



## **BOARD OF TRUSTEES MEETING**

April 20, 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\*

Denise Marshall  
Robert Reilly

### **Trustees absent:**

Frederick Keator  
Karen Kowalczyk  
Franklyn Reynolds  
Kathleen Therrien

### **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 April 20, 2023 with Board Chair Burdick presiding.

Chair Burdick called the meeting to order at 4:02 p.m. with a review of the session's agenda and the addition of a voting item, the awarding of an honorary doctorate degree requiring action of this Board. In addition, there will be an open comment period prior to the President's Report at this meeting.

Chair Burdick reviewed 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. Trustee Barrett requested striking the statement attributed to him stating that positions go unfilled to build the reserve funds from the minutes of the Fiscal Affairs Committee meeting of March 28, 2023.

Upon motion duly made and seconded, following a roll-call vote, it was unanimously:

**VOTED:** to approve the consent agenda with the correction to the Fiscal Affairs Committee minutes of March 28, 2023, as requested

### **Committee Actions**

#### *Honorary Degree Recipient – May 2023 Commencement*

With the final selection of Dr. Patricia Okker as the Class of 2023 Commencement Speaker, the Executive Committee of the Board of Trustees recommended approval of awarding an honorary doctor of letters degree to her. Dr. Okker is the former president of New College of Florida (NC) whose contract was terminated by a newly appointed board of trustees as a result of the Governor of Florida's redirection of state public higher education. Dr. Okker has been invited to speak on numerous TV and radio talk shows, but has declined to comment as her focus remains on education and not politics. Speaking at MCLA's commencement provides an opportunity for Dr. Okker to talk about liberal arts, academic freedom and the intersection of these with Democracy.

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

**VOTED:** to approve the conferral of an honorary doctorate degree upon Dr. Patricia Okker at the College's commencement exercise on May 13, 2023.

#### *Faculty Tenure and Promotions*

The Academic Affairs Committee met on March 23, 2023, and recommended approval of the following faculty for Tenure and Promotion to Associate Professor as recommended by the President:

##### Tenure

- Dr. Lisa Arrastia (Education)

##### Tenure with Promotion to Associate Professor

- Dr. Margaret Clark (Education)
- Dr. George Hamaoui (Biology)

- Dr. Mohamad Junaid (Sociology, Anthropology, and Social Work)
- Dr. Victoria Papa (English and Communications)
- Dr. Michaela Petrovich (Fine and Performing Arts)

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

**VOTED:** to recommend reappointment with tenure to Dr. Lisa Arrastia, and tenure and promotion to associate professor to Drs. Clark, Hamaoui, Junaid, Papa and Petrovich, as presented.

*The following faculty are recommended for Promotion to Full Professor:*

- Dr. Amber Engelson (English and Communications)
- Dr. Zachary Finch (English and Communications)
- Dr. Justin Golub (Biology)
- Dr. Rita Nnodim (Interdisciplinary Studies)
- Dr. Jenna Sciuto (English and Communications)

*The following librarian is recommended for Promotion to Senior Librarian:*

- Ms. Pamela Contakos

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

**VOTED:** to recommend reappointment and promotion to full professor to Drs. Engelson, Finch, Golub, Nnodim and Sciuto, and promotion to senior librarian to Ms. Contakos, as presented

Chair Burdick offered her congratulations to the faculty on their tenure, promotion and reappointments, and thanked them for their commitment to the College.

The Fiscal Affairs Committee met on March 28, 2023 and recommend the following actions for Board Approval.

#### *Investment Management Firm Awarding*

The request for proposal for an investment management firm resulted in 17 respondents. The Investment Advisory Council selected four finalists who presented to the Council in February. Based on these presentations and the recommendation of the Council, the Academic Affairs Committee is recommending approval of Francis Investment Consulting Group to serve as the College's primary investment management firm.

Francis Investment has experience with boards and non-profit agencies and manages assets of \$24M; \$8M of which is higher education institutions. Francis Investment is affiliated with Wells Fargo and has \$600B in investments with Wells. MCLA will invest \$10M with Francis Investment.

The contract will have be for a five-year period per MA state law.

Upon motion duly made and seconded, with no further discussion it was unanimously:

**VOTED:** to approve Francis Investment Consulting Group to serve as the College's investment management firm.

#### *Financing of Athletic Turf Field*

The College's turf field at the athletics complex has reached its end of useful life and needs to be replaced. A consultant for turf fields was hired and MSCBA provided a project manager. An assessment was done to determine what is needed to make the playing surfaces state of the art and to allow full utilization. The cost of upgrades is estimated to be \$1.6M and includes new turf, drainage, benches, and the incorporation of a softball field. The annual expense to the College as debt service through MSCBA at a 3.92% interest rate will be \$121K. Without this field upgrade, the College will face continued safety issues for athletes, and serious challenges of not being able to use the athletics field which may impact future enrollment.

The Committee recommends seeking the bond issuance of \$1.6M from the MSCBA to make the necessary repairs to the athletic field.

Upon motion duly made and seconded, with no further discussion, it was unanimously:

**VOTED:** to approve seeking bond issuance of \$1.6M from the MSCBA to upgrade the College's athletics field.

The lease of space at 66 Allen Street in Pittsfield, MA, will reach the end of its 5-year term this FY. The Committee is recommending non-renewal of this lease. The College will pursue alternate locations to maintain a presence in Pittsfield. Savings from this are estimated to be \$65K for the coming year.

Upon motion duly made and seconded, with no further discussion, it was:

**VOTED:** to not renew the lease for space located at 66 Allen Street, Pittsfield, MA.

Chair Burdick abstained from voting on the non-renewal action.

## **Fiscal Reporting – FY23**

### *FY23 Through February 2023*

VP DaSilva provided an overview of the FY23 fiscal period through February 2023 including revenue and expenses.

- Positive State revenue variance of \$538K – unspent appropriation as the College operates on a cash basis
- Tuition and fees: positive variance of \$384K as enrollment compared to budget is up
- Scholarships: positive variance of \$230K due to the MASS State Grant increase
- Revenue overall is \$1.2M positive through the period
- Full time employees expense line AA: \$800K positive variance due to timing of hiring and open positions
- Expense line CC: \$400K positive variance due to lower adjunct faculty and student employment
- Expense line EE is a function of departmental timing of spend with a positive variance of \$232K. This will level off through end of the FY

Overall net revenue is a positive variance of \$2.3M year to date.

### *FY23 Forecast*

VP DaSilva presented the financial forecast for FY23 and highlighted the following revenue and expenses:

- State revenue appropriation of \$20.6M will be utilized through the end of the FY
- Tuition and fees revenue: \$1.56M positive variance due to enrollment up compared to budget
- Reserves will not be utilized this FY
- Revenue as of June 30 is projected to be \$930K positive
- Line AA: \$855K in open positions projected
- Line DD: \$413K associated to open positions projected
- Line JJ: \$482K meals revenue up, \$100K in Title III funds, and purchase of two vans

Overall net revenue is projected to be a positive variance of \$1.5mm at end of FY23.

### *FY24 Budget*

VP DaSilva reviewed the first draft FY24 budget which will be presented for consideration at the Fiscal Affairs Committee for action on May 23.

- State appropriation: \$21.5M
- Travel: flat FY to FY at \$424K
- \$47M in total revenue for FY24. This includes potential \$2.6M from transitional housing
- FT salaries: flat FY over FY at \$22M
- Line CC: increases as changes to improve student orientation are made including an earlier return to campus for students.
- Pensions: increase as fringe cost overall includes payroll tax that increases from 1.85 to 2.45%
- Line EE: includes a campus wayfinding and signage project currently underway, hockey ice time, and NECHE accreditation fee and visit expense
- Line FF: includes hockey equipment purchases that need to be made at program launch
- Line GG: energy costs – MCLA’s current pricing ends in November. Energy costs are going up and will impact this line. Transitional housing projected at BT is included in this increase.
- Total expenses: \$48.4M.

This draft leaves a \$1.2M deficit and administration will continue to work on reducing that gap before seeking approval of reserve use in FY24.

## **President’s Report**

### *FY21 Voluntary Separation Incentive Plan*

President Birge discussed the College’s voluntary separation incentive plan offered in FY21. This separation plan resulted in a net savings of \$382K in FY22, and an overall net gain of approximately \$90K. In FY21, the College reported a \$1.8M surplus.

### *Proposed Partnership with DHCD*

President Birge provided clarification on information being discussed around the use of Berkshire Towers in partnership with the Department of Housing and Community Development. A lease has not been finalized and administration has outstanding questions on the arrangement the State is proposing. Should it be decided that the College will proceed with the use of Berkshire Towers, a community forum will be held. The concern continues that the College does not have all the information needed to answer questions that remain with administration and that the community is seeking.

President Birge provided statistics on the critical shortage of shelter for families, clarifying that this is not inclusive of unhoused adults. MA is a right to shelter state and has 3,000 shelter beds. Last night there were 18,000 unhoused individuals, including 3,700 family members.

The DHCD approached MCLA to ask for access to excess housing for temporary shelter use, and this is what is being considered. This space would be used for 50 families primarily from western MA, as well as some new arrivals. Ensuring the needs of these families are met is a priority, as well as supporting and minimizing the impact on the community. The term of use proposed is 18 months and MCLA would retain control of the buildings during the time DHCD and ServiceNet would operate the shelter. As enrollment in MCLA continues to grow, the need for residential space for students is anticipated.

While capacity of the facility is 50 families, it is anticipated that, as families cycle to permanent housing, it is unlikely that there will be 50 families sheltered at any one time.

Under any agreement, ServiceNet would be responsible for providing 24/7, supervised, service to those in the shelter. The specifics of this part of the agreement are still needed for the College to consider moving forward.

#### *Ice Hockey Program*

President Birge reviewed the men's and women's ice hockey program announced earlier this year. The College has received 105 student applications for both teams at this time. While there would be additional revenue from the anticipated 50 players, 25 on each roster, there would be a first year deficit of \$171K due to associated start up costs. In year two, the program would result in a surplus of \$650K. At this time, the Foundation has \$160K in pledges, of which \$52K is cash available for use in FY24. With this cash, the deficit would be reduced to \$119K.

#### *Nursing Program*

The nursing program has seen 25 applications to date. The program is designed for 30 new students to begin in the pre-nursing program and advance to nursing students in the second year of the program. Once at capacity, the program will reach 100-120 students.

Enrollment at MCLA has seen a 13% increase year over year, and this trend continues to improve with the addition of programs including nursing and ice hockey. Enrollment was severely impacted by the pandemic and MCLA saw a decrease of nearly 35% from fall of 2019. Returning to pre-pandemic enrollment levels will be a transition that occurs over years.

Administration will continue to look at ways to increase enrollment including the introduction of new programs.

*Berkshire Towers*

In response to a question regarding the decision-making authority for the use of Berkshire Towers as a shelter, President Birge stated that this is a management decision.

Trustee Barrett expressed his opinion that this should be a board decision noting that the Board votes on other matters including faculty, budget, and policy. He further expressed concern that taking a state-owned school building would have an impact on the community. He is hearing concerns from neighbors and is getting information from DHCD and not from the College.

Trustee Barrett expressed concern that the board did not vote on the hockey program, and questioned if they had voted, would the program have proceeded, as the hockey program closed in the past. He commented on the FY24 budget draft and the \$1.2M gap in revenue and expenses. He stated that his trustee colleagues were not saying this (shelter) is not a good idea, there has been no mention of how much dollars they (DHCD) offered the College, and how much money is going to the State.

President Birge restated that the revenue from DHCD is estimated to be \$2.6M; however, without a lease the final agreement remains to be determined.

In response to a question regarding students for the newly announced nursing and hockey programs, President Birge restated that there are 25 roster spots on each of the men's and women's ice hockey teams, and 25 seats for nursing students.

Trustee Barrett questioned the impact decisions that administration makes has on the community. Referring to discussion at prior board meetings, he commented on there being agreement to proceed cautiously on the DHCD proposal. Chair Burdick commented that waiting on the lease and gathering additional information should be considered proceeding with caution. No decision will be made without answers to questions that have been raised by management and the community.

Trustee Barrett stated that the DHCD has said to him that they will begin use of the Berkshire Towers for shelter in June. President Birge noted that this is the projection of the DHCD, and that without a lease agreement, there could be no reasonable projection for use.

Trustee Barrett expressed concern that the issue of housing is a state-wide problem and is one this community faces as well. He noted that the Louison House has been unable to place three to five families in permanent housing in northern Berkshire, and questioned how the DHCD would be able to place families in permanent housing.

President Birge shared the concern and stated that these are the things that are being discussed with DHCD. He added that these answers are critical to decision-making on this proposal.

Chair Burdick requested that Trustees provide a list of all questions to the board so these could be answered in discussions with DHCD.

Trustee Barrett again stated his belief that the Board should be part of the decision making on this proposal. He questioned the role of the Chair of the Board as speaking on behalf of the Board. He expressed concern with the community or the Board being shut out of the community, noting his longevity in the community would exceed the President's, that he has been involved in the community, and that he was looking to avoid mistakes. Comments were further made that this proposal is a done deal, that he is hearing concern from faculty and others. Trustee Barrett stated concern for the way the proposal was moving forward, the lack of negotiations and input from the Board, and that the President should be working with him as he has experience in the community.

President Birge said he would listen to the board's advice, prompting Trustee Barrett to ask if he had talked to individual board members about the project.

"I have," Birge said.

"You haven't talked to me," Barrett replied.

"You haven't talked to me either, John," Birge said.

"That's not my job. Your job is to be reaching out to the board to let us know what's going on. We shouldn't have to come to you," Barrett shot back.

Trustee Reilly expressed concern with the role of the Board in decision-making for this proposal. He stated that he is neither for nor against a shelter, but that it is unclear to him the role of the College, and that this type of project seems to be outside the realm of college operations. He commended the President for the way he has handled this, and expressed concern that the credit or blame would lie solely with the President rather than shared with the Board.

President Birge assured Trustees that he is seeking advice and input as information comes forth from DHCD and the proposed service provider, ServiceNet.

Chair Burdick thanked Trustees for their input and the conversation and stated that she will seek legal counsel on the decision-making authority.

### *MCLA Pittsfield*

President Birge reviewed the decision made to not renew space at 66 Allen Street. Operations post pandemic have shown that there is no need for a dedicated space in Pittsfield as learning has become hybrid. Administration will pursue other options to maintain a presence in Pittsfield.

In response to questions from Trustee Reilly regarding the reason to not renew the lease and student enrollment in DGCE, President Birge noted that the physical space is not needed as work occurs differently and it was determined that there is not a need for the physical space. More intentional work will be done to determine what MCLA Pittsfield should look like. Enrollment in DGCE programs is down on scale with overall enrollment.

### **Public Comment Period**

Chair Burdick announced that the meeting would open for public comment. Anyone wishing to provide comment would be recognized first by the Chair, and comments would be limited to two minutes per person. Once recognized, attendees should state their full legal name and city of residence.

The Honorable Thomas J. Bernard was acknowledged and provided comment on the proposed use of Berkshire Towers as a temporary shelter.

Mr. Bernard began by congratulating the faculty in attendance on being granted tenure and promotion, and congratulating administration on the successful launch of the nursing program.

Mr. Bernard thanked the Trustees for deliberating seriously about housing. Housing is a challenge faced by every community in MA, and the use of the Towers as a temporary shelter is an opportunity for MCLA. Offering shelter addresses a need and accepts responsibility for addressing this need with equity and dignity for those in need. In listening to the debate here, and hearing concerns expressed outside of this room, it appears that the process has been confused for the outcome. Things are working through the process.

Mr. Bernard encouraged the Trustees to listen and to hear through the noise, and to continue to explore the opportunity to provide temporary shelter, in the spirit and mission of a liberal arts institution. He also encouraged Trustees to review the Board bylaws regarding media relations and who speaks for the institution.

There were no other attendees by phone or in person to comment during the open comment period.

### **Chairperson's Report**

#### *Trustees Appointments*

Chair Burdick reviewed the process of trustee appointments and the impact the process is having on the existing membership. Appointments are made by the Governor, and Trustees serve until their replacement is appointed. There has been no action from the new administration to date. She thanked those who continue to serve the College despite their term having ended.

*Faculty Appointment and Tenure Acknowledgement*

Chair Burdick congratulated faculty on their tenure, promotions and reappointments. She expressed her gratitude to all for their commitment to the College and to our students.

*Remote Meeting Executive Order*

The executive order allowing remote participation in public meetings has been extended through March 31, 2025, allowing remote participation to be considered toward a quorum. Meetings will continue to be held in-person with the option to participate via MS Teams.

*Commencement Weekend Reminders*

As reminders, Baccalaureate is May 12 at 2 p.m. in the Amsler Campus Center Gym. Dinner honoring HD recipients is May 12 at 5:30 p.m. in the atrium of the Science Center. Commencement is May 13 and begins with a continental breakfast at 9:30 a.m. Robing and photos follow immediately. Procession begins at 10:55 a.m. to the gym for 11 a.m. commencement ceremony. Boxed lunch will be available and a reception on the lawn of Murdock Hall at 1 p.m.

Please RSVP to Lisa Lescarbeau with your attendance for all three events by May 1.

**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 p.m.