

New State Law Requires Financial Transparency in Higher Ed

By J.D. O'GARA

Jeff Roy remembers the day his constituent called him.

"The day that Mt. Ida College closed, I received a phone call from the parent of a young

man who was finishing his junior year, who was going to become a senior," says Rep. Roy, "and Mt. Ida announced in April that it was closing. The deadline for applications was over, and he's got three years at this school." Transferring at that point, said Rep. Roy, was not an option.

"It left a deep impression on me," says Roy, who was appointed House Chair of the Joint Committee on Higher Education in March of 2019. "I'm the parent of three kids who went through college, and I can't imagine what I would do. I told Mark Lenzi I will do my best to come up with a solution to the problem."



The Joint Committee on Higher Education was determined to make sure institutes of higher education in Massachusetts show better accountability to students with An Act to Support Improved Financial Stability in Higher Education (H4099), which made its way with unanimous support in the House and Senate and finally, Governor Baker, on November 14, 2019.

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Residents from Franklin and surrounding towns who use the commuter rail posed questions to officials from the MBTA and Keolis, in a meeting organized by Rep. Jeff Roy on December 17th.

COMMUTERS

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cerned that not all ticketed riders were paying their fair share. Coholan responded that the MBTA will implement a new system, where riders will "tap on, and tap off," which will more accurately charge their pass.

Kaitlyn complained about doors being blocked from her parking lot at Forge Park as the train approaches, necessitating her to run all the way around to the other side to catch her train, and Huggan responded that "flagging the platform" was a required safety measure to prevent "horrific accidents." He recommended getting to platforms about three minutes before train departure time.

Lauren, another resident from Franklin, complained about the noise of idling trains near her home, even at 4 a.m.

Huggan responded that a new layover was being sought, and the MBTA was securing funding to purchase the property at Union Street. The goal is to evaluate MBTA property and find an industrial area in which to put the new layover, which will make a difference in the noise.

Some questioned how they can get real time updates on train delays, especially since they can't connect on the train. Response was that the system is currently running under 3G, and equipment running on the 3G connection needs to be updated, something that should be completed by March 2020. Shane, from Wrentham, added that the entire line's on-time performance doesn't help him plan what train would help him make better time. The answer was that the data was available, but whether it was made available to the public was not clear.

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Roy says he also received a call from Paula Rooney, Chair of Dean College. Rooney, he says, was also shaken by what had happened, noting it was horrible for higher education in general.

“She said, we have to do something about this. This can never happen again,” said Roy who made this the first issue he tackled in his new position.

On November 14th, Governor Charlie Baker joined Lt. Governor Karyn Polito, Senate President Karen Spilka, Secretary of Education Jim Peyser, Senator Anne Gobi, Representative Jeff Roy, the Association of Independent Colleges and Universities in Massachusetts (AICUM), and SEIU Local 509 to sign An Act to Support Improved Financial Stability in Higher Education (H4099), which will clarify and enhance the authority of the Board of Higher Education to monitor the financial health of Massachusetts’ colleges and universities. This legislation requires any institution facing financial challenges that may jeopardize

the institution’s ability to fulfill its obligations to current and admitted students to notify the Board of Higher Education, as well as submit a contingency plan for approval that includes arrangements for students to complete their studies.

“Massachusetts is home to some of the world’s most impressive public and private colleges and universities that also serve as major employers and drivers of business across the Commonwealth,” said Governor Charlie Baker. “We are very pleased to have worked alongside the Legislature to sign this important bill into law that will protect students and families from sudden college closures, while also guaranteeing those institutions confidentiality as the Department of Higher Education works with them to understand their financial status.”

“While we do not want to see any college or university close its doors, it is important to ensure sufficient notice to students and staff to make arrangements if the institution where they study or work is at high risk of closure, so they can complete their studies with as little disruption as possible, or have sufficient time to find

new employment,” said Lt. Governor Karyn Polito. “This legislation will better protect students, families and higher education professionals.”

In March 2019, Governor Baker filed legislation to enhance the authority of the Board of Higher Education to monitor the financial health of Massachusetts’ colleges and universities. Under this legislation, colleges and universities shall immediately notify the Board of Higher Education of any known financial liabilities or risks which are reasonably likely to result in the imminent closure of the institution, or negatively affect the institution’s ability to fulfill its obligations to current or admitted students. The institution would be required to submit to the Board for approval a contingency plan that includes provisions for providing advance notice to students and staff.

“Through this legislation, the Board and Department of Higher Education can ensure transparency for students and families without being overly burdensome to colleges,” said Education Secretary James Peyser.

“We’re especially pleased to see the votes on this legislation

passing the House and Senate unanimously in recent weeks,” said Carlos E. Santiago, Commissioner of Higher Education. “It is a sign of the deep levels of support for our work to monitor institutional finances with the goal of making sure that all students have the ability to complete their programs of study and pursue meaningful careers of their choice.”

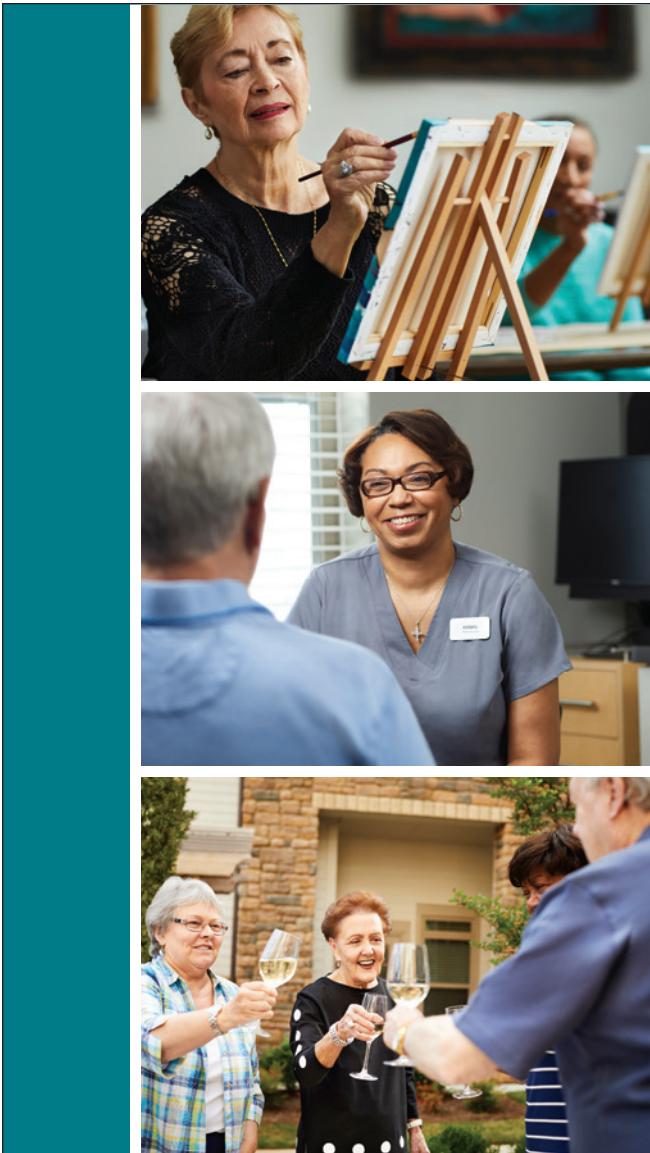
“Massachusetts has a global reputation for excellence in higher education, and it’s essential for all of us to work together to sustain and burnish public confidence in our colleges and universities,” said Chris Gabrieli, Chair of the Massachusetts Board of Higher Education.

The Board of Higher Education will be responsible for establishing an annual process for screening every college and university to assess its financial condition, and to identify any institution that may be at risk of imminent closure. The Department of Higher Education is encouraged to work with the regional accrediting agency to conduct these annual screenings, in lieu of doing the screening itself.

The Board of Higher Education will also establish a training

program for members of boards of trustees of public institutions of higher education on the proper governance of an institution of higher education. The instruction will include an overview of open meeting, public records, state procurement laws and state finance provisions established under state law, along with fraud prevention and fiduciary responsibilities.

“This legislation will provide transparency and restore confidence in our Higher Education institutions,” said Rep. Roy. “The strength of our colleges and universities is paramount to our success as a commonwealth, as it promotes civic discourse and drives economic opportunity. When students and their families invest in their future, they deserve to know that their institution stands on a solid foundation. Through this legislation, the state will be a partner in providing transparency and accountability to promote resiliency and financial stability, and to ensure that our students have access to the opportunities that they need, that they can count on, and that deliver for the long-term strength of our state.”



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