

Bridgewater State University
Board of Trustees Meeting
August 27, 2020
Virtual Meeting

MEMBERS PRESENT: Trustees Durgin, Alexander, Caulfield, Benson, Denterlein, Longo, Murphy, MacCormack, Oliari, Turchon

MEMBERS ABSENT: None

ALSO PRESENT: President Clark; Provost Ismaili; Chief of Staff Leuenberger; Vice Presidents Gentlewarrior, Jason, Jean, Powers, Oravec, Shropshire, Moline; Zuromski

Under the order suspending certain provisions of the open meeting law of the Massachusetts General Laws, Chapter 30A, as declared on March 12, 2020 by Governor Baker, having been complied with, and a quorum of the Board virtually present, the Board of Trustees held a conference call meeting on August 27, 2020 with Chairman Durgin presiding.

Chairman Durgin called the meeting to order at 4:05pm.

VOTED
FOR: Unanimous
CARRIED

On motion duly made and seconded (MacCormack, Longo) it was to approve the minutes from the Board of Trustees meeting held on June 18, 2020.
(Attachment)

**Chairman's
Report**

Chairman Durgin shared that a staff member from UMass Lowell sent a note acknowledging the consistency of BSU's message, transparency and expectations; one of the best from any university in the state. Yesterday he participated in BSU's Town Hall meeting, where 400+ people participated. Discussion was led by the president, Chief of Staff Leuenberger, Vice President Powers and Provost Ismaili. They all did a wonderful job explaining the situation, expectations and preparations of the campus. BSU is moving forward with a safe, secure and productive semester.

Lastly, per the open meeting law, it is best practice to conduct a roll call at the end of each action item during the Board meetings.

**President's
Report**

President Clark thanked Chairman Durgin for his comments at the Town Hall meeting and thanked the Board for ongoing support. The

campus has done remarkable work in preparing for the fall and he thanked everyone. Updates: virtual recruitment and orientation have gone well; 94% of classes will be online; the remainder, 6%, are hybrid. New students are 'driving through' to receive t-shirts and supplies. Move in is underway (currently have about 500 students living on campus). Two residence halls have been closed due to lower levels of occupancy as a cost saving and a few other buildings are closed as well. He thanked the Safe Return Task force for their good work. The plan is solid. BSU has de-densified. Two hundred-thirty faculty participated in a summer institute for assistance in teaching online. COVID-19 webpage contains a lot of information for the campus community. Testing and tracing protocols are key to keep the campus safe. Broad Institute is a terrific laboratory assisting BSU with testing. All test results have come back in less than 24 hours. There were 2 positive cases based on 240 tests. Isolation and quarantine is working well. One student went home; one is in isolation. We are doing everything possible (working with the Town) to keep our students safe on and off the campus.

There was a Blackbaud data breach of our Foundation donors and BSU is working with insurance companies. Tomorrow, the people potentially involved will be notified via the insurance company. BSU is assuming the data has been compromised and acting accordingly. The Attorney General has been notified; many institutions have been affected by this.

The pandemic will not slow down our progress. President Clark thanked Trustee Murphy and his family for their gift in support of Racial Justice. Other updates: a large grant was received by the Lumina Foundation; BSU was one of 6 chosen to receive this. Private funds continue to come in. Working on deferred maintenance on campus. Continuing to invest in the Photonics lab. Solar canopy array was completed at no cost to BSU. Work on Plymouth 400 and Massachusetts Chronicles continues; an update will be provided at the next meeting.

Trustee Alexander spoke about the Racial Justice Task Force. He also thanked Trustee Murphy for his support. Task Force itself is holding honest conversations and dialogue. They are taking a good look at the university which will result in useful recommendations as well as provide a model for other college campuses. He thanked President Clark, Trustees and colleagues for their support.

Contract Approval for Sodexo (Dining Services)

Trustee Murphy commented the Sodexo contract has been a long-term process and the final stage today is for the Board to approve.

Vice President Shropshire noted all contracts were procured according to our policies as well as the state's. He offered his thanks to Procurement and Dr. Sipiora for working with everyone on these contracts. Vice President Shropshire provided highlights of the contract.

VOTED

FOR: Unanimous

CARRIED

On motion duly made and seconded (Murphy, MacCormack) it was that the Board of Trustees approves the contract with Sodexo for dining services as recommended and described in the memorandum from President Clark dated August 24, 2020.
(Attachment)

ROLL CALL VOTE:

Chairman Durgin asked for a roll call vote to approve the contract: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

Contract Approval for Clinical Research Sequencing Platform, LLC/The Broad Institute Inc.

Vice President Shropshire noted the Broad Institute provides testing services for COVID-19. The Harvard/MIT Lab came highly recommended. This is a rate contract with extension possibility. This is through the end of January. The cost is \$25 per test with a 24-hour guarantee. The initial contract commitment is \$442,000. They are seeking Board approval in anticipation it rises above \$500,000. If the contract is renewed, they are hopeful for the same pricing; however, it could be \$35 per test if there is a lower commitment from fellow institutions. They will come back to the Board if this is extended.

Trustee Denterlein inquired about Broad overextending their services to companies. President Clark replied Broad offered its services to institutions of higher ed in Massachusetts and that they will not have any new institutions joining as they are committed to their service. President Clark is not aware of any complaints thus far.

Trustee Caulfield inquired about refusals to take the test. President Clark replied this is a condition to live on campus. Commuters, faculty and staff can volunteer to be tested; not mandatory.

In response to Trustee Caulfield's inquiry, President Clark noted all contracts have gone through legal review.

VOTED

FOR: Unanimous

CARRIED

On motion duly made and seconded (Murphy, Denterlein) it was that the Board of Trustees approves the contract with Clinical Research Sequencing Platform (CRSP) LLC, a wholly owned subsidiary of the Broad Institute, Inc., as outlined in the memorandum from President

Clark dated August 24, 2020.
(Attachment)

ROLL CALL VOTE: Chairman Durgin asked for a roll call vote to approve the contract: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

Contract Approval for Presidio Technology Capital, LLC

Vice President Shropshire noted the Presidio contract is for our network infrastructure which is a 3-year contract. There will be a 3-year savings of at least \$45,000.

Vice President Zuromski commented typically it is a one-year contract; however, with the savings it is important to move forward with three years.

VOTED
FOR: Unanimous
CARRIED

On motion duly made and seconded (Murphy, Alexander) it was that the Board of Trustees approves a contract with Presidio Technology Capital LLC for its annual Cisco network infrastructure maintenance renewal (SMARTnet) as recommended and described in the memorandum from President Clark dated August 24, 2020.
(Attachment)

ROLL CALL VOTE: Chairman Durgin asked for a roll call vote to approve the contract: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

Contract Approval for A.P. Whitaker & Sons

Vice President Shropshire stated this contract is for the Rondileau Student Union building. There was an asbestos fire curtain which will be replaced with a fire suppression system for the auditorium. This is funded by DCAMM. Matching funds were available and this money was spent two years ago in the design phase. Last year, the State budget had money earmarked towards this.

VOTED
FOR: Unanimous
CARRIED

On motion duly made and seconded (Murphy, MacCormack) it was that the Board of Trustees approves a contract with A.P. Whitaker & Sons, Inc. for the Rondileau Student Union Auditorium Emergency Fire Protection Improvements as recommended and described in the memorandum from President Clark dated August 24, 2020.
(Attachment)

ROLL CALL VOTE: Chairman Durgin asked for a roll call vote to approve the contract: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

Contract Approval for Blackboard

Vice President Shropshire stated they are extending an existing contract with a possible 3-year extension. The pricing is procured through a partnership. Blackboard has been the market leader for several decades. This system is integrated into multiple systems on campus.

VOTED

FOR: Unanimous

CARRIED

On motion duly made and seconded (Murphy, MacCormack) it was that the Board of Trustees approves a contract with Blackboard to extend the University's Learning Management System as recommended and described in the memorandum from President Clark dated August 24, 2020.
(Attachment)

ROLL CALL VOTE:

Chairman Durgin asked for a roll call vote to approve the contract: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

Title IX Sexual Harassment Policy

President Clark noted the U.S. Department of Education promulgated new regulations for Title IX. The Board previously approved the EO plan which is why this amendment is before the Board. The policy changes went into effect on August 14, 2020. He is concerned about the policy changes as it changes the rules of the game and this may prevent victim survivors from coming forward. There was an injunction in the Federal Court which failed.

Ms. Frawley noted the sexual harassment policy is in compliance with the Department of Education. The Student Code of Conduct has been updated. University liability is limited. There is now a risk of students feeling less secure about reporting as a live hearing is now in place.

Trustee MacCormack is concerned we are creating an environment that will not allow people to come forward which could create a hostile work environment. There is no legal recourse. She asked to go on record that she has reservations with the new policy. Trustee Alexander noted for the sake of compliance and exercising the law, he will vote yes; but does not agree with this new policy. The Board as a whole was in agreement to vote affirmative under its obligatory duty; however, they do not support the new policy and the implications it may cause.

Trustee MacCormack stated as a campus community we want to maintain community responsibility for each other. Faculty, staff and students will have to take responsibility for their own actions.

VOTED

FOR: Unanimous

CARRIED

On motion duly made and seconded (Caulfield, Longo) it was that the Board of Trustees approves the new Title IX Sexual Harassment Policy as recommended and described in the memorandum from President Clark dated August 24, 2020. (Attachment)

ROLL CALL VOTE:

Chairman Durgin asked for a roll call vote to approve the Title IX Sexual Harassment Policy: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy, MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

VOTED

FOR: Unanimous

CARRIED

On motion duly made and seconded (MacCormack, Caulfield) it was that the Board of Trustees endorse the sentiments expressed in the Council of Presidents' letter to Secretary DeVos related to the new implementation of Title IX.

ROLL CALL VOTE:

Chairman Durgin asked for a roll call vote to approve the above motion: Trustees Alexander, Benson, Caulfield, Denterlein, Longo, Murphy, MacCormack, Oliari, Turchon and Durgin. All voted in the affirmative to approve the motion.

President Clark will share the letter and Trustees can acknowledge its content and submit to the Commissioner.

Budget Update

President Clark stated they do not have the state budget yet. He has been told to prepare for a big cut. He and his team are advocating at the state and federal level for funding. Another variable is the behavior of our students. If the university has to close the residence halls, this will represent a \$6M per semester hit to our budget. They are doing their best to control this.

Vice President Shropshire noted since the approval of the continuation budget in June, they have maintained no more than \$7.5M utilization of the \$15M operating reserve. Enrollment is down 3.8%; they budgeted for 5%. Occupancy is slightly less than budgeted; currently at 41.8%. There was an appropriation clarification on the base MSCA contract resulting in a loss of \$1.5M in revenue. Received \$975,000 for capital projects from DCAMM. Received \$631,000 from the state targeted for COVID related expenses. Salary savings resulted in \$1.6M. Saving over \$4.6M for payroll related expenses. Employees are pulling more weight. Projection of \$500,000 for spring testing expenses which they are planning for. Looking at \$1M reduction in divisional budgets. Divisions are reevaluating their budgets. Expecting a 15% reduction in the state budget and will balance budget according to this.

Enrollment Update

President Clark commented undergrad numbers are down by about 294 students. Freshman numbers and transfer students are down. Retention numbers for our juniors are lower than normal. Graduate numbers are up by about 201. Continuing Studies is doing a terrific job. Billed credits are down about 2%. Res Life housing was at 1,411 students; however, today stands at 1,280 which is lower than our budget projection. Last year housing count was at 3,306. BSU is doing well compared to peer institutions.

President Clark explained the bond payment for the residence halls is \$19M; however, this has been rewritten so it is at \$7M. There would be a fiscal emergency if we had to empty residence halls for the entire year.

Trustee MacCormack asked if there is a trend relative to junior retention. Are students taking a gap year? Suspending their admission? Are students asking for a tuition reduction? President Clark responded, yes, some are taking a gap year and some have asked about tuition reductions, but it isn't a movement. Vice President Gentlewarrior is working with juniors and it has been a campus-wide endeavor. Some students have indicated family illness and economic distress. No anecdotal data yet.

Trustee Longo inquired about campus programming to engage the residents. Vice President Oravec responded they implemented virtual programming and virtual floor meetings. Hopeful to hold small groups outside at some point. Regarding behavior, he is amazed with the RA training. RA's role model certain situations and they are thoroughly trained on the reinforcement of safety and expectations of students.

Trustee Benson noted SGA has been holding virtual meetings. They encourage students to follow the guidelines. Student leaders embrace the policies and hold this is a top priority.

General Data Protection Regulation (GDPR)

President Clark thanked Vice President Zuromski and his team for working on the GDPR for about a year. Vice President Zuromski and Kathy Flaherty presented key elements of the policy. (See Attachment). This policy was created as well as a formal inventory of all the data elements that fall under GDPR. A review will be performed annually. The policy went into effect on May 25, 2018. They consulted with Rubin and Rudman. This policy is in addition to our website policy protection. Ms. Flaherty reviewed the eight sections to the policy. (See Attachment)

COVID-19/Safe Return Update

Chief of Staff Leuenberger thanked everyone for their support. The plan began with the Safe Return Task Force. The Safe Return site is available to students, faculty and staff. A pledge has been implemented as well as a training process. Each student and staff will need to participate in the training. There are resident hall agreements. There have been divisional meetings on individual responsibilities. We have agreed to protect ourselves and others. BSU Health Pledge is posted for all to see. Testing, Training and Tracing has been addressed. The process of testing is not invasive and is going well. A process is in place with the Wellness Center for testing and for those who show symptoms. Every student living on campus will be tested upon arrival followed by testing every other week. Employees can voluntarily be tested. First responders and medical staff have access as well. Testing is free to all. Random sampling for classroom testing will be conducted. Every hybrid class will have a student voluntarily tested. Classroom safety plans are in place; special masks are available and there are additional supplies for our community (shields, cleaning products, masks, etc.). There is a highly trained tracing team in place who are supported by the Wellness Center. The Wellness Center has worked with Bridgewater's Board of Health. IT has been very instrumental in assisting with tracing on campus. Students and staff can only access certain buildings through their Connect card. Twenty-five percent of staff are on campus, all others are working at home.

(Attachment)

Presidential Review 2019-2020

Chairman Durgin introduced the president's self-evaluation which was provided to the Trustees for their review. The Board is required to submit an annual evaluation. He will work on a cover memo to include the Board's assessment. The deadline date is September 1; however, the Commissioner has given an extension to September 12. Chairman Durgin asked the Trustees to provide their feedback to him, he will draft the cover letter and then share with the Board for feedback.

(Attachment)

OTHER
BUSINESS

Chairman Durgin noted the committee chairs know what is coming forward and have the ability to hold a meeting to discuss items in further depth if needed. The next meeting of the Board will be mid-to-late September. Chairman Durgin believes Zoom protocols have been working well. He asked Vice President Zuromski and Tracey Keif to look at protocols to ensure we are working as efficiently as possible.

Chairman Durgin wished Trustee Benson and his fellow students a great start as the semester begins and he looks forward to updates at future meetings.

VOTED
FOR: Unanimous
CARRIED

On motion duly made and seconded (MacCormack, Longo) it was that the meeting be adjourned (6:10 pm).

Respectfully submitted,

Margaret A. Caulfield, Esq.

Margaret A. Caulfield, Esq.
Secretary

Minutes prepared by:
Tracey Keif