duly made and seconded, it was unanimously:

VOTED: to adjourn the meeting at 5:20 p.m.