



**BOARD OF TRUSTEES MEETING
THURSDAY, APRIL 24, 2025**

MINUTES

Trustees Present:

Mohan Boodram	John Barrett III
Jean Clarke-Mitchell*	William Garrity
Frederick Keator*	Buffy Lord
Denise Marshall	Yvonne Spicer*

Trustees Absent:

Brenda Burdick	Darlene Rodowicz
----------------	------------------

MCLA Staff in attendance:

James F. Birge	President
Jana Boyer	Director Admissions
Lynette Bond	Dean of DGCE
Kellie Coody*	Staff Accountant
Joseph DaSilva	Vice President for Administration & Finance
Carolyn Dehner	Dean of the Faculty
Jennifer Dix *	Budget Manager
Richard Glejzer	Provost, VP Academic Affairs
Kelli Kozak	Clerk
Joshua Mendel	Chief of Staff
Jeannette Smith	Vice President of Student of Affairs
Matt Van Heynigen	Chief Govt Relations Officer
Robert Ziomek	Vice President for Institutional Advancement
Professors Cupery, Pettey, Stearns, Ward, and Vega	

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 in Room 208 of Murdock Hall and via audio/video-conference, the Board of Trustees with Chair Boodram presiding was called to order at 5:30p.m.

Consent Agenda - Chair Boodram noted the consent agenda, which includes minutes of prior meetings as listed, the Foundation Report as provided in the campus update, and financial reports from the Fiscal Affairs Committee meeting and asked if there were items in the consent agenda provided with the meeting materials that members wish to be removed and discussed individually?



There was a discussion of the Kleefeld commendation dialogue in the Executive Committee minutes. It was clarified to change the word from codify to “signal” support.

Upon motion made and duly seconded, via a roll call, it was

VOTED: To approve the following minutes as presented noting one change to the Executive Committee minutes as discussed.

- a. Minutes for Review & Action
 - i. Board of Trustees Minutes (February 13, 2025 and April 10, 2025)
 - ii. Academic Affairs (April 14, 2025)
 - iii. Student Affairs Committee (April 17, 2025)
 - iv. Executive Committee of the Board (March 7, 2025 and April 11, 2025)
 - v. Enrollment Management Committee (no meeting)
 - vi. Fiscal Affairs Committee (April 16, 2025)
 - vii. Presidential Evaluation (March 13, 2025)
- b. For Information
 - viii. MCLA Foundation Report (See Advancement Report in Campus Update)
 - ix. Financial Statements

Nominating Committee Update - Chair Boodram will assist with convening a nominating committee to discuss the positions of Chair and Vice Chair for next academic year. A slate for consideration will be presented at the next board meeting. If anyone is interested in serving, please contact Chair Boodram.

Title IX Review and Action - President Birge detailed updates to the Title IX law being rolled back to the 2020 policy. There was a discussion of definitions that have been rolled back. VP Smith was recognized to discuss changes to training, staffing structure and reporting structure that rolls back to 2020 levels. Upon motion made and duly seconded, via a roll call, it was

VOTED: To approve the following:

- a. Amend the 2024 EO/TIX plan to comply with the January 2025 decision of the US District Court in Kentucky vacating the 2024 TIX final rule in compliance with the February DEAR Colleague Letter from USDE OCR clarifying that enforcement of Title IX will now occur under the 2020 TIX final rule.
- b. Reinstate the State Universities 2020 TIX Sexual Harassment Policy under the 2020 federal TIX final rule.



- c. Reinstate the mandatory reporting requirements in Article IX of the state universities EO plan.
- d. Note that annual training requirements mandated under 2024 Title IX rule will no longer be enforced.
- e. Note that prohibited discriminatory conduct that does not meet the definition of Sexual harassment in the 2020 Title IX final rule will be addressed under the State Universities BHE approved 2024 EO plan which is based on State law prohibiting discrimination based on gender identity, gender expression, sex stereotypes, sex characteristics, and sexual orientation.

Action out of Academic Affairs Committee - Committee Chair Keator presented the candidates for faculty tenure and promotion. Upon motion made and duly seconded, via a roll call, it was

VOTED: To approve the following:

- i. Promotion to Librarian with tenure
 - 1. Kate Flower - Library
- ii. Promotion to Associate Professor with Tenure
 - 1. Dr. Clio Stearns
- iii. Promotion to Full Professor
 - 1. Dr. David Cupery
 - 2. Dr. David Eve
 - 3. Dr. Samantha Pettey
 - 4. Dr. Ruby Vega
 - 5. Dr. Kebra Ward

The Trustees and Staff offered their congratulations to the faculty in attendance.

Action out of Student Affairs Committee – As Committee Chair Clarke-Mitchell was virtual, Committee member Lord noted that Trustee Garrity had done research on a pending bill that would support funding for the Essential Needs Center. Based on the recommendations of the Student Affairs Committee and upon motion made and duly seconded, via a roll call, it was

VOTED: to approve the Request for Trustees to send a letter of support for Senate Bill No. 939: An act establishing the hunger-free campus initiative.

FY25 Fiscal Report – Trustee Marshall noted the following from the April 16, 2025 Fiscal Affairs committee:

- The Committee reviewed FY25 Budget Actual report. As of February 28, 2025 the budget is tracking slightly down to projections due to timing issues and negative variance



in tuition and fees. Lower enrollments for the fall and spring semesters put pressure on the budget for the remainder of the year.

- VP DaSilva presented the FY25 forecast budget projection taking into consideration the effects of lower enrollment for both fall and spring semesters, and projected savings in expense items with a projection of a \$154,590 shortfall at year end. The staff is working on making adjustments during the year so that by year end there will be a balanced budget.
- VP DaSilva also presented the FY26 Preliminary Draft Budget. The budget currently reflects a negative variance that the administration is working diligently on. There are many unknowns currently, especially with State Revenues and the climate at the Federal level.
- President Birge discussed the use of Reserve Funds for the Strategic Plan – similarly to the use of reserve funds in FY25. President Birge will prepare a request for the Board to consider in its June meeting.
- At the Committee meeting, VP DaSilva presented the performance of the two investment portfolios the college has through March 31st:
 - Wells Fargo (Francis Investments) is \$11.8M from a \$10M initial investment.
 - LPL Financial (Adams Community Investments) is \$6.6M from a \$6M initial investment
- VP DaSilva also reviewed the three remaining capital facilities improvement projects. The Amsler Campus Center Electrical upgrade and the Flagg Townhouse emergency generator installation projects are completed; while the Amsler Campus center HVAC upgrade project is now expected to be completed by mid-July – delay is due to asbestos. There were enough funds to cover remediation of the asbestos discovered to date.

There was a discussion of the management of the deficit and changes to the stock market with an overall conservative long-term approach. It was also noted that first-year deposits up 25% for next fall.

President's Report – President Birge

- a. The Governor has signed extension of Remote Meetings through 2027. This is beneficial for a quorum.
- b. Board Appointments – Trustees Barrett, Boodram, Keator, Marshall, Reynolds, and Garrity's terms are ending June 30. The Governor has made appointments but is awaiting clearance prior to announcing new Trustees.
- c. Public Launch of Pathways Campaign and MCLA Gives was a very successful event. As was MCLA Gives.
- d. Federal Actions
 - a. International student, faculty, staff – we are monitoring the SEVIS system and supporting our international community. We work with an immigration attorney that is also providing informational outreach.



- b. Title IV financial aid – also of concern, PELL, SEOG, TEACH grants that we continue to monitor.
- c. Grants – we have TRIO advising program may be able to transition to an institutional program through state SUCCESS funds. We apply for federal grants but there is limited availability.
- e. “Sub 90” Degree discussion – no action to be taken but for your awareness NECHE is discussing granting Merrimack the right to offer a 90 credit bachelor’s degree, 3 years as opposed to 4. Logistically it would be difficult to get into grad school and would be detrimental to undergraduate institutions as a whole. BHE may allow a pilot program, but we continue to monitor. There was discussion of what it would look like to change MCLA to this. It would be substantial likely a year to make it happen. It may also be of concern in our COPLAC membership. Discussion that an associates degree is 60 credits, so 90 doesn’t seem robust enough. It is more a marketing ploy for other colleges than a matter of academic integrity. Further discussion that it is concerning to our Trustees.
- f. Strategic Plan Update and Funding discussion – DHE will review the plan this summer. We continue to refine language and presentation. The plan must also be funded, committee is working on what associated costs would be and it will be reviewed.

Chairperson’s Report

The Chair made a motion to commend the Foundation for the valuable work in stewarding the Kleefeld gift in support of the mission of the college. There was considerable discussion including some discussion of the structure of the gift. The Foundation is the recipient, although the College benefits from the gift. The College does not have legal standing to accept the gift. There was further discussion of the improvements to the arts programming as well as the 3-year operating cost support of the gift. The College would likely need to support the Center after the initial gift, but that is not a current decision.

Further discussion – that the motion is to commend the work of the foundation but not to obligate the college to accept the gift. Also discussed that the college should work with the Foundation to evaluate the program in an ongoing fashion. The gift provides an advantage to the college. Several Trustees expressed support of the gift and the process. There was discussion of the role of Foundation as a separate legal entity although it is important to the college.

Discussion of the reputation of the donor and the expectation of displaying her art. There is no requirement that professors use the donor’s art in their classes. It is not a museum. It is not the same situation as in Long Beach. There was extensive discussion of the Kleefeld gift at the



Trustees retreat in January and on other occasions. There was further discussion that Foundation performed due diligence and accepted this gift. Trustee Barrett requested further information on the gift process. President Birge also encouraged anyone with further questions to reach out to him and the Foundation.

Chair Boodram withdrew his motion.

Upon subsequent motion made and duly seconded via a roll call resulting in a split vote it was

VOTED: To table the discussion to commend the Foundation for the valuable work in stewarding the Kleefeld gift in support of the mission of the college

Chair Boodram noted the President's Evaluation process update. Consultant Dr. Netzhammer has interviewed many constituents and noted consistent and valuable feedback in his first draft report. The Presidential Evaluation Committee will convene and review the draft.

The Chair noted a reception to follow the meeting.

Chair Boodram asked the Board for a motion to authorize President Birge to confer degrees at Commencement. Upon motion made and duly seconded, via a roll call, it was

VOTED: Based on the authority vested in the Board of Trustees of MCLA by the Board of Higher Education, to authorize President Birge to confer honorary and earned degrees at the 126th commencement exercises on May 17, 2025.

With no further business the meeting adjourned at 7:20p.m.

Respectfully Submitted,
Kelli Kozak
Clerk