



Board of Trustees

Finance and Capital Assets Committee

11:00 a.m.
October 13, 2020

Virtual Meeting via Zoom

- | | |
|--|---------------------------------|
| 1. Called to Order | Trustee Sullivan |
| 2. Minutes | |
| a. June 25, 2020 | Trustee Sullivan |
| 3. Items for Information | |
| a. Travel Expenses of the President and the President's Direct Reports: July 1, 2019 – June 30, 2020 | Lisa Freeman |
| b. Fixed Assets Inventory Progress Report | Steven Scibelli |
| c. Equal Opportunity, Diversity and Affirmative Action Plan Policy (2170) | Jalisa Williams |
| d. Capital Project Update | Maureen Socha |
| e. NECHE COVID-19 Data Collection and Financial Screening | Stephen Taksar |
| 4. Items for Action | |
| a. Motion – FY21 Operating Budget | President Saigo/ Stephen Taksar |
| i. University Efficiency Analysis Advisory Committee | Juline Mills |
| 5. Items for Discussion | |
| a. FY22 Budget Planning Assumptions and Timeline | Stephen Taksar/Maria Feuerstein |

Attachment(s):

- a. Minutes (Draft) 6-25-20
- b. Travel Expenses of the President and the President's Direct Reports
- c. Fixed Assets Inventory Progress Report
- d. Equal Opportunity, Diversity and Affirmative Action Plan Policy (Appendix)
- e. Capital Project Update (PowerPoint)
- f. NECHE COVID-19 Data Collection and Financial Screening
- g. Motion – FY21 Operating Budget

- h. FY21 Operating Budget (Narrative)
- i. FY21 Operating Budget (Campus Budget)
- j. FY21 Operating Budget (Trust Fund)
- k. FY21 Operating Budget (UEAAC Narrative)
- l. FY21 Operating Budget (Preliminary)
- m. FY22 Budget Planning Assumptions and Timeline



BOARD OF TRUSTEES

Finance and Capital Assets Committee

June 25, 2020

Minutes

Meeting held virtually via Zoom

In accordance with Massachusetts Gov. Charlie Baker’s Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20 dated March 12, 2020.

A live stream of the meeting for public viewing also took place on YouTube.

MEMBERS PARTICIPATING REMOTELY: Committee Chair Sullivan, Secretary Magovern, Trustees Boudreau, Neves, Queenin and Williams

MEMBERS EXCUSED: Vice Chair Hagan

TRUSTEE GUESTS PARTICIPATING REMOTELY: Trustees Alvarado, Martin, and Martinez-Alvarez

Dr. Ramon S. Torrecilha, President of Westfield State University, was also participating remotely.

Committee Chair Sullivan called the meeting to order at 11:00 AM.

MOTION made by Trustee Magovern, seconded by Trustee Williams, to approve the minutes of the April 30, 2020 meeting.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Not audible at time of vote	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

Ms. Tricia Oliver, Chief of Staff, shared the FY20 Sponsorships report, showing the University was authorized to spend \$30,000 for public purposes. It was discovered after the report was created that the University had not been invoiced for the fall 2019 Baystate Health Annual Ball so the \$5,731 total figure should read \$11,631. In FY19, the total amount spent was \$20,908 and the difference is because of canceled events due to COVID-19 and the University’s sponsorship of the City of Westfield 350 in 2019.

Mr. Stephen Taksar, Vice President for Administration and Finance, shared an update on the Investment Subcommittee, stating they met on May 27 to review quarterly performance by Eaton Vance. The multi-month transition plan for cash to be invested in various equities and bonds for a staggered approach is still being followed. Custom benchmarks for the transition year and ongoing benchmarks more relevant to the investment structure were discussed. There is currently no change recommended to the investment strategy and the Investment Policy will be reviewed at the next meeting.

Mr. Taksar reviewed the new Residential Dining Plan, stating the Executive Committee met on May 27 to review and approve the request for a new dining plan for one year, a combination of the unlimited and basic plans, now called the OWL plan. The impact was a revision to tuition and fees, resulting in decrease in the cost of attendance by 0.2% and overall cost by 0.2%.

Mr. Taksar and Maureen Socha, Executive Director, Facilities and Operations, gave a FY21 Capital Projects Update:

- The Division of Capital Asset Management and Maintenance (DCAMM) multi-year, five-year plan was restructured based on new emergencies and projects.
- DCAMM funding of major capital projects was restructured in the process of requests and approvals. We received DCAMM approval for funding for Parenzo Hall in 2019, and submitted a \$5.0 million project for the Center for Diversity and Inclusion in December, 2019. In May, DCAMM and the state decided to postpone any decision on any major capital project proposal.
- Ms. Socha presented the FY21 projected capital projects. For DCAMM projects, they pay the majority and we have a match. The Dower boiler replacement is a priority and the next phase of the security camera update is ongoing, with a grant received to assist in the funding. The cameras will be placed around campus and at the South Lot by June 30. A mechanical, electrical, plumbing, and fire campus master plan is desperately needed. The correct figure for the dining floor replacement is \$1,300,000 instead of \$1,300 as listed.
- Construction managers have been selected for the Parenzo and Scanlon Hall Renovation projects, which are on budget. The Parenzo schematic design is almost complete and Scanlon Hall renovations will be done by October/November so the move can take place from Parenzo to Scanlon.
- Preventative maintenance needs to move forward.

Mr. Taksar discussed the Multi-Year Planning Model:

- A report cannot be prepared that makes sense today. Using an annual budget cycle to make long-term decisions doesn't work either. We need a useful longer-term process for information and it is recommended to defer a multi-year analysis when there is less uncertainty. We need to start modeling FY22 early next fall, right after the confirmed enrollments for the fall of 2020, taking immediate steps to understand the multi-year impact two years out until we can get to a full five-year projection.
- The Board of Higher Education's work on liquidity, through Parthenon, pointed to FY22 as a more critical year to think about and suggested we get to that analysis as soon as possible; fall would be the right time.

The FY21 Provisional Operating Budget was discussed:

- President Torrecilha shared information from the Board of Higher Education (BHE) meeting Tuesday. The BHE engaged Ernst and Young/Parthenon to look at the liquidity of community colleges and state universities. They viewed three years of data collected for trends in enrollment, debts, reserves and residence hall occupancy showing three scenarios with decreases in state appropriation, enrollment, and residence hall occupancy. Worst-case scenarios would be not opening campuses in the fall. The report showed four community colleges and four state universities that will have liquidity problems if not reopened in the fall. It takes \$9 million per month to keep operations of the campus going. We could spend \$30 million of our reserves, putting aside \$9 million for one month. Leaving \$11 million in reserves, which is exceeding low, is not sufficient to support emergency needs of the University in the fall and spring. State appropriations are not going to increase. It is clear that community colleges and state universities are being asked to weather the storm by themselves.
- Chair Queenin stated developing FY22 is significantly important in the process since this is not a one-year issue. Reductions in expenditures have taken place this year and will continue next year. We need to be strategic and understand what we need to do by vetting each. Decisions need to be made for the long-term success of the University. Leaving us short on resources will make FY22 a challenge. Mr. Taksar does not believe that Westfield State is one of the four universities facing liquidity problems, although

they have counted our investments as part of our cash reserve. The assumption that public universities can take their investments and realize/convert them on a dime is problematic. Using reserves for recurring operating expenses is mortgaging the future, which is not financially prudent.

- It was questioned whether to postpone capital project updates in anticipation of getting through this difficult period. The capital requests have been prioritized on the entire five-year plan. Many of these projects are funded by DCAMM, so the accumulated match funds would be lost if the projects deferred. Emergency repairs need to be done and all are health and safety or emergencies due to a building failure. Those shown on the list are prioritized as urgent needs.

Mr. Taksar continued that this is the most significant uncertainty ever faced in budget planning, adding:

- COVID-19 will create additional significant costs.
- Fifteen to twenty scenarios were run leading up to today. Because there needs to be some sort of beginning budget, a provisional budget is being proposed to start the fiscal year with an updated budget provided at the October meeting.
- The FY21 planning scenarios were presented showing base, provisional and worst-case scenarios.
- Key assumptions were shown, with 3,280 billable students being budgeted for, a 22% decline from FY20-FY21.
- A 10% decrease in state appropriation (approx. \$3 million) is being projected.
- Revenue is projected to drop by 14% - almost \$18 million – every single revenue category is declining. The College of Graduate and Continuing Education (CGCE) operation is holding its own, showing stable revenue for next year.
- Campus projects a \$7.5 million loss even after reductions of \$11 million, resulting in a structural deficit, not an annual deficit. Some planned use of reserves and some capital funding rollovers will be utilized.
- Budget reductions were shown with \$7 million permanent reductions and \$4 million in temporary reductions due to a hiring freeze totaling \$11 million.
- CARES ACT funding of \$4.7 million was received, with \$2.25 million disbursed to students and \$2.25 million for institutional support to offset additional online learning over the summer and as a backfill for refunds offered in the spring. The DHE has strict requirements for use of the funds.
- The MSCBA debt restructuring/refinance may include a \$8.3 million savings overall.
- DCAMM is freeing \$20 million in one-time funds. We can apply for \$1 million, which will alleviate the campus required match and could help with COVID expenditures.
- Need to review and reconsider every option going forward to see how to close the \$7.5 million budget gap.
- It was questioned whether all the faculty and staff are needed to support 750 less students. Mr. Taksar stated there have already been reductions in adjunct faculty by \$2 million, but there are limitations on what the University can do based on union contracts.
- Academic Affairs has been busy adjusting courses for the fall and researching how to account for the decline in students without compromising the safety and quality of instruction.
- Commissioner Santiago just released guidance to all campuses granting local authority to consider bargaining with unions on reductions such as furloughs and layoffs.
- It was questioned whether the CARES ACT and MSCBA savings were reflected in the budget. Mr. Taksar stated the CARES ACT is grant funding and needs to be spent before getting reimbursed. The institutional funds have not yet been received (other than the refund money) and they are not entered in the budget as they do not help the base budget. Enough of the \$8.3 million was reflected so that the Residence Life budget is neutral. The best approach is to isolate the benefit just to Residence Life so we do not have to rely on reserves and savings. The \$2.25 million will cover Academic Affairs' plan on supporting remote learning for faculty (\$500,000-\$600,000), buying computers, expanding software, and then supporting the \$6.5 million in refunds paid in spring.

- The U.S. House of Representatives passed the Heroes Act of \$46 billion for Higher Ed with funds to be delivered to governors, who will divide among public Higher Ed, but the Senate is unlikely to approve it. Lobbyists are trying to make the case that if funds are approved, they should go directly to institutions and not state houses.
- Billing for all returning and new students is the same as the past for right now. State universities are not in a position to refund tuition and fees. The general fee supports all the operational, salaries, instruction and technology across the board. If the University has to shut down again, refunds would be the same as spring.
- Provost Prusank stated that it does not cost the institution less for online learning and there is not a different rate for online or on-ground learning. Each way of learning must match each student's needs. All services will be provided both on-ground and online. Academic Affairs has three task forces. One specifically for academic support for students, another on professional development for faculty and staff to help with remote versions of support; and strategies to help students in their online learning. Data from spring semester surveys of faculty, staff, and students will help to build professional development for the fall.

MOTION made by Trustee Sullivan, seconded by Trustee Magovern, to approve the FY21 provisional operating budget as presented and to authorize the President to make budget adjustments to these funds.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

MOTION made by Trustee Sullivan, seconded by Trustee Magovern, to approve the FY21 proposed capital budget and capital projects greater than \$500,000, as presented in the FY21 Major Capital Projects for Facilities Plan.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

Mr. Taksar stated the requirement that the Board approve all leases. They are in the process of acquiring a new vehicle, as they did not obtain all the vehicles approved last year, acquiring just the critical vehicles as needed.

MOTION made by Trustee Sullivan, seconded by Trustee Magovern, to approve FY21 expenditures for the vehicle lease/purchase program, as presented.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

MOTION made by Trustee Sullivan, seconded by Trustee Magovern, to authorize the University to spend up to \$30,000 in FY21 on sponsorship and/or attendance at community events, consistent with University guidelines for the expenditure of such funds. The University will report all expenditures made under this umbrella approval no later than the June 2021 meeting of the Board of Trustees.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

Steven Scibelli, Director of Financial Accounting, stated the University is entering the fourth of a five-year plan to match sister universities and the Commonwealth as a whole in the amount of capital threshold carried. This is a financial statement impact only and does not affect the budget.

MOTION made by Trustee Sullivan, seconded by Trustee Magovern, to approve and adopt the updated Westfield State University policy on Fixed Assets, Capitalization, and Inventory Control (0601), as presented, increasing the capital threshold to \$40,000, effective July 1, 2020.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

There being no further business, **MOTION** made by Trustee Magovern, seconded by Trustee Boudreau, to adjourn.

There being no discussion, **ROLL CALL VOTE:**

Trustee Boudreau	Yes	Trustee Queenin	Yes
Trustee Magovern	Yes	Trustee Sullivan	Yes
Trustee Neves	Yes	Trustee Williams	Yes

Motion passed unanimously.

Meeting adjourned at 12:37 PM.

Attachments presented at this meeting:

- a. Minutes 4-30-20 (Draft)
- b. FY20 Sponsorships
- c. FY21 Capital Projects Update
- d. Multi-Year Planning Model Update
- e. Motion – FY21 Provisional Operating Budget
- f. FY21 Provisional Operating Budget (Narrative)
- g. FY21 Provisional Operating Budget (Campus)
- h. FY21 Provisional Operating Budget (Trust Fund)
- i. FY21 Provisional Operating Budget (Scenario Planning)
- j. FY21 Provisional Operating Budget (Scenario Assumptions)
- k. FY21 Provisional Operating Budget (Tuition and Fees)

- l. Motion – Capital Projects Greater 500K
- m. Capital Projects (Funding Plan)
- n. Capital Projects (Facilities Plan)
- o. Motion – Vehicle Lease Program
- p. Vehicle Lease Program
- q. Motion – FY 21 Sponsorships
- r. Motion – Fixed Assets Capitalization and Inventory Control Policy
- s. Fixed Assets Capitalization and Inventory Control Policy (Narrative)
- t. Fixed Assets Capitalization and Inventory Control Policy (Revised)

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the Westfield State University Board of Trustees Finance and Capital Assets Committee meeting held on June 25, 2020.

Robert Magovern, Secretary

Date

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

ERICA BROMAN

Destination and Purpose	Date	Amount	Expense	Post Date		
Boston, MA: Attend the Council for Advancement and Support of Education (CASE) Summit for Leaders in Advancement.	07/14-07/16	\$69.00	Meal Allotment	08/12		
		\$98.02	Mileage	08/12		
		\$18.00	Parking	08/12		
		\$1,575.00	Registration	05/01		
		\$5.05	Tolls	08/12		
		\$1,765.07				
Hingham, MA: Visit with a constituent/donor.	08/23	\$121.86	Mileage	10/04		
Washington, DC: Visit constituents and attend alumni event.	10/05-10/08	\$252.60	Airfare	08/02		
		\$625.34	Hotel	10/04		
		\$96.50	Meal Allotment	11/15		
		\$33.00	Metro	11/15		
		\$17.11	Mileage	11/15		
		\$29.56	Parking	11/15		
		\$13.07	Taxi	11/15		
		Business Meal: Breakfast with alums John Gilbert and Aaron Astley regarding possible events in DC to engage alums.	10/07	\$22.40	Business Meal	10/08
		Business Meal: Lunch with retired WSU professor emerita, Linda Nober regarding stewardship.	10/07	\$18.45	Business Meal	10/08
				\$1,108.03		
Florida: Visit constituents and attend Alumni events.	03/11-03/17	\$638.95	Airfare	02/10, 03/16		
		\$37.47	Fuel - Rental Car	04/22		
		\$1,182.72	Hotel	03/19		
		\$259.50	Meal Allotment	04/22		
		\$510.30	Rental Car	03/20		
		\$10.95	Tolls	03/26,03/31		
		Business Meal: Dinner Bill Hynes and with David and Colleen Campbell, Alumni who hosted the Alumni Event.	03/12	\$30.99	Business Meal	03/12
				\$2,670.88		

BROMAN TOTAL

\$5,665.84

DAN FORSTER

Destination and Purpose	Date	Amount	Expense	Post Date
Louisville, KY: Attend National Association for College Admission Counseling (NACAC) National Conference.	09/26-09/29	\$604.00	Airfare	09/13
		\$582.59	Hotel	09/12
		\$138.50	Meal Allotment	11/06
		\$155.00	Parking	11/06
		\$440.00	Registration	09/13
		\$161.83	Rental Car	09/12
		\$2,081.92		
Worcester, MA: Attend In Pursuit of Equity, Accountability, and Success (PEAS): Latinx Students in Massachusetts.	10/04	\$25.00	Registration	10/07

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

DAN FORSTER CONTINUED

Destination and Purpose	Date	Amount	Expense	Post Date
Washington, DC: Attend the EAB Enrollment Strategy Symposium.	01/28-01/29	\$166.60	Airfare	12/06
		\$25.00	Meal Allotment	02/26
		\$76.00	Parking	02/26
		\$250.00	Registration	01/16
		\$41.81	Taxi	02/26
		\$559.41		

FORSTER TOTAL

\$2,666.33

SUSAN LEGGETT

Destination and Purpose	Date	Amount	Expense	Post Date
LEGGETT TOTAL				
		\$0.00		

GLORIA LOPEZ

Destination and Purpose	Date	Amount	Expense	Post Date
Fitchburg, MA: Attend the College Health Programs and Insurance Billing seminar.	08/06	\$75.28	Mileage	08/14
Burlington, VT: Attend the University of Vermont Legal Issues in Higher Education Conference.	10/13-10/16	\$718.95	Hotel	10/18
		\$78.50	Meal Allotment	10/28
		\$239.71	Mileage	10/28
		\$12.00	Parking	07/29
		\$719.00	Registration	07/29,09/25
		\$1,768.16		
Nashville, TN: The American College Personnel Association (ACPA) annual conference.	03/01-03/06	\$388.00	Airfare	08/09
		\$55.00	Baggage	04/08
		\$1,079.52	Hotel	02/21
		\$190.00	Meal Allotment	04/08
		\$78.31	Parking	04/08
		\$399.00	Registration	08/09
		\$28.00	Taxi	04/08
\$2,217.83				

LOPEZ TOTAL

\$4,061.27

TRICIA OLIVER

Destination and Purpose	Date	Amount	Expense	Post Date
Springfield, MA: Attend Women of Impact Luncheon honoring Lydia Martinez-Alvarez.	12/05	\$13.22	Mileage	01/08
		\$5.50	Parking	01/08
		\$18.72		
Boston, MA: Attend the Global Workshop for Parenzo Hall Renovation.	01/23	\$38.00	Parking	03/09

*Business Meals are per person cost and exclude alcohol (reimbursed by the Foundation).

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

TRICIA OLIVER CONTINUED

Destination and Purpose	Date	Amount	Expense	Post Date
Springfield, MA: Attend a Portrait of a Graduate Working Team meeting.	02/18	\$1.44	Mileage	03/09

OLIVER TOTAL

\$58.16

DIANE PRUSANK

Destination and Purpose	Date	Amount	Expense	Post Date
Minneapolis, MN: Attend the American Association of State Colleges and Universities (AASCU) Academic Affairs Summer Meeting/Conference.	07/24-07/27	\$466.60	Airfare	07/12
		\$743.40	Hotel	07/25
		\$745.00	Registration	07/10,07/11
		\$1,955.00		

Bedford, MA: Attend a New England Commission of Higher Education (NECHE) special session for institutional Chief Academic Officers (CAOs) and Accreditation Liaison Officers (ALOs) to introduce them to the Commission's Standards for Accreditation, policies, and procedures, and to discuss how the Commission and its staff work with member institutions, including the President, and the CAO and ALO.	08/01	\$101.96	Mileage	10/04
		\$100.00	Registration	07/11
		\$201.96		

Sturbridge, MA: Attend the New England Commission of Higher Education (NECHE) Self-Study Workshop.	10/17-10/18	\$795.00	Registration	09/04
--	-------------	----------	--------------	-------

PRUSANK TOTAL

\$2,951.96

TIMOTHY ROOKE

Destination and Purpose	Date	Amount	Expense	Post Date
ROOKE TOTAL				
		\$0.00		

STEPHEN TAKSAR

Destination and Purpose	Date	Amount	Expense	Post Date
Boston, MA: MSCBA and DCAMM Meeting.	07/01	\$30.24	Fuel - Rental Car	07/17
		\$7.50	Meal Allotment	07/17
		\$28.00	Parking	07/17
		\$0.00	Rental Car	Comped
		\$17.60	Toll	09/20
		\$5.80	Train	07/17
		\$89.14		

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

STEPHEN TAKSAR CONTINUED

Destination and Purpose	Date	Amount	Expense	Post Date
Austin, TX: Attend the National Association of College and University Business Officers (NACUBO) annual meeting.	07/13-07/17	\$469.00	Airfare	05/27
		\$60.00	Baggage	07/15,07/19
		\$1,064.90	Hotel	07/19
		\$143.00	Meal Allotment	08/14
		\$9.22	Mileage	08/14
		\$62.24	Parking	07/03
		\$910.00	Registration	03/29
		\$33.14	Shuttle	07/04
		\$2,751.50		
Boston, MA: Attend University Risk Management & Insurance Association conference. CANCELLED	09/15-09/19	\$100.00	Registration	08/05,10/10
Worcester, MA: Attend a PACE Steering Committee Meeting.	10/24	\$58.00	Mileage	11/18
		\$3.50	Tolls	11/18
		\$61.50		
Worcester, MA: Attend CFO meeting.	11/15	\$42.34	Mileage	12/20
Amherst, MA: Attend a Dining Services meeting.	12/06	\$27.32	Mileage	12/20
		\$3.50	Parking	12/09
		\$30.82		
Boston, MA: Attend DCAMM Meeting.	01/10	\$27.16	Fuel - Rental car	01/13
		\$38.00	Parking	01/13
		\$40.40	Rental Car	01/13,01/15
		\$20.55	Tolls	01/20
		\$126.11		
Bridgewater, MA: Attend CFO Meeting.	01/17	\$41.40	Rental Car	01/20
		\$7.51	Fuel - Rental car	01/20
		\$16.37	Fuel - Rental car	01/17
		\$10.85	Tolls	01/27
		\$76.13		
Boston, MA: Attend DCAMM Meeting and BSA Awards.	01/23	\$31.01	Fuel - Rental car	01/23,01/24
		\$52.00	Parking	01/27
		\$80.20	Rental Car	01/27
		\$163.21		
Boston, MA: Attend BEST Financial Operations Working Group Meeting.	02/11	\$24.49	Fuel - Rental car	02/12
		\$28.00	Parking	02/13
		\$40.40	Rental Car	02/13
		\$21.55	Tolls	02/24
		\$114.44		
Southbridge, MA: Attend the Joint Meeting of Chief Financial Officers and Comptrollers.	02/21	\$41.57	Mileage	03/18

*Business Meals are per person cost and exclude alcohol (reimbursed by the Foundation).

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

STEPHEN TAKSAR CONTINUED

Destination and Purpose	Date	Amount	Expense	Post Date
Boston, MA: Attend meetings with the MSCBA and Rubin and Rudman.	03/03	\$43.00	Parking	03/04
Philadelphia, PA: Attend EACUBO Annual Meeting. CANCELLED	03/11-03/13	\$298.80	Airfare	02/13

TAKSAR TOTAL

\$3,938.56

RAMON TORRECILHA

Destination and Purpose	Date	Amount	Expense	Post Date
Washington, DC: Attend the American Association of State Colleges and Universities (AASCU) Fall Presidential Symposium - "Harnessing the Power of Higher Education: AASCU Institutions and Engines for Economic Growth."	09/11-09/13	\$400.60	Airfare	08/09
		\$88.82	Extras (Air)	08/09,09/12
		\$0.00	Hotel	Comped
		\$105.00	Meal Allotment	10/28
		\$69.39	Parking	09/16
		\$289.00	Registration	01/15
		\$38.24	Taxi	09/13,09/16
		\$991.05		
Boston, MA: Attend a meeting with University of Massachusetts President Marty Meehan.	09/17-09/18	\$386.82	Hotel	09/19
		\$66.00	Meal Allotment	10/28
		\$452.82		
Washington, DC: Attend an alumni event and the Washington Center Annual Scholarship Dinner. CANCELLED	10/05-10/08	\$252.60	Airfare	08/09
		\$68.14	Extras (Air)	08/09
		\$320.74		
Southbridge, MA: Attend 2019 Self-Study Workshop.	10/17	\$100.00	Registration	08/09
Temecula, CA: Attend Alumni Winery Event.	10/18-10/21	\$997.00	Airfare	10/14
		\$103.00	Extras (Air)	10/14
		\$810.56	Hotel	10/21,10/22,10/23
		\$211.00	Meal Allotment	12/11
		\$123.37	Parking	10/23
		\$180.62	Taxi	10/21,12/11
Business Meal: Lunch with Alumni donor Craig Johns, his wife Libby, and Marnie Dacko.	10/19	\$28.39	Business Meal	10/21
		\$2,453.94		
Phoenix, AZ: Attend the American Association of State Colleges and Universities (AASCU) Annual Meeting and Board of Directors Meeting.	10/25-10/30	\$525.00	Airfare	08/12
		\$270.60	Extras (Air)	08/09,08/12,10/31
		\$1,232.65	Hotel	11/01
		\$150.00	Meal Allotment	12/11
		\$123.37	Parking	11/01
		\$1,050.00	Registration	08/07
		\$65.36	Taxi	10/28,11/01
		\$3,416.98		

*Business Meals are per person cost and exclude alcohol (reimbursed by the Foundation).

**Travel Expenses of the President and the President's Direct Reports
July 2019 - June 2020**

RAMON TORRECILHA CONTINUED

Destination and Purpose	Date	Amount	Expense	Post Date
Springfield, MA: Attend a Portrait of a Graduate Working Team Meeting.	11/19	\$5.50	Parking	12/11
Boston, MA: Attend the New England Commission of Higher Education (NECHE) 2019 Annual Meeting.	12/10-12/13	\$880.00	Registration	10/10
Washington, DC: Attend the Association of American Colleges and Universities (AAC&U) 2020 Annual Meeting: Shaping the Future of Higher Education: An Invitation to Lead.	01/22-01/24	\$342.60	Airfare	11/21
		\$100.73	Extras (Air)	11/21,01/23
		\$528.76	Hotel	01/27
		\$139.00	Meal Allotment	02/03
		\$92.52	Parking	01/27
		\$503.00	Registration	11/19
		\$47.75	Taxi	01/23,01/27
		\$1,754.36		
Washington, DC: Attend the American Association of State Colleges and Universities (AASCU) Spring Board of Directors Meeting. CANCELLED	04/15-04/17	\$848.94	Airfare	02/27,03/06

TORRECILHA TOTAL

\$11,224.33

GRAND TOTAL

\$30,566.45

Westfield State University
Finance and Capital Assets Committee

Fixed Assets Inventory Progress Report

October 13, 2020

At the close of fiscal year 2020, Westfield State University held just under 4,400 capitalized fixed assets on its books. With the exception of 400 plus items which cannot have a barcode physically attached (includes intangible items such as legacy software and comprehensive items such as building improvements), all assets in our records have a barcode sticker affixed for identification and inventory purposes. In addition to our capital assets, barcodes are affixed to over 2,400 non-capitalized assets which are also maintained on our inventory records. The inventory control office is responsible for the tagging, recordkeeping, inventory, and disposal of all University capital assets and equipment. The office has been staffed by one full-time manager, one part-time academic year assistant, and one clerical staff member working nine weeks during the summer.

The FY20 inventory report shows that 78% of our tagged assets have been physically inventoried in the previous twelve months. Another 20% of the assets have most recently been inventoried during the preceding twelve-month period. As for the remaining assets, approximately 2% have not been inventoried in over two years.

As of close of FY20 (capitalized and un-capitalized)			
Count	Percent	Barcoded assets	Original Cost
4,991	78%	Last inventoried in past 12 months (FY20)	\$ 13,662,717.99
1,251	20%	Last inventoried in preceding 12 months (FY19)	5,195,729.94
140	2%	Last inventoried over 24 months ago (FY18 and prior)	348,493.71
6,382	100%	Total barcoded assets	19,206,941.64
470		Non-barcoded assets (N-numbers & buildings)	162,972,890.52
6,852		Total tagged assets, FY20	\$ 182,179,832.16

As of close of FY19 (capitalized and un-capitalized)			
Count	Percent	Barcoded assets	Original Cost
5,860	88%	Last inventoried in past 12 months (FY19)	\$ 16,970,932.38
664	10%	Last inventoried in preceding 12 months (FY18)	2,505,921.65
112	2%	Last inventoried over 24 months ago (FY17 and prior)	299,781.34
6,636	100.0%	Total barcoded assets	19,776,635.37
467		Non-barcoded assets (N-numbers & buildings)	162,834,056.52
7,103		Total tagged assets, FY19	\$ 182,610,691.89

FY20 marks year three of a five-year plan to transition to a \$50,000 asset capitalization threshold. From a statistical standpoint, this skews the inventory completion figures as recurring asset purchases (e.g. computers) that were capitalized in previous years are now expensed in the year purchased and therefore excluded from the balance sheet. Beginning this year, the above year over year comparison includes a combined inventory completion for both capitalized and un-capitalized assets.

The inventory office is managed by a staff member with 16 years of experience at the university and many prior years of inventory control knowledge. The office is aided enormously by its 43-week part-time assistant, as well as a 9-week full-time summer assistant. The Director of Accounting Operations also assists with inventory on a periodic basis. Like many departments, inventory control was negatively affected by COVID-19. With the majority of employees transitioning to remote work, staff members in each office that would normally assist with locating their department's assets were not readily available. Additionally, some assets which would normally remain on campus such as desktop computers or lab equipment were temporarily relocated off-campus so that employees could complete their duties remotely. As the fiscal year came to a close, we temporarily obtained building master keys to complete inventory scans in some areas, however without many staff present assets locked in desks and cabinets as well as items being used remotely could not be located.

The completion of off-campus asset inventory enjoyed a slight increase from 90.7% in FY19 to 91.2% in FY20. After the onset of COVID-19, our drop-in sessions were discontinued for the remainder of the fiscal year. As an alternative, we solicited faculty and staff via email to provide photos of their assets. Two photos were required, one of the whole asset and a close-up of the WSU asset barcode. The disadvantage with photos is that scanning is not possible with our current technology and manual entry is required. Regardless this was very successful overall and we plan to continue with photo or video verifications in the future, requiring something date-stamped in photos to validate that they were recently taken. In addition to our usual off-campus inventory, numerous computer assets were temporarily loaned out to employees and students for remote work. We were fortunate to receive data from Library staff in order to communicate with the recipients of those assets for tracking. To reiterate from previous years, considerable effort is expended to inventory this very small portion of overall university assets due to them being located off-campus.

Looking forward, the inventory control office will be working to complete department scans campus wide as employees return to working on-site. As always, areas which could not be completed in the previous fiscal year are the highest priority. Secondly, the university purchased several Android based scanners in FY20 to eventually replace our aging Windows Mobile devices which are no longer supported by Microsoft. This conversion will take time as we utilize a custom, homegrown software, but we will collaborate with Information Technology Services who has managed this system and supported us for many years. New scanning technology will also allow images to be scanned on a screen, which will save significant time with capturing off-campus inventory.

MA State Universities Title IX Sexual Harassment Policy

BRIDGEWATER STATE UNIVERSITY

FITCHBURG STATE UNIVERSITY

FRAMINGHAM STATE UNIVERSITY

MASSACHUSETTS COLLEGE OF ART AND DESIGN

MASSACHUSETTS COLLEGE OF LIBERAL ARTS

MASSACHUSETTS MARITIME ACADEMY

SALEM STATE UNIVERSITY

WESTFIELD STATE UNIVERSITY

WORCESTER STATE UNIVERSITY

Effective Date: August 14, 2020

Section XIII.1	Emergency Removal of Respondent.....	20
Section XIII.2	Administrative Leave of Employee	21
Section XIII.3	Response to a Formal Complaint.....	21
Article XIV.	Written Notification of Rights	21
Article XV.	Training	23
Article XVI.	Recordkeeping.....	24
Article XVII.	Statistical Reporting and Timely Warnings under The Clery Act	25
Article XVIII.	Compliance Concerns	25
Article XIX.	Title IX Complaint and Resolution Procedures	25
Section XIX.1	Freedom from Bias and Conflict of Interest.....	26
Section XIX.2	Parties to a Complaint.....	26
Section XIX.3	Making a Formal Complaint	26
Section XIX.4	Notice of Allegations.....	28
Section XIX.5	Resolution Options	29
Section XIX.6	Formal Resolution Process	30
Section XIX.7	Formal Complaint Resolution Timeline.....	36

Article I. Policy Introduction

Together, Bridgewater State University, Fitchburg State University, Framingham State University, Massachusetts College of Art and Design, Massachusetts College of Liberal Arts, Massachusetts Maritime Academy, Salem State University, Westfield State University, and Worcester State University (collectively, “the Universities”) are committed to maintaining safe and healthy learning, living, and working environments that are free from all forms of discrimination and harassment.

Consistent with their commitment, the Universities do not discriminate on the basis of sex in the education program or activity that they operate, and are required by Title IX of the Education Amendments of 1972 (“Title IX”) to not discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment. Inquiries about the application of Title IX to the Universities may be referred to each respective institution’s Title IX Coordinator, to the Assistant Secretary of the Office for Civil Rights, or both.

This Title IX Sexual Harassment Policy (“Policy”) prohibits sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation as defined under Title IX and outlines the procedures for resolution of reports of these behaviors. The Universities provide educational

and prevention programs, services for individuals who have been affected by discrimination and harassment on the basis of sex, and accessible, timely and equitable methods of investigation and resolution of complaints.

Previously known as the “Sexual Violence Policy,” the Title IX Sexual Harassment Policy has been amended, and renamed, to be consistent with the Title IX Regulations that became effective August 14, 2020. Additionally, this policy is intended to comply with the reauthorized Violence Against Women Reauthorized Act of 2018 (“VAWA”), including the Campus SaVE Act, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). The Title IX Sexual Harassment Policy replaces and supersedes the “Sexual Violence Policy” previously contained on pages 13-45 of the Equal Opportunity, Diversity and Affirmative Action Plan (“EO Plan”).

The Universities prohibit all forms of discrimination, harassment, and sexual misconduct. These behaviors are antithetical to the mission of the Universities and, if not covered by this Policy, the Universities ensure that such conduct is prohibited and addressed through the Policy Against Discrimination, Discriminatory Harassment, and Retaliation contained in the EO Plan, Student Code of Conduct and/or employee handbooks and collective bargaining agreements.

Article II. Policy Definitions

Actual Knowledge

Notice of sexual harassment or allegations of sexual harassment to the University’s Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the Respondent.

Administrative Investigator

The Administrative Investigator is an impartial fact finder who investigates alleged violations of this Policy by interviewing parties and witnesses, collecting and reviewing statements and other relevant evidence, and providing a detailed, unbiased report regarding the findings of the investigation.

Advisor

A single person of the party’s choice, who may be, but is not required to be, an attorney, who may be present in any meeting or grievance proceeding, and who may inspect and review evidence. It is the advisor’s responsibility to conduct cross-examination during the live hearing.

The advisor's role is otherwise strictly limited to providing direct and non-disruptive assistance to the party.

Appellate Administrator/Body

The Appellate Administrator/Body is annually trained and authorized by the Title IX Coordinator or designee to conduct a review of a decision made regarding an emergency removal, dismissal of a complaint, or decision reached by a Decision Maker(s).

Coercion

Unreasonable pressure or emotional manipulation to persuade another to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual behavior, or they do not want to go beyond a certain point of sexual activity, continued pressure beyond that point can be considered coercive. Being coerced into sexual activity is not consent to that activity.

Complainant

An individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed.

Consent

An understandable exchange of affirmative words or actions, which indicates a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed and freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.

Whether an individual has taken advantage of a position of influence over a Complainant may be a factor in determining consent. A position of influence could include supervisory or disciplinary authority.

Silence, previous sexual relationships or experiences, and/or a current relationship may not, in themselves, be taken to imply consent. While nonverbal consent is possible (through active participation), it is best to obtain verbal consent. Similarly, consent to one form of sexual activity does not imply consent to other forms of sexual activity.

Day

Day may refer to a calendar day or business day and will be specified in each instance in the Policy. A calendar day is any 24-hour period including weekends and holidays. A business day is a weekday, Monday through Friday, on which the Universities are open. Business days explicitly

exclude Saturdays, Sundays, and holidays on which the Universities are closed for regular business.

Decision Maker

The Decision Maker is trained to participate in the hearing process and private deliberations. Decision Makers determine the relevance of proposed questions during hearings, and issue written determinations of responsibility that include all findings, sanctions, and remedies.

Education Program or Activity

All operations of the University including locations, events, or circumstances at or in which the University exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the University. Additionally, education programs and activities include:

- Operations on campus or on other property owned or controlled by the University, including networks, digital platforms, social media accounts, and computer hardware or software owned or operated by, or used by the University; or
- off-campus incidents in which the University exercised substantial control over both the Respondent and the context in which the behavior occurred.

Evidence

Information that is presented to establish whether a fact is more or less true. The type and extent of evidence available will differ based on the facts of each incident, but explicitly includes the parties' own statements and statements of witnesses. Evidence may be inculpatory or exculpatory.

Exculpatory evidence is evidence that is favorable to the Respondent in that it exonerates or tends to exonerate the Respondent of responsibility.

Inculpatory evidence is evidence that shows, or tends to show, a person's involvement in an act, or evidence that can establish responsibility.

Evidence must be relevant, according to the ordinary meaning of the word.

Information or evidence protected by a legally recognized privilege (e.g., attorney/client, doctor/patient) is excluded from consideration unless the holder of the privilege has waived the privilege in writing to the Title IX Coordinator.

In addition, in accordance with Title IX regulations and the Massachusetts Rape Shield Law (Mass. G.L. c. 233, § 21B) the Respondent or their Advisor are prohibited from asking questions related to the Complainant's alleged prior sexual behavior or alleged sexual reputation unless offered to prove that someone other than the Respondent committed the conduct alleged by the

Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Outside of the specific allowable exceptions, such information is not considered relevant.

Force

The use of physical strength or action (no matter how slight), violence, threats of violence or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor, and lack of such resistance cannot be relied upon as the sole indicator of consent.

Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment.

Incapacitation

An individual who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Evidence of incapacity may be detected from context clues, such as slurred speech, bloodshot eyes, the smell of alcohol on the breath, shaky equilibrium, vomiting, unusual behavior or unconsciousness. While context clues are important in determining incapacitation, they alone do not necessarily indicate incapacitation.

Persons unable to consent due to incapacitation also include, but are not limited to: persons under age sixteen (16); persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question; and persons who are physically helpless. A physically helpless person is one who is asleep, blacked out, involuntarily physically restrained, unconscious, or, for any other reason, unable to communicate unwillingness to engage in any act. The use of alcohol or drugs to render another person mentally or physically incapacitated as a precursor to or part of a sexual assault is prohibited.

The use of alcohol, medications or other drugs by the Respondent or accused does not excuse a violation of this Policy.

Preponderance of Evidence

Preponderance of evidence is a standard of review. Under this standard, conclusions by the Decision Maker must be based on what "more likely than not" occurred, based on available information and evidence. Accordingly, the Decision Maker must determine whether it is more likely than not that the Respondent violated this Policy.

Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Supportive Measures

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules or dining arrangements, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, restrictions from areas of campus, leaves of absence, increased security and monitoring of certain areas of the campus, statutorily provided leave to employees, and other similar measures.

The University will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

The Title IX Coordinator, or designee, is responsible for coordinating the effective implementation of supportive measures.

Article III. Policy Application

The Policy applies to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors, and applicants for employment or admission, or any other person participating in an education program or activity of the University. The Policy applies to on-campus and off-campus conduct, including online and virtual, that takes place in the United States within an education program or activity.

The Universities prohibit all forms of discrimination, harassment, and sexual misconduct. These behaviors are antithetical to the mission of the Universities and, if not covered by this Policy, the Universities ensure that such conduct is prohibited and addressed through the Policy Against Discrimination, Discriminatory Harassment, and Retaliation contained in the EO Plan, Student Code of Conduct and/or employee handbooks and collective bargaining agreements.

Article IV. Policy Dissemination

Each University will prominently display the contact information for the institution's Title IX Coordinator, including the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

Each University will further prominently display the Title IX policy statement on its website and in each handbook or catalog that it makes available to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the University.

Article V. Policy Offenses

Section V.1 Title IX Prohibited Sexual Harassment

(a) Sexual Harassment

The Universities prohibit, under this Policy, conduct on the basis of sex that satisfies one or more of the following conditions:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or,
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

Additionally, the behaviors as outlined in subsections (b) through (e) of this section constitute sexual harassment under this Policy.

(b) Sexual Assault

An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Attempts to commit any of these acts are also prohibited.

(i) Sexual Assault – Rape

The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim (or attempts to commit the same). This includes any gender of victim or Respondent.

(ii) Sexual Assault – Fondling

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of age and/or because of temporary or permanent mental incapacity

(iii) Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent, which is 16 years old in Massachusetts.

(iv) Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

(c) Dating Violence

Any act of violence or threatened violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship, (ii) The type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship. This includes, but is not limited to, sexual, emotional or physical abuse, or the threat of such abuse.

(d) Domestic Violence

Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

(e) Stalking

Engaging in a course of conduct directed (directly, indirectly, through a third party or other means) at a specific person that would cause a reasonable person to— (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this Policy, the behaviors must be directly related to that person's sex.

Section V.2 Retaliation

Neither the Universities nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX or this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

The Universities will keep confidential the identity of any individual who has made a report or complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sexual harassment, any Respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g; or FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of Title IX and this policy, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Section V.3 Conduct That Is Not Prohibited

The Universities are committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom of inquiry, teaching, service and research. Nothing in this Policy shall be construed to penalize a member of the University community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Any form of speech or conduct, no matter how offensive, unpleasant or even hateful, which is protected by the principles of academic freedom or the U.S. Constitution, is not subject to this policy.

Article VI. Consensual Relationships

Consensual romantic and/or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical and create a risk for real or perceived coercion. The Universities do not intrude upon private choices regarding personal relationships when these relationships do not violate the Universities' policies, or cause harm or increase the risk of harm to the safety and wellbeing of members of the campus community.

Section VI.1 Faculty/Administrator/Staff Member Relationships with Students

No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or whose academic work is being supervised or evaluated, directly or indirectly, by the faculty member. No administrator or staff member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who the administrator or staff member supervises, evaluates, advises, or provides other professional advice or services as part of a University program or activity. A romantic and/or sexual relationship, consensual or otherwise, between a faculty member, administrator or staff member and a student is looked upon with disfavor and is strongly discouraged.

Section VI.2 Relationships Between Supervisors and Subordinates or Between Co-Workers

A consenting romantic and/or sexual relationship between a supervisor and subordinate or co-workers may interfere with or impair the performance of professional duties and responsibilities and/or create an appearance of bias or favoritism. Further, such relationships could implicate state ethics laws and/or result in claims of discrimination, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Therefore, such workplace relationships are strongly discouraged.

Article VII. Making a Report

Complainants have the right to not make a complaint to anyone. A number of reporting options are available and the Universities strongly encourage seeking support from medical, counseling, and other support services.

Section VII.1 Title IX Coordinator

Each University has designated and authorized at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, who is referred to as the "Title IX Coordinator."

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, electronic form (if available), or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the reporting options available at the time of the report. Reports do not constitute a formal complaint under this Policy unless they meet the criteria specified in the Title IX Complaint and Resolution Procedures.

The Title IX Coordinator will assist Complainants in notifying law enforcement, if requested by the Complainant.

The Title IX Coordinator, or designee, is responsible for coordinating the effective implementation of supportive measures and is responsible for receiving and responding to requests for disability accommodations related to supportive measures and participation in the grievance process. The Title IX Coordinator may collaborate with other appropriate offices on campus to provide necessary accommodations under this policy.

The Title IX Coordinator for **Westfield State University** is:

Name or Title: **Dr. Jalisa D. Williams**

Office Address: **577 Western Avenue, Horace Mann Center, Second Floor, Westfield, MA 01086**

Email: **jdwilliams@westfield.ma.edu**

Phone: **(413) 572-8670**

Website: **<http://www.westfield.ma.edu/sexual-violence>**

Section VII.2 Law Enforcement

Complainants may file a criminal complaint with Campus Police/Public Safety, the local police department where the incident occurred, and/or other state and federal law enforcement agencies. Complainants can make both a criminal report and a report to the University and do not have to choose one or the other. The Universities encourage victims of crimes to report

incidents to the police so that the police can take appropriate measures to help victims and prevent future crimes. In addition to the Title IX Coordinator, Campus Police/Public Safety will help in filing a report with local law enforcement, should the Complainant request assistance.

Complainants are never required, however, to report an incident to Campus Police/Public Safety or local law enforcement. If a Complainant elects not to make a criminal report, the Universities will respect that decision; however, the Universities may have an obligation under the Clery Act to inform Campus Police/Public Safety of an alleged crime, but will not disclose the Complainant's name.

If a Complainant chooses to make a report to Campus Police/Public Safety, an investigation will be conducted and, if the Complainant so requests, they will receive assistance in filing criminal charges against the Respondent. Campus Police/Public Safety can also assist a Complainant in the process of obtaining protective restraining orders and abuse prevention orders for sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Campus Police/Public Safety have specially trained officers to respond to complaints of sexual assault and dating/domestic violence. Whenever possible, Campus Police/Public Safety will make every effort to offer female Complainants/victims an opportunity to have a female officer present during all interviews.

Reports to law enforcement and/or criminal complaints do not constitute a formal complaint to the University under this Policy unless they meet the criteria specified in the Title IX Complaint and Resolution Procedures.

Section VII.3 Confidential Reports

Persons who have experienced prohibited forms of sexual harassment under this policy may share information confidentially with designated employees ("Confidential Employees") who cannot reveal identifying information to any third party unless one or more of the following conditions is present:

- the individual has provided written consent to disclose information;
- there is a concern about imminent harm to self or others;
- the information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- an employee has been charged with providing non-identifiable information for purposes of the Clery Act.

"Confidential Employees" include:

- licensed mental health counselors,
- licensed health care personnel,
- pastoral counselors, or
- clergy who work for the Universities.

Employees may also report such misconduct in strict confidence through the Employee Assistance Program.

Please bear in mind, however, that if one requests certain supportive measures from the University (e.g., extension for academic work or changing classes, residence halls or work locations), the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of providing the requested measures. In such cases, one's privacy will be maintained to the extent that respecting confidentiality will not impair the University's ability to provide the requested measures. One may also confidentially report sexual harassment, sexual assault, domestic violence, dating violence, stalking, and/or retaliation as well as other forms of sexual violence and gender-based harassment to community support resources, which are not required to share information with the Universities.

Article VIII. Resources

The safety, health and well-being of the campus communities are of paramount importance to the Universities. Any person who experiences any form of sexual assault, sexual harassment, domestic violence, dating violence, stalking, or retaliation, or similar harmful behaviors regardless of whether they are expressly prohibited by this Policy, is strongly urged to speak with someone to get the support they need, no matter when or where the incident occurred. For information on the location, phone numbers, hours and services provided for the campus and community resources listed below, please contact the Title IX Coordinator or Deputy Title IX Coordinator, the EO Officer, Human Resources, Student Life or Student Conduct, Residence Life, Health Services, the Counseling Center and/or Campus Police/Public Safety. The information is also listed on each University's website.

Section VIII.1 Immediate Needs

(a) Assuring One's Safety

If an incident occurs, the Universities encourage one to report the incident and seek both police and medical assistance. Seeking police or medical assistance does not obligate one to make a complaint or take any further action, but the decision to seek medical help and gather evidence allows one to preserve the full range of available options. The Universities will assist any community member to get to a safe place, provide transportation for medical help and, if requested, contact law enforcement. For help at any time, contact Campus Police/Public Safety or, during regular University business hours, contact the Title IX Coordinator.

(b) Preserving Evidence

Any person who has experienced sexual violence is encouraged to take steps to preserve evidence of the incident, as doing so may be necessary to prove that a crime occurred, or to obtain a protection order from the court. After an incident occurs, one should try to refrain from bathing, showering, brushing teeth, drinking, eating, douching or changing clothes until the evidence can be collected. If one changes clothes, one should place each garment in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g.,

pictures/videos, texts, social media posts, etc.), care should be taken to preserve copies and not delete the original communication.

Section VIII.2 Confidential Medical Attention

Medical attention is strongly encouraged to treat any possible injuries, including internal injuries, or infections. Please note that there are some medical actions that are more effective if taken within a few days after an offense, such as preventative treatment for pregnancy and sexually transmitted infections, evidence collection, and toxicology testing, if there are signs that drugs or alcohol facilitated the offense. One may generally discuss the incident with licensed medical personnel confidentially.

(a) Confidential Medical Resources on Campus

Students may access the services of the Student Health Center on a confidential basis. Employees may seek confidential counseling and referral services from the Employee Assistance Program (“EAP”).

(b) Confidential Community Medical Resources

Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. One may find more information about SANE services and where to obtain them here: <https://www.mass.gov/ma-sexual-assault-nurse-examiner-sane-program>.

(c) Confidential Counseling and Support

Generally, one may discuss the incident with a licensed mental health counselor or a counselor recognized by a religious order or denomination on a confidential basis. These counselors are good options if one wishes to discuss one’s situation with someone who can keep information about an incident as confidential as possible while assisting in determining next steps, such as obtaining further counseling, seeking medical attention, preserving evidence, and/or reporting to University or law enforcement authorities then or at a later time.

(d) Confidential Counseling and Support Resources on Campus

Students may access Counseling Services on a confidential basis. Employees may seek the confidential services of the EAP. All community members may access the confidential services of religious/pastoral counselors on campus, if any.

Section VIII.3 Community Counseling and Support Resources

Many off-campus counseling resources are available. These service providers are not required to report any information to the University and will generally maintain one’s confidentiality.

(a) National and State Organizations

- The National Stalking Resource Center: <https://victimsofcrime.org/stalking-resource-center/>
- Stalking, Prevention, Awareness, and Resource Center (SPARC): <https://www.stalkingawareness.org/>

- National Sexual Assault Hotline: 800-656-4673 (24 hour) <https://www.rainn.org/about-national-sexual-assault-telephone-hotline>
- RAINN [Rape Abuse & Incest National Network]: 800-656-4673 (Hotline) www.rainn.org (On-Line Live Chat)
- Safelink MA Hotline: 877.785.2020 (24/7)
- MA Spanish Language Rape Crisis Center Hotline (Llamanos): 800-223-5001(Hotline)
- National Domestic Violence Hotline: 800-799-7233 (24 hour)
- Healing Abuse Working for Change (HAWC): 800.547.1649 (24/7)
- Victim Rights Law Center: 115 Broad Street, 3rd Floor Boston, MA 02110 Phone: 617-399-6720 (legal services for victims of sexual assault) <https://www.victimrights.org/>
- Crisis Text Line for People of Color: Text STEVE to 741741
- The Trevor Project (LGBTQ Suicide Hotline): 866-488-7386
- Trans Lifeline: 877-565-8860
- Our Deaf Survivors Center: VP 978-451-7225, Text 978-473-2678
- MaleSurvivor: <https://malesurvivor.org>
- National Suicide Prevention Lifeline: 800-273-8255 (Hotline)

(b) Massachusetts Office for Victim Assistance (MOVA)

MOVA upholds and advances the rights of crime victims and witnesses by providing outreach and education, policy advocacy, policy and program development, legislative advocacy, grants management, and service referrals.

(i) *Sexual Assault and Rape Services*

MOVA supports free services throughout Massachusetts to help victims and survivors of sexual assault and rape. These services provide a range of options to support an individual's specific needs, including:

- 24/7 hotline counseling, information, and referral;
- will go with victims to hospitals and/or police stations 24/7;
- will go with a victim to court;
- provide one-to-one counseling and support group counseling; and
- provide primary prevention education, professional training and outreach.

<https://www.mass.gov/sexual-assault-and-rape-services>

Greater Boston Area Boston Area

- Rape Crisis Center, Cambridge (BARCC): 800-841-8371 (24-hour hotline) 617-492-6434 TTY <https://barcc.org/>,

Northeastern Massachusetts

- YWCA North Shore Rape Crisis Center, Lynn/Lawrence/Haverhill: 877-509-YWCA (9922), Spanish: 800-223-5001
- Center for Hope and Healing, Lowell: 800-542-5212 Hotline, 978-452-8723 TTY

Central Massachusetts

- Pathways for Change, Inc., Worcester: 800-870-5905 Hotline, 888-877-7130
- Pathways for Change, Inc., Fitchburg: 800-870-5905
- Wayside Trauma Intervention Services, Milford: 800-511-5070 Hotline, 508-478-4205 TTY
- Voices Against Violence, Framingham: 800-593-1125 Support line, 508-626-8686 TTY

Southeastern Massachusetts

- A Safe Place, Nantucket: 508-228-2111 Hotline, 508-228-7095 TTY
- Cape Cod Shelter & Domestic Violence Services (508) 564-7233
- Independence House, Hyannis: (508) 771-6702 or Hotline 800-439-6507
- Independence House, Falmouth: (508) 548-0533 or Hotline 800-439-6507
- Martha's Vineyard Community Services, Oak Bluffs: (508) 693-0032 Hotline or (774) 549-9659 TTY
- The Women's Center, Greater New Bedford: Hotline (508)999-6636 or (508) 996-1177 TTY
- The Women's Center, Fall River: Hotline (508) 996-3343 or (508) 996-1177 TTY
- New Hope, Attleboro: 800-323-4673 Hotline/TTY
- The Women's Center, Fall River: 508-672-1222 Hotline, 508-999-6636; TTY 508-996-1177
- A New Day, Brockton: 508-588-8255 Hotline, 508-588-8255 or toll free at 888-293-7273

Western Massachusetts

- Elizabeth Freeman Center, Pittsfield: 866-401-2425 Hotline, 413-499-2425 TTY Center for Women and Community, Amherst: 413-545-0800 Hotline, 413-577-0940 TTY
- NELCWIT, Greenfield: 413-772-0806 Hotline; 413-772-0815 TTY
- YWCA of Western Mass, Springfield: 800-796-8711 (24/7) Hotline and TTY; 800-223-5001 Spanish
- YWCA of Western Mass, Westfield: 800-796-8711 (24/7) Hotline and TTY

(ii) Domestic Violence Services

MOVA supports free services throughout Massachusetts to help victims and survivors of domestic violence. These services provide a range of options to support an individual's specific needs.

<https://www.mass.gov/domestic-violence-services>

Section VIII.4 Private Non-Confidential Campus Resources

The Universities offer a variety of resources to those community members who have experienced or been affected by sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation. While the following resources are not bound by confidentiality, they will seek to keep information as confidential as possible and will only share information within the

limited group of University personnel necessary to address the issues of prohibited conduct presented.

- Title IX Coordinator (and any Deputies)
- EO Officer
- Campus Police/Public Safety
- Human Resources
- Housing/Residence Life
- Student Life/Student Affairs
- Student Conduct
- Disability Services

Article IX. Employees' Duty to Report

Employees of the Universities have reporting obligations, as outlined below.

Reports are not required if knowledge of the potential violations is obtained at public awareness events, in approved research projects, and as part of coursework assignments.

Reports are also not required if made to "Confidential Employees" except where one or more of the following conditions are met:

- the reporting party has provided written consent to disclose information;
- there is a concern about imminent harm to self or others;
- the information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- an employee has been charged with providing non-identifiable information for purposes of the Clery Act.

Section IX.1 Campus Security Authorities (CSA)

Campus Security Authorities (CSAs) are individuals who by virtue of their University responsibilities, and under the Clery Act, are designated to receive and report criminal incidents to Campus Police/Public Safety so that they may be included and published in the University's Annual Security and Fire Safety Report (Clery Report). All Employees who are designated as CSAs for the purposes of the Clery Act must immediately provide Campus Police/Public Safety with non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence, and stalking. For a list of CSAs, please visit [INSERT INSTITUTION-SPECIFIC LINK OR CONTACT PERSON].

Section IX.2 Employees' Duty to Report Discrimination, Discriminatory Harassment, and Retaliation

Behavior prohibited under this Policy may also be prohibited under the Policy Against Discrimination, Discriminatory Harassment, and Retaliation. In terms of reports of discrimination, discriminatory harassment, or retaliation, any trustee, administrator, department

chair, program coordinator, manager or supervisor who has knowledge of or receives such a report from a student or other member of the University community is obligated to report the information to the EO Officer or Title IX Coordinator as soon as the employee becomes aware of it. Likewise, any member of the campus community is encouraged to report to the EO Officer or the Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes discrimination, discriminatory harassment, or retaliation. Any member of the University community who has a question about their reporting responsibilities should contact the Title IX Coordinator or EO Officer.

Section IX.3 Mandatory Reports Involving Minors and Vulnerable Adult Populations

Persons under 18 (“minors”) may be students or may be engaged in activities sponsored by the Universities or by third parties utilizing University facilities. Where an employee has reasonable cause to believe that a minor is suffering from abuse, sexual abuse or neglect, including the sexual misconduct prohibited by this Policy, the employee and/or the University may be obligated to comply with the mandatory child abuse reporting requirements established at Mass. G.L. c. 119, §§ 51A-E. In such cases, the employee must immediately report the matter to Campus Police/Public Safety, who, in consultation with other officials, shall contact the Department of Children and Families (“DCF”) and/or outside law enforcement. An employee may also directly contact law enforcement or DCF in cases of suspected abuse or neglect.

Massachusetts law also imposes mandatory reporting requirements for certain occupations where abuse or neglect of individuals with disabilities or who are over age 60 is suspected. For more information, please contact the Title IX Coordinator or Campus Police/Public Safety.

Article X. Employees’ Duty to Cooperate

Every faculty member, librarian, administrator, staff member and University employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to the Title IX Complaint and Resolution Procedures of this Policy and of the EO Plan, subject to the provisions of any applicable collective bargaining agreements. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Administrative Investigator, Decision Maker, or Appellate Body, and voluntarily providing all documentation that relates to the claim being investigated. The failure and/or refusal of any employee, other than an employee subject to criminal charges or who invokes a Fifth Amendment privilege, to cooperate in an investigation may result in a separate disciplinary action up to and including termination. Such disciplinary action does not constitute retaliation under this Policy.

Article XI. Amnesty

Students may be hesitant to report sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation out of concern that they, or witnesses, might be charged with violations of the Universities’ drug/alcohol policies. While the Universities do not condone such behavior, they place a priority on the need to address sexual harassment and other conduct

prohibited by this Policy. Accordingly, the University may elect not to pursue discipline against a student who, in good faith, reports, witnesses, or participates in an investigation of sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation.

Article XII. False Reporting

The initiation of a knowingly false report of sexual harassment, domestic violence, dating violence, stalking, or retaliation is a serious offense prohibited by this Policy. A report made in good faith, however, is not considered false merely because the evidence does not ultimately support the allegation of prohibited conduct. If an investigation reveals that a Complainant knowingly filed false charges, the University shall take appropriate actions and issue sanctions pursuant to other applicable University policies, including any applicable collective bargaining agreement. The imposition of such sanctions does not constitute retaliation under this Policy.

Article XIII. University Response to Sexual Harassment

When the University has actual knowledge of sexual harassment in an education program or activity of that University against a person in the United States, it will respond promptly in a manner that is not deliberately indifferent.

The University is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The University's response will treat Complainants and Respondents equitably by offering supportive measures to a Complainant, and by following a grievance process that complies with those outlined in the Title IX Complaint and Resolution Procedures section of this document before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

Upon actual notice, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

Section XIII.1 Emergency Removal of Respondent

The University may remove a Respondent from the University's education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Section XIII.2 Administrative Leave of Employee

The University may place an employee on paid administrative leave during the pendency of a grievance process under this Policy when it reasonably concludes that the employee: (a) poses a threat to health or safety; (b) poses a threat to University property or equipment; (c) is disruptive or interferes with an investigation under this Policy or the normal operations of the University; or (d) is charged with a serious violation of state or federal law. The University shall provide the employee the specific reason(s) for the paid administrative leave. During the paid administrative leave, the University reserves the right to prohibit the employee from entering upon the University's property or participating in any University activities absent written authorization from an appropriate University official. The status of the paid administrative leave may change over time as determined to be appropriate and effective. The failure of an employee to comply with the paid administrative leave terms may result in further action or discipline consistent with applicable collective bargaining agreements or employee handbooks.

Section XIII.3 Response to a Formal Complaint

In response to a formal complaint, the University must follow a grievance process that complies with the Title IX Complaint and Resolution Procedures section of this document.

Article XIV. Written Notification of Rights

The Universities will notify Complainants alleging sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the options available;
- referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- request that the University impose no contact/communication orders or other supportive measures;
- choose whether or not to make a formal complaint, which would initiate a formal investigation, unless the University deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- file no complaint with the University, but receive supportive measures from the University;
- a prompt, thorough, and equitable investigation and resolution of a complaint;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- know, in advance, the names of all persons known to be involved;
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will

participate in the live hearing as the representative of the Complainant who shall cross-examine the Respondent and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy;

- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;
- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- seek and enforce a harassment prevention order, restraining or similar court order;
- be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the University;
- be free from any behavior that may be construed by the University to be intimidating, harassing or, retaliatory; and
- have the matter handled in accordance with University policy.

The Universities will notify parties who are Respondents to claims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the allegation(s) against them, including sufficient details known at the time;
- sufficient time to prepare a response to the allegation(s) before any initial interview;
- referrals to confidential assistance and support measures from both on- and off-campus resources, including 24-hour services;
- request that the University impose no contact/no communication orders or other supportive measures;
- receive a copy of the complaint filed against them;

- know, in advance, the names of all persons known to be involved;
- be presumed not in violation of University Policy and that a determination of responsibility is made at the conclusion of the grievance process;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will participate in the live hearing as the representative of the Respondent who shall cross-examine the Complainant and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy. Pursuant to Weingarten, Respondent unit members may exercise their right to a union representative or other University employee at meetings which the unit member reasonably believes may result in discipline, in addition to an advisor of their choice unless such advisor is also the Weingarten representative;
- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including evidence inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;
- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the investigation and resolution process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- be free from any behavior that may be construed by the University to be intimidating, harassing, or retaliatory; and
- have the matter handled in accordance with University policy.

Article XV. Training

The University ensures that Title IX Coordinators, Administrative Investigators, Decision Makers, Appellate Administrators, and any person who facilitates an informal resolution process receive annual training on:

- the definition of sexual harassment under this policy,
- the scope of the University's education program or activity,

- the Title IX Complaint Resolution Procedures, including how to conduct investigations, hearings, appeals, and informal resolution processes, as applicable, and
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Each University ensures that investigators receive training on issues of relevance to create an Investigative Report that fairly summarizes relevant evidence.

The University ensures that Decision Makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

All available materials used to train Title IX Coordinators, Administrative Investigators, Decision Makers, Appellate Administrators, and any person who facilitates an informal resolution process will be made publicly accessible on the University's website.

Article XVI. Recordkeeping

The University will create, and maintain for a period of not less than seven years, unless a longer period of retention is required by law, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity.

If the University does not provide a Complainant with supportive measures, then the University will document the reasons why the University did not provide such measures. The documentation of certain bases of measures does not limit the University in the future from providing additional explanations or detailing additional measures taken.

Furthermore, the University will maintain for a period of not less than seven years, unless a longer period of retention is required by law, records of:

- each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of the hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom.

Article XVII. Statistical Reporting and Timely Warnings under The Clery Act

The Clery Act requires the Universities to maintain a daily log of reports of crimes that occurred on campus, University-controlled property or public property immediately adjacent to campus, including reports of sexual assault, domestic or dating violence and stalking. The Universities must also publish an Annual Campus Crime Report concerning reported incidents. The Universities do not include names or other personally identifying information in the daily logs or the Annual Security Reports. Additionally, when the University becomes aware that an incident of sexual misconduct or violence occurred, and there is a potential for bodily harm or danger to members of the campus community, the University will issue a timely warning to the campus. While the University will provide enough information to safeguard the campus community, a victim's name or other personally identifying information will not be disclosed in the timely warning.

Article XVIII. Compliance Concerns

Persons concerned about the University's handling of a Title IX report or investigation, may bring their concerns to the attention of the University's Title IX Coordinator. Concerns may also be reported to:

U.S. Department of Education, Office for Civil Rights
33 Arch Street, 9th Floor Boston, MA 02119-1424
Telephone: (617) 289-0111; FAX: (617) 289-0150; TDD (877) 521-2172
Email: OCR.Boston@ed.gov

Article XIX. Title IX Complaint and Resolution Procedures

The Universities have adopted the following grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this policy.

Unless otherwise specified, the provisions, rules, or practices in this grievance process for handling formal complaints of sexual harassment under Title IX apply equally to both parties.

Proceedings under the Title IX Complaint and Resolution Procedures shall be prompt, fair, and impartial, and be conducted by officials who receive annual training, as addressed in Article XV.

The Title IX Complaint and Resolution Procedures treat Complainants and Respondents equitably by:

- providing remedies to a Complainant where a determination of responsibility for sexual harassment has been made against the Respondent; and

- following an investigation and hearing process that complies with this section before imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

Remedies are designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services described as "supportive measures"; however, remedies may be disciplinary or punitive and place burden on the Respondent.

The Title IX Complaint and Resolution Procedures include an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provides for credibility determinations that are not based on a person's status as a Complainant, Respondent, or witness.

Section XIX.1 Freedom from Bias and Conflict of Interest

The University requires that any individual designated as a Title IX Coordinator, investigator, Decision Maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias for or against Complainants or Respondents generally, or an individual Complainant or Respondent.

Section XIX.2 Parties to a Complaint

The parties to a complaint are the Complainant, who is the alleged victim of conduct that could constitute sexual harassment; and the Respondent, who is the alleged perpetrator of conduct that could constitute sexual harassment.

A Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Complaint and Resolution Procedures.

Section XIX.3 Making a Formal Complaint

A formal complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University formally investigate.

At the time of filing a formal complaint, a Complainant must be participating in, or attempting to participate in, the education program or activity of the University with which the formal complaint is filed. Formal complaints may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, electronic form (if available), or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

The "document filed by a Complainant" may be a document or electronic submission (such as by electronic mail) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

Reports made to University employees, including the Title IX Coordinator and campus law enforcement, do not constitute a formal complaint under this Policy unless they meet the aforementioned criteria in this section.

Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party in the Title IX Complaint and Resolution Procedures.

While the Universities encourage prompt reporting of incidents of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, as well as retaliation, they do not limit the timeframe for filing a complaint under this Policy. Complaints may be filed at any time, but the University's ability to take action may be limited by the matriculation or employment status of Complainants, Respondents, or witnesses. A prompt report will enable the University to most effectively respond to a complaint.

(a) Dismissal of a Formal Complaint

The University must investigate the allegations in a formal complaint. However, if the conduct alleged in the formal complaint would not constitute sexual harassment as defined by this Policy even if proved, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX and this Policy. A dismissal of a formal complaint under this Policy for one of the aforementioned reasons does not preclude action under another University policy or its Code of Conduct.

The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; the Respondent is no longer enrolled or employed by the University; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted pursuant to this section, the University will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. Any party may appeal the dismissal of a formal complaint, in accordance with the appeal process described in Section XIX.6(j).

(b) Consolidation of Formal Complaints

The University may consolidate formal complaints of sexual harassment allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where the formal complaint process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

(c) Concurrent Investigations

In some circumstances, the Respondent's alleged conduct violating this Policy may constitute a potential violation of other University conduct policies such as the Policy Against Discrimination, Discriminatory Harassment, and Retaliation and/or the Student Code of Conduct. To avoid duplicative efforts, the University may undertake a concurrent investigation of the alleged conduct. Where such concurrent investigation takes place, the University will use the Title IX Complaint and Resolution Procedures, provided however that cross-examination in the live hearing may be restricted to only questions relevant to allegations of violations of the Title IX Sexual Harassment Policy. Based on the findings of the concurrent investigation, the Respondent may be subject to disciplinary action for violations of this Policy as well as the Policy Against Discrimination, Discriminatory Harassment, and Retaliation and/or the Student Code of Conduct, as well as other policy violations. If a formal complaint is dismissed in accordance with Article XIX, Section XIX.3 (a), an investigation may continue under other University conduct policies and the procedures prescribed for alleged violations of those policies.

Section XIX.4 Notice of Allegations

Upon receipt of a formal complaint in writing, the University will promptly provide the following written notice to the parties who are known:

- Notice of the allegations of behavior potentially constituting sexual harassment as defined in this Policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment under this Policy; and the date and location of the alleged incident, if known.
- To a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, other meetings, or hearings with sufficient time for the party to prepare to participate.
- Notice of the Title IX Complaint and Resolution Procedures, including any potential informal resolution process.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Complaint Resolution Procedures.
- A statement to the parties that they may have an advisor of their choice.
- A statement to the parties that they may inspect and review evidence.
- A statement informing the parties of any provision in this Policy or the University's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the Title IX Complaint and Resolution Procedures.

A Respondent has ten (10) calendar days in which to respond to the complaint after the Notification of Allegations. In cases where a Respondent refuses or fails to participate in the investigation and resolution process, the University may continue the process without the

Respondent's participation. The failure of the Respondent to participate in the investigation and resolution process will not prevent the University from imposing discipline or other sanctions when a violation is found.

At any point after receiving the notice of allegations, including during the investigation and live hearing, a Respondent to any formal complaint may agree to the allegations and the recommended sanction(s).

(a) Amending Allegations

If, in the course of an investigation, the University decides to investigate allegations about the Respondent or Complainant that are not included in the original notice of complaint, the University will provide notice of the additional allegations to the parties whose identities are known.

Section XIX.5 Resolution Options

The Title IX Complaint and Resolution Procedures offer two options, the Informal Resolution Option and the Formal Resolution Option.

(a) Informal Resolution Option

Parties may have the option to request to resolve their formal complaint through a voluntary informal resolution process offered by the University (such as mediation) that does not involve a full investigation and adjudication. If the University offers it, the option to participate in an informal resolution process can be chosen when the formal complaint is filed or at any time prior to reaching a determination regarding responsibility. The University can facilitate an informal resolution process, provided that the University has:

- Provided to the parties a written notice disclosing:
 - the allegations;
 - the requirements of the informal resolution process including:
 - the parties' inability to resume a formal investigation arising from the same alleged conduct once a mutually agreed upon resolution is reached through the informal process, and
 - the parties' right, at any time prior to agreeing to a resolution through the informal resolution process, to withdraw and resume the formal investigation procedures with respect to the formal complaint;
 - any consequences resulting from participating in the informal resolution process, including the records that will be maintained;
 - information on the records that will be maintained or could be shared as a result of participation in the informal resolution process, as required or allowable under FERPA, collective bargaining agreements, employee handbooks, or applicable regulations; as required by law; or as otherwise deemed appropriate;
- Obtained the parties' voluntary, written consent to the informal resolution process.

The University will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Similarly, the University does not require the parties to participate in an informal resolution process.

The matter will be deemed resolved when all parties expressly agree to an outcome that is acceptable to them and to the University. The University will create a written record of any such agreement. The University will also ensure a reasonably prompt time frame for an informal resolution process, if it is offered and utilized. Every attempt will be made to conclude the Informal Resolution Option within sixty (60) calendar days of the date of the request.

(b) Formal Resolution Option

The process for resolving a formal complaint through the formal resolution option consists of three major stages: the investigation, the live hearing, and a possible appeal.

If a complaint has been properly filed, either by a Complainant or signed by the Title IX Coordinator, the University will assign the matter to an Administrative Investigator. The University may also designate other trained and knowledgeable University officials to assist with the investigation. Under circumstances where the University deems it necessary or appropriate, the University may also appoint an external investigator.

Following the investigation, a live hearing will be held and presided over by a Decision Maker who is neither the Investigator nor the Title IX Coordinator. All complaints pursued under the Title IX Complaint and Resolution Procedures will be evaluated under a “preponderance of the evidence” standard. Under this standard, conclusions must be based on what “more likely than not” occurred.

A written determination is issued after the live hearing and parties have the right to appeal the decision on specific permissible grounds, as outlined in Section XIX.6 j.

Section XIX.6 Formal Resolution Process

(a) Timeframe

The University will attempt to investigate a complaint within sixty (60) calendar days after the notification of allegations. If, for good cause, an investigation is temporarily delayed, the University will provide the parties written status updates at reasonable intervals until the investigation is completed that explains the reason for the delay or extension. Good cause for limited delays may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the complexity or severity of a complaint; and breaks in the academic calendar or exam periods. While the University will make reasonable efforts to accommodate the availability of parties, their advisors, and witnesses, a party, their advisor, or a witness may not delay the process indefinitely by refusing to attend or otherwise participate in the process.

The University will attempt to conclude the hearing within fifteen (15) business days of receipt of the Investigation Report.

The University will attempt to conclude the appeal process within thirty (30) business days of receipt of the appeal.

(b) Investigation

The investigation may include, but is not limited to:

- interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party or any witness that the Administrative Investigator has deemed relevant;
- consideration of all relevant documents, including written statements and other materials presented by the parties and witnesses;
- evidence collection, including but not limited to, documents, text messages, emails, social media posts and messages, photographs, surveillance camera footage, door lock interrogations, card access records, guest sign-in logs, academic records, employee records and personnel documentation, and law enforcement reports;
- the Administrative Investigator's findings of fact based on the preponderance of the evidence standard;
- the Administrative Investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

(c) Burden of Proof

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a formal investigation.

(d) Right to an Advisor of Choice

The Complainant and Respondent have an equal opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The University does not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings. The University maintains the right to remove an advisor from any meeting or proceeding if the advisor is disruptive. The meeting or proceeding may then be delayed to allow the party to secure another advisor.

(e) Equal Opportunity to Present, Review, and Respond to Evidence

Both parties are afforded an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The University does not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

So that each party can meaningfully respond to the evidence prior to conclusion of the investigation, both parties are provided an equal opportunity to review:

- any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
- the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility; and
- inculpatory or exculpatory evidence whether obtained from a party or other source.

The University will provide each party and the party's advisor, if any, any evidence subject to review in an electronic format or a hard copy. The parties will have ten (10) calendar days to review the evidence and submit a written response, which the investigator will consider prior to completion of the Investigative Report.

The Administrative Investigator will review the written responses to the evidence, if any, and, based on the information provided, conduct any additional investigation that may be necessary prior to the completion of the Investigative Report. The University will make all such evidence subject to the parties' review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

(f) Investigative Report

Following the opportunity for the parties to review the evidence and respond in writing, the Administrative Investigator will create an Investigative Report that fairly summarizes relevant evidence, the Administrative Investigator's findings of fact based on the preponderance of the evidence standard and the Administrative Investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

At least ten (10) calendar days prior to a hearing the investigator will send each party and the party's advisor, if any, the Investigative Report in an electronic format or a hard copy, for their review and written response. The parties have five (5) calendar days to submit a written response to the Administrative Investigator. The Investigative Report and written responses, if submitted, will be forwarded by the Administrative Investigator to the Decision Maker promptly upon receipt of the written responses or upon the response deadline.

(g) Live Hearing

The Title IX Complaint and Resolution Procedures include a live hearing presided over by a Decision Maker.

Parties are requested to give the University five (5) business days of advance notice of the advisor who will accompany them to the live hearing. If a party does not have an advisor, they are requested to notify the University five (5) business days in advance of the hearing so the University is able to provide them with an advisor.

At the University's discretion, live hearings may be conducted in-person or virtually where the parties, witnesses, and other participants are able to simultaneously see and hear each other with enabling technology.

At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision Maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for review upon request.

(i) Cross-Examination

At the live hearing, the Decision Maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor and never by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
- if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party does not have an advisor present at the live hearing, the University will provide that party an advisor of the University's choice to conduct cross-examination on the party's behalf.

If a party or witness does not submit to cross-examination at the live hearing, the Decision Maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decision Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

(h) Determination Regarding Responsibility

The Decision Maker(s) will make every reasonable effort to submit a written determination regarding responsibility to the Title IX Coordinator within ten (10) business days after the conclusion of the live hearing.

To reach this determination, the Decision Maker(s) will apply the preponderance of evidence standard in all formal complaints of sexual harassment against students, faculty, and staff.

The written determination will include:

- identification of the allegations potentially constituting sexual harassment;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the Title IX Sexual Harassment Policy to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- the University's procedures and permissible bases for the Complainant and Respondent to appeal.

The Title IX Coordinator will provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

(i) Possible Sanctions and Remedies

(i) For Faculty and Staff (employee) Respondents

Disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination.

Additional disciplinary action shall also be taken against an employee who violates a sanction or sanctions imposed pursuant to this Policy.

(ii) For Student Respondents

A student who has been found to have violated the Sexual Harassment Policy may be subject to sanctions including, but not limited to:

- reprimand
- fines and/or restitution
- warning
- disciplinary hold
- disciplinary probation
- assessment
- loss of privileges
- educational program or project
- relocation of residence
- revocation of admission or degree
- restriction from facilities or activities
- withholding of degree
- temporary or permanent residence hall suspension
- suspension
- expulsion

In general, the sanction typically imposed for students for rape is expulsion. The sanction typically imposed for students for other forms of sexual assault, domestic violence, dating violence, and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

Additional disciplinary action shall also be taken against a student who violates a sanction or sanctions imposed pursuant to this Policy. Depending on the nature of the violation, such discipline may be imposed pursuant to the provisions of this Policy or pursuant to the applicable provision of the Student Code of Conduct.

(iii) Additional Remedies Following Finding of a Violation

Where necessary, the University will provide additional measures to remedy the effects of a violation. These remedies are separate from, and in addition to, any supportive measures that may have been provided or sanctions that have been imposed. If the Complainant declined or did not take advantage of a specific service or resource previously offered as a supportive measure, such as counseling, the University will re-offer those services to the Complainant as applicable or necessary.

In addition, the University will consider broader remedial action for the campus community, such as increased monitoring, supervision, or security at locations where the incidents occurred, increased or targeted education and prevention efforts, climate assessments/victimization surveys, and/or revisiting its policies and procedures.

(j) Appeals

Either party may appeal a determination regarding responsibility, a dismissal of a formal complaint, or any allegations therein, on the following bases:

- procedural irregularity that affected the outcome of the matter;
- new evidence that could affect the outcome of the matter was not reasonably available at the time the determination regarding responsibility or dismissal was made; and
- the Title IX Coordinator, investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against either Complainants or Respondents generally, or the individual Complainant or Respondent, which affected the outcome of the matter.

Appeals of the written determination made by the Decision Maker(s) must be submitted within ten (10) calendar days of receipt of the written determination. Appeals of the dismissal of a formal complaint, or any allegations therein, must be submitted within ten (10) calendar days of receipt of the written notification of such action.

The University will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The Appellate Administrator/Body will not be the same person as the Decision Maker(s) who reached the determination regarding responsibility or dismissal, the Administrative Investigator(s), or the Title IX Coordinator.

The Appellate Administrator/Body will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

Where practicable, the appeal process will be concluded within thirty (30) business days of receipt of the appeal.

Section XIX.7 Formal Complaint Resolution Timeline

The timeline maybe adjusted based upon the considerations set forth in the Title IX Complaint and Resolution Procedures, but no party will be deprived of the minimum review periods provided for in this Policy.

Formal Complaint Investigation Steps	Timeframe
Complaint Received and Notification of Allegations sent to the Respondent	Promptly after formal complaint received
Respondent's Response	Written response, if any, due 10 calendar days after notice of allegations
Investigation	To be concluded, where practicable, within 60 calendar days of notice of allegations
Evidence Review & Response	Parties have 10 calendar days to review evidence and submit written response
Investigative Report	Provided to parties at least 10 calendar days prior to live hearing
Investigative Report Review & Response	Written response must be submitted by parties at least 5 calendar days before live hearing

Formal Complaint Investigation Steps	Timeframe
Live Hearing	Within 15 business days of receipt of written responses to Investigative Report
Determination of Responsibility	Within 10 business days of conclusion of the live hearing
Appeal Submittal	Due within 10 calendar days of written determination
Appeal Response	To be concluded, where practicable, within 30 calendar days of receipt of written appeal

Westfield State University
Board of Trustees
Finance and Capital Assets Committee

FY21 Capital Projects - Facilities

October 13, 2020

Prepared by:

Maureen Socha, Executive Director of Facilities and Capital Planning

Campus Facility Project Updates

Agenda

- Parenzo Renovation Project
- Scanlon Project Update
- Facilities Campus Project Update
- Project Management Services

Parenzo Renovation Project Update

- Certified Study is completed and approved
- Construction begins next summer
- Project is on budget
 - \$40M plus \$200k for fundraising for Dever seating replacement.
- Scanlon is on time. Moves will be in Dec. and January.

Facilities Project Updates

- Campus Steam Line Replacement Project is substantially complete
- Courtney Hall Mass Notification Installation is substantially complete
- Scanlon Hall Antenna installation is substantially complete.
 - Residential Life will receive \$24k/year in revenue the first year with an additions 3% each year thereafter for 10 years.

Steam Line Replacement Project

2019



Complete

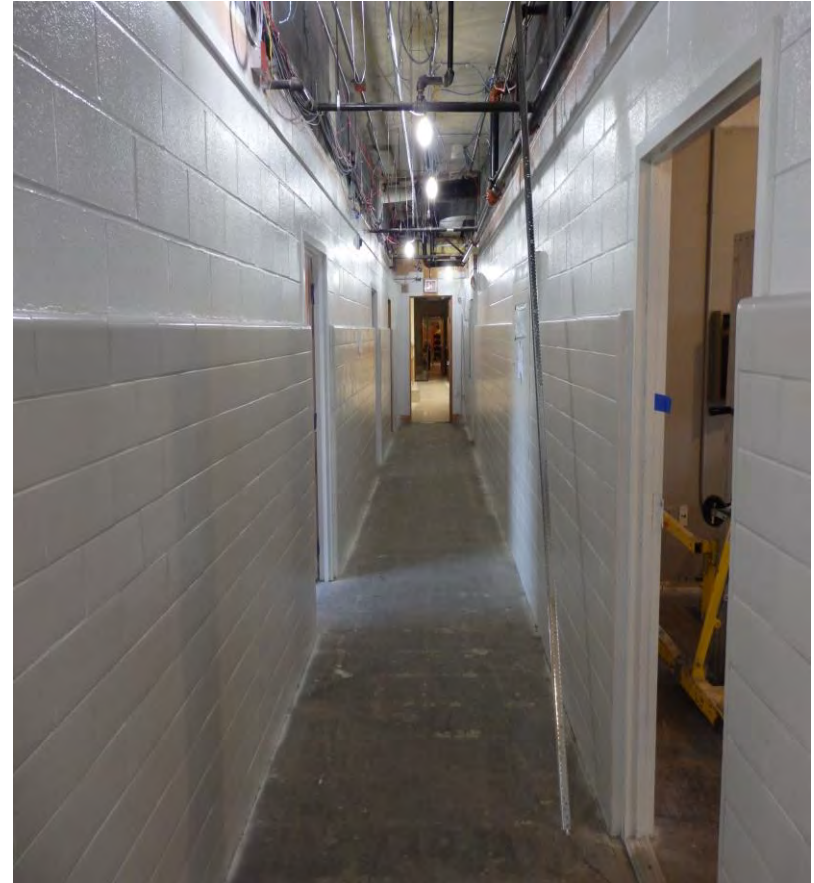


Scanlon Hall Renovation Progress

Before



Progress



Progress on the Slope Project

January 2019



October 2020



FY 21 Capital Projects - Facilities

DCAMM & WSU Projects

<i>*Water Emergency Slope & Ely Infrastructure Repair</i>	\$1,250,000
Dower Roof Replacement (Phase 1)	\$835,000
<i>*Dower Boiler Replacement</i>	\$570,000
<i>*Horace Mann Garage Roof Replacement</i>	\$797,379
<i>*Horace Mann Air Conditioning Replacement</i>	\$500,000
Horace Mann Mass Notification Installation	\$200,000
Bates Mass Notification Installation	\$140,000
Dining Commons Floor Replacement and Stabilization	1,400,000
Camera Installation Project	\$117,000

Project Management Challenges

- Critical DCAMM matching projects to complete this year (use it or lose it)
- Campus needs Project Management Support; working on following options:
 - Contract out services at \$130-175/hr.
 - Hire Project Manager on staff
 - DCAMM allows capital funds to support a Project Manager
- Risk of not completing projects is losing \$975k in DCAMM funding.

FY 21 Deferred Capital Projects

DCAMM and WSU Deferred Capital Projects

New Start date

Steam Tunnel Roof Replacement

7/1/2021

HM Sewer Ejection Pump

7/1/2021

Power Plant Condensate Rec Tank

7/1/2021

MEP/F Master Plan

7/1/2021

Arc Flash Phase 2

7/1/2021

Questions

From: Lawrence Schall <lschall@neche.org>
Sent: Tuesday, September 08, 2020 9:25 AM
To: President <president@westfield.ma.edu>
Subject: NECHE COVID-19 Data Collection and Financial Screening Update

Caution External Email: This email originated outside of WSU. Do not click links, open attachments, or respond if it appears to be suspicious.



New England Commission of Higher Education
3 Burlington Woods Drive, Suite 100, Burlington, MA 01803-4514
Tel: 781-425-7785 | Fax: 781-425-1001 | www.neasc.org

TO: CEOs of Member and Candidate Institutions

FROM: Lawrence Schall DATE: September 8, 2020

RE: COVID-19 Data Collection & Financial Screening Update

I write to you with information about two items related to the Commission's monitoring of the financial condition of its institutions: (1) a special data collection to assess the impact of COVID-19, and (2) an update on the Commission's Financial Screening process.

1. Special Data Collection – COVID 19 impact

As previewed in the July 15 memo to you, in light of the considerable uncertainty regarding enrollment and finances among member and candidate institutions for the upcoming academic year, we are requesting that institutions submit a relatively straightforward COVID-19 Data Collection form. The Commission will use the data both to gain an overall sense of the impact of COVID-19 on the enrollment and finances of institutions across New England as well as to identify those institutions from which it may want to ask for additional information in advance of currently scheduled visits and reports. The COVID-19 Data Collection form is attached. If you believe there is additional information that the Commission should have, please use the "Other Comments" section (limited to no more than one additional page) to provide context or explanation.

Similar to the process used for Commission's Annual Report this past year, here is your custom link to your institution's COVID-19 Data Collection form:

<https://tfaforms.com/4844130?aid=0014P00002TcmHU>

Your completed report will be due no later than Wednesday, September 30, 2020.

2. Financial Screening Process

As you also know, over the past year the Commission has been working to strengthen its review of financially fragile institutions and to ensure governing boards exercise appropriate oversight of their

institution's finances. Based on the success of its financial screening pilot last fall with Massachusetts independent and for-profit institutions, the Commission decided at its June 24, 2020 meeting to expand the enhanced methodology for financial monitoring to all independent and for-profit institutions of higher education in the six New England states and to begin development of a similar screening process for public institutions.

This November 2020, all independent and for-profit institutions in New England will be asked to input data – readily available from audited financial statements – into NECHE's financial screening portal. The product of the analysis is a dashboard of 13 financial indicators (see sample below) that includes measures of the institution's market revenue/enrollment; cash flow sufficiency; liquidity; and wealth. Should four or more indicators (with at least one of the four in the market or cash flow category) fall below thresholds set by the Commission, the institution will be asked to provide a 3-5 page report explaining the reason(s) why the financial indicators fell below the established thresholds. These reports will be reviewed by the Commission's Annual Report on Finance and Enrollment (ARFE) committee which will make recommendations to the Commission for further action.

If you have questions about the specific items being requested, please contact Paula Harbecke at pharbecke@neche.org or 781-425-7754. If you have general questions about the purpose or use of the information, please contact me at lschall@neche.org.

cc:CFOs
ALOs

NECHE FINANCIAL SCREENING DASHBOARD SAMPLE

Institution	Fiscal Year				
Notreal College					
Market Revenue / Enrollment	2016	2017	2018	2019	2020
UG Market Index (100 - Selectivity + Matriculation)					
3Y Change in Total FTE					
3Y Change in Operating Revenue					
3Y Change in Net Tuition Revenue					
Cash Flow Sufficiency	2016	2017	2018	2019	2020
3Y Average Free Cash Flow Margin					
3Y Average Operating Flow Margin Excluding Gifts					
% of Revenue Received from Gifts					
3Y Average Debt Service Coverage					
Liquidity	2016	2017	2018	2019	2020
3Y Change in Cash & Investments					
Cash + Unrestricted Endowment / Daily Operations					
Wealth	2016	2017	2018	2019	2020
Cash & Investments to Debt					
Cash & Investments per Student (\$000s)					
Total Resources to Operations					



Board of Trustees

October 13, 2020

MOTION

To approve the FY21 Operating Budget as presented and to authorize the President to make budget adjustments to these funds; furthermore, to increase the Planned Use of Reserves by \$1,038,188 to support achieving a balanced FY21 Operating Budget.

Kevin R. Queenin, Chair

Date

Westfield State University
Finance and Capital Assets Committee

FY21 October Budget Narrative

October 13, 2020

Executive Summary

At the June 2020 Board of Trustees meeting, the University proposed a temporary or provisional FY21 Budget in order to allow more time to understand how COVID-19 would affect the campus and its operations. The provisional FY21 budget projected an overall deficit of \$7.5M, with a commitment to provide a “final” budget at the October Board of Trustees to bring the budget back into balance. While the FY21 October Budget will not fully close the gap, tremendous progress has been made to move the campus closer to a balanced budget for this year. The focus of this document will be to explain variances from the provisional budget to the October budget. Materials from FY21 Provisional budget are attached for reference.

The FY21 October Budget presented today represents overall budget reductions of \$24M in one year, the result of midyear reductions last year, spring adjustments and final reductions in the last month. The most recent reductions totaling \$6.4M results in a final budget gap of \$1.04M. It is important to note that the reductions made now, are not assumed to carry forward into the next fiscal year, but the campus, through the UEAAC, will be working on longer term reductions to bring our budget back in to balance. Preliminary work has been done on an FY22 model and indicates continuing deficits without long-term reductions.

Despite presenting a more finalized budget today, there are still many unknowns this year with 75% of the fiscal year to go; impact of infections on campus, state and federal support, release of vaccine, health of faculty and staff. The budget presented today is based on what we know today. The impact of COVID-19 on the campus will be closely monitored and factored into our ongoing financial assessments and reporting.

Process and Role of the University Efficiency Analysis Advisory Committee (UEAAC)

The work of the UEAAC has been instrumental in analyzing and recommending a series of one-time budget reductions. The Committee has worked cross divisionally with representatives from the divisions, faculty, and staff at all levels. Despite the tight timelines, the committee was able to deliver a final report to the President on October 4, 2020. These recommendations were approved by the President and integrated into the FY21 October Budget (attached). Vice Presidents also played a critical role in developing additional reductions within their divisions which are inclusive in the report.

This first phase effort demonstrated the commitment of the entire campus to work collaboratively on solving a significant budget problem. It also provided committee members with an expanded and transparent view of all the details which make up the budget at a

granular level. While there is more work to do, especially in restructuring and efficiencies, the work of this committee will lay the foundation for re-thinking our resource allocation process.

Enrollment

Last spring, the campus revised the enrollment projections based on an uncertain future related to COVID-19 and impact on the campus. A conservative projection was assumed and factored into the preliminary FY21 Budget. Fortunately, actual enrollment is tracking higher than budgeted by 272 students or 8.3% above budget yielding additional revenue for the campus. The table below, represents a year over year comparison of budgeted enrollment, actual enrollment, and projected enrollment. The campus utilizes an average annual enrollment by semester and factors in historical average declines from fall to spring to arrive at an annual projected total.

The chart below reflects this year over year comparison. It is noteworthy, while we have seen enrollment increase this year over the budget, overall, the campus enrollment is still declining by 388 students or 9.8% compared to last year. All other state universities are reporting decreases in enrollment ranging from 3% to 18% this year.

FY20 and FY21 Enrollment Comparison

Enrollment	FY20	FY21	Variance	% Variance
Budgeted	4,223	3,280	(943)	(22.3%)
Projected/Actual	3,940	3,552	(388)	(9.8%)
Variance	(283)	272		
% Variance	(6.7%)	8.3%		

Note: Average annual enrollment is average enrollment by semester less non-billed students for UGFT students (CGCE is excluded).

Revenue

- Enrollment is tracking higher than budgeted by 272 students generating an additional \$2.6M in tuition/fee revenue.
- Residential Life revenue is down by \$6.4M due to lower occupancy and closing residence halls in September. Many students decided not to live on campus and decreased the occupancy rate to 49% or 1,000 fewer students.
- Dining Services revenue is down by \$4M and follows the occupancy decrease and September closing of residence halls.

Expenses

- Expenses have decreased by \$6.4M as a result of the combined efforts of the divisional leadership and the UEACC. Major categories of reductions were in personnel,

departmental operations, utilities, and deferral of capital projects. A summary of reductions is attached from the UEACC Phase 1 Final Report.

- Campus has funded \$1.5M of one-time expenses in support of testing, PPE, barriers, cleaning supplies and staffing through reallocation of existing funds.

Reserves

While the overall use of reserves has increased slightly based on the true up from year end activity, there is still a deficit of \$1.04M assumed in the FY21 October budget. **The campus is requesting an additional \$1.04M in reserves to fully close the budget gap.** It is important to note, that other savings may accrue during the year which can be applied to the deficit, thereby reducing the need to use reserves until the end of the year. In the event reserves are needed, this request is being made now to ensure a balanced budget is approved. It would also be the intent of the campus to fully close the budget deficit (implement structural changes for ongoing savings) with the beginning of the FY22 Budget in July 2021.

Summary

Most higher education institutions are challenged by the uncertainty and intensity of operating within a COVID-19 reality. Westfield State University is no exception in this regard but the commitment and involvement of the campus community will help to guide the issues the campus is facing. While most of the deficit can be balanced with the one-time reductions put forward, there are still many unknowns this semester, next semester and beyond. Further adjustments may be necessary based on the continuously evolving environment of COVID-19. Stabilizing or growing enrollment must be first and foremost as we begin to shape our organizational structure. Westfield State has an opportunity to demonstrate to other higher education institutions the value of collaboration and participation to solve collective problems together.

Westfield State University
FY21 October Budget

			FY20 vs. FY21 October Budget	FY21 Provisional vs. FY21 October Budget	
	FY20 Budget	FY21 Provisional	FY21 October Budget	\$ Change B/(W)	\$ Change B/(W) % Change
Revenue					
Scholarship Allowance	(10,610,448)	(10,285,448)	(10,285,448)	325,000	- 0%
Tuition and Fees	59,002,807	49,470,231	52,030,633	(6,972,174)	2,560,401 5%
Federal Grants and Contracts	9,271,568	8,963,998	8,963,998	(307,570)	- 0%
State Grants and Contracts	2,585,000	2,728,000	2,728,000	143,000	- 0%
Private Grants and Contracts	478,000	435,000	435,000	(43,000)	- 0%
Residence Fees	19,411,659	15,789,402	9,433,044	(9,978,615)	(6,356,358) -40%
Dining Fees	10,636,124	9,232,436	5,197,401	(5,438,723)	(4,035,035) -44%
Other Operating Revenues	2,255,890	1,760,840	1,537,095	(718,795)	(223,744) -13%
Commissions	550,000	430,194	458,371	(91,629)	28,177 7%
State General Appropriations	29,463,260	26,516,934	26,516,934	(2,946,326)	- 0%
Foundation Support	430,000	480,000	445,000	15,000	(35,000) -7%
Investment Income	677,400	635,188	635,188	(42,212)	- 0%
Total Revenue	124,151,260	106,156,775	98,095,216	(26,056,044)	(8,061,559) -8%
Expenses					
Personnel	54,766,124	51,570,997	49,801,470	4,964,654	1,769,527 3%
Fringe Benefits	10,527,350	10,697,631	9,643,867	883,483	1,053,764 10%
Operations	31,342,404	28,232,246	25,230,648	6,111,756	3,001,598 11%
Strategic Investments	500,000	820,000	370,685	129,315	449,315 55%
Utilities	4,541,635	4,364,183	3,657,893	883,742	706,290 16%
Debt Payments	2,465,435	2,486,784	1,132,435	1,333,000	1,354,350 54%
Operating Contingency	1,309,799	761,878	842,492	467,307	(80,615) -11%
Capital Projects	4,592,092	4,498,681	3,955,568	636,524	543,113 12%
Scholarships	4,270,134	4,789,554	4,762,330	(492,196)	27,224 1%
Transfers	-	-	-	-	-
MSCBA Assessment	12,897,864	9,122,343	3,557,940	9,339,924	5,564,403 61%
Total Expense and Transfers	127,212,838	117,344,298	102,955,329	24,257,509	14,388,969 12%
Net Revenue over Expense	(3,061,579)	(11,187,523)	(4,860,113)	(1,798,534)	6,327,410 -57%
Planned Use of Reserves	1,529,486	2,035,959	2,167,557	638,071	131,598 6%
Capital Rollover	1,532,092	1,698,681	1,654,368	122,276	(44,313) -3%
Total Use of Reserves	3,061,579	3,734,641	3,821,925	760,346	87,284 2%
Net Surplus/(Loss)	-	(7,452,882)	(1,038,188)	(1,038,188)	6,414,694

Westfield State University
FY21 Detailed Budget by Trust Fund
FY21 October Budget

	Operating Budget	Grants	Capital Project Fund	CGCE	Residential Life	Dining Services	Other Trust Funds	FY21 Budget All Funds	Notes
Revenue									
Scholarship Allowance		(10,285,448)						(10,285,448)	
Tuition and Fees	40,121,046			11,809,587			100,000	52,030,633	
Federal Grants and Contracts		8,963,998						8,963,998	
State Grants and Contracts		2,728,000						2,728,000	
Private Grants and Contracts		185,000					250,000	435,000	
Residence Fees					9,433,044			9,433,044	
Dining Fees						5,197,401		5,197,401	
Other Operating Revenues	758,020				169,000		610,075	1,537,095	(1)
Commissions	368,371				90,000			458,371	
State General Appropriations	26,516,934							26,516,934	
Foundation Support	445,000							445,000	
Investment Income	635,188							635,188	
Total Revenue	68,844,559	1,591,550	-	11,809,587	9,692,044	5,197,401	960,075	98,095,216	
Expenses									
Personnel	42,004,728	275,000		3,416,692	2,068,591	1,982,294	54,166	49,801,470	
Fringe Benefits	6,618,501	106,648		1,414,220	742,868	737,772	23,858	9,643,867	
Operations	11,769,893	829,902		3,347,618	3,871,217	4,232,166	1,179,852	25,230,648	
Strategic Investments	370,685							370,685	
Utilities	2,140,619				1,517,274			3,657,893	
Debt Payments	1,029,231					103,204		1,132,435	
Operating Contingency	425,000			286,683		53,566	77,243	842,492	
Capital Projects			3,955,568			-		3,955,568	
Scholarships	3,820,771	380,000		105,855	386,704	4,000	65,000	4,762,330	
Transfers	567,035	68,453	(2,301,200)	3,238,519	(1,572,807)	-		-	(2)
MSCBA Assessment					3,557,940			3,557,940	
Total Expense and transfers	68,746,464	1,660,003	1,654,368	11,809,587	10,571,787	7,113,002	1,400,118	102,955,329	
Net Revenue over Expense	98,095	(68,453)	(1,654,368)	-	(879,743)	(1,915,601)	(440,043)	(4,860,113)	
Planned Use of Reserves	256,936	68,453		-		1,402,125	440,043	2,167,557	(3)
Capital Rollover			1,654,368					1,654,368	
Total Use of Reserves	256,936	68,453	1,654,368	-	-	1,402,125	440,043	3,821,925	
Net Surplus/(Loss)	355,031	-	-	-	(879,743)	(513,476)	-	(1,038,188)	

Notes:

1. Other Operating Revenues consist of parking revenues, application fees, phone fee, non-credit program revenue and other miscellaneous fees
2. Transfers represent the movement of cash from one trust fund to another
3. Planned Use of Reserves may require immaterial adjustments due to year end account validation.



UNIVERSITY EFFICIENCY ANALYSIS ADVISORY COMMITTEE (UEAAC) PHASE I – REPORT

Issued October 5, 2020

ONE-TIME BUDGET REDUCTIONS TO REDUCE FISCAL YEAR 21 DEFICIT

Overview

On August 28, 2020, Dr. R. H. Saigo, Interim President of Westfield State University, created the University Efficiency Analysis, Advisory committee (UEAAC), a campus wide advisory committee, with the charge of “thoroughly examining the use of our institutional resources in order to identify where the university can streamline and increase efficiencies across all campus sectors” (see *Appendix A: The UEAAC Charge*). Westfield State University (WSU) continues to face financial challenges and an increasing deficit significantly amplified by the COVID-19 pandemic, declining enrollments, and a consistent reduction in state funding. Pronounced “You-Act,” the first goal, of this transformative committee, is to decrease the current budget deficit while maintaining our distinguished quality of education and supporting the valuable experiences we provide to students.

Since its initial meeting on September 2nd, the UEAAC focused on finding **one-time** cost reductions to balance the university FY21 budget shortfall, currently estimated at \$7.5M, using three guiding objectives:

- Objective 1: Identifying areas for immediate expense reductions and cost-savings,
- Objective 2: Determining strategies for immediate cost-savings,
- Objective 3: Analysing strategies and impact on budget.

The Committee has worked, and will continue to work tirelessly, to ensure the success of this institution and its employees. This activity has allowed us to engage the broader campus community in the development of more inclusive budgetary and financial planning where together we all collaborate as fiscally responsible stewards of WSU. Our experience demonstrates how our community can come together, in the face of tremendous challenges, to make our institution stronger.

This report presents a summary of the UEAAC process, strategies employed, and the resulting outcome - deficit reductions totaling \$6,352,327.00.

Membership

The UEAAC’s membership includes 24 permanent Westfield State employees: Faculty, Maintainers, Administrative Staff, Executive Directors and Senior Administrators and one Student Government Representative. Experience at WSU ranges from just under one to 20+ years. The committee has representation from campus union leadership and each division (Academic Affairs, Administration and Finance, Enrollment Management, Institutional Advancement and Student Affairs). The committee also reflects the institutional demographics by race and gender. See *Appendix A: The UEAAC Charge* for a full list of members.

Process

The UEAAC is driven and determined, meeting twice per week for a minimum of two hours, with critical tasks completed in subgroups outside of regular meetings. During Phase I the UEAAC established bylaws to guide its operations. (See *Appendix B: The UEAAC Committee Bylaws*).

Members of the UEAAC, in ascertaining immediate expense reductions and cost-savings, committed to the following:

- Avoiding furloughs and retrenchment of positions.
- Creating opportunities for input from all within the organization.
- Developing an unbiased methodology that can be communicated and supported.
- Engaging the entire campus community throughout the project lifecycle.
- Sharing the workload and assisting each other with overcoming learning curves and foundational knowledge gaps, handling time constraints, managing data overload and system reporting limitations, and overcoming a lack of response from some members of the campus community to budget inquiries.
- Recommending best practices for resource allocation and financial planning.
- Developing a robust communication plan to keep the campus informed of progress and activities (see *Appendix C: UEAAC Communication Plan*).

Strategy

To accomplish the charge, of **targeted one-time cost-reductions**, the UEAAC examined all budgets with the goal of determining opportunities to close the FY21 (July 1, 2020 – June 30, 2021) shortfall. Committee subgroups reviewed and analysed historical financials at the pool level (consolidated expenses by category), examined transaction level data from prior fiscal years, and reached out to budget managers as needed to recommend reductions. The committee used a “two-round” approach allowing time to thoroughly examine each pool.

The following budget pool data was reviewed:

Budget Pool	Description
ROUND I	
Pool AA	Regular Employee Compensation
Pool BB	Employee Related expenses
Pool CC	Special Employees
Pool EE	Administrative Expenses
Pool FF	Facility Operations
Pool GG	Energy Costs and Space Rental
Pool HH	Consultant Services
Pool JJ	Operational Services
ROUND II	
Pool KK	Equipment Purchases
Pool LL	Equipment Leases and Rental
Pool MM	Purchased Client Services
Pool NN	Construction and Improvements
Pool SS	Debt Payments and Contingency
Pool UU	Information Technology Expenses

Initial UEAAC-subgroup recommendations were presented to the committee as a whole. Expense reductions were verified at either the subgroup level or at the UEAAC level. Continued outreach to the campus community resulted in further reductions, inclusive of all units and areas, ensuring equity. Vice Presidents were also asked to re-examine divisional budgets with the aim of closing the remaining deficit gap.

The UEAAC determined that while **targeted one-time cost-reductions** could be achieved, it is the responsibility of the entire community to be fiscal stewards of WSU. This responsibility led to a recommendation of campus wide measures for **cost avoidance**:

- No travel unless supporting enrollment, student experience, delivery of education, or targeted fund-raising.
- Reduce the use of non-university approved appliances that drive up utility costs.
- Strive to reduce paper usage, including lowering postage expenses.
- Reduce reliance on bottled water and off campus meal purchases.
- All permanent position savings, including hiring at lower rates, goes back to the campus.
- Evaluating each vacant position to determine if it can be filled at a salary lower than budgeted.
- Centralize supply purchases of each division to ensure necessity prior to purchase.
- Conserve cash by minimizing the rollover process for special funds.
- Mandatory manager/supervisor sign off and approval required prior to overtime utilization.
- Reduce legal fees and manage the use of legal services.
- Freeze all consultant service activity except critical needs.
- Utilize the talents and skills of the campus community.

All departments and divisions have been asked to **limit spending to preserve the identified projected savings**, while the committee completes loading the budget changes into Banner by November 1, 2020. We recognize that some spending must continue and asked that expenditures be restricted, except for these critical areas of need:

- Health and Safety (especially for COVID-19 related expenses).
- Recruitment and enrollment growth activities.
- Critical facility or equipment repairs.
- Student programming needs to support retention.
- Effective delivery of education for necessary and immediate student learning needs.
- Dining program expenses for food and supplies.

Recognizing the importance of continuing to provide quality of care to our students while avoiding furloughs, layoffs, and retrenchment, the UEAAC also recommends that important campus wide measures that **Keep the Lights On** be implemented. Primarily, placing a hold on any new initiatives until the committee has completed all phases of this project.

Results

Based on its analysis the UEAAC, recommends the following nine campus-wide comprehensive strategies to bridge the FY21 budget deficit. These are as follows:

- Reductions by Pool
- Review of Vacancy Savings
- Hiring at Lower Rates
- Mandatory 6-month Hiring Delay
- CGCE Additional Contribution
- Debt Payment Relief from MSCBA
- Delay of Capital Projects
- Academic Affairs ESTF Reductions
- Cabinet Recommendations for Additional Division Reductions

FY21 UEAAC Task Force Reduction Consolidation

1) Task Force Reductions		FINAL
	Academic Affairs	411,685
	Administration & Finance	600,157
	Enrollment Management	14,989
	Institutional Advancement	52,220
	President's Office	63,286
	Student Affairs	153,795
	Total	\$ 1,296,132
2) Pool AA Vacancy Savings		701,838
3) Recommendation for the campus to retain 100% of savings due to hiring at lower rates.		
Year to Date Est. Permanent Savings		132,038
4) FY21 Mandatory 6 month hiring delay Target		
	Target	\$ 400,000
Average Campus Salary Incl. Fringe (38.32%)		\$ 105,055
	Monthly Savings on Hiring Delay	\$ 8,755
	6 Month Savings on Hiring Delay	\$ 52,528
	Estimated Vacant Positions to Delay	7.6
5) CGCE Additional Contribution based on prior year results		\$ 750,000
6) Debt Payments & Contingency		1,144,532
Note: Approximately \$300k of savings is in Dining Services		
7) Capital Projects via Deferred Maintenance		\$ 300,000
8) Academic Affairs Reductions on ESTF Lines		118,658
9) Additional Division Submissions		
	Academic Affairs	1,054,196
	Administration & Finance	322,950
	Enrollment Management	4,405
	Institutional Advancement	17,000
	President's Office	13,550
	Student Affairs	97,027
	Total	\$ 1,509,128
Total Estimated Savings		\$ 6,352,327

Next Steps

With Task I completed, the committee will focus its efforts on longer term structural and efficiency processes which can be implemented prior to, or no later than, the start of the next fiscal year (FY22). We will be considering how to restructure and reorganize WSU to become more efficient and improve the educational experience of our students. We will also consider where resources need to be re-deployed and reallocated and potential new revenue streams for the institution.

The next steps of the UEAAC are as follows:

Phase II

- **Task II University Reorganization and Restructuring Proposal and Development:** Develop a structure that supports continuous improvements in our educational quality, strong fiscal management of our resources, and growth for programs and enrollment.
- **Task III Instructional Academic Resource Utilization Analysis:** Develop an analytical framework that can be utilized to make informed decisions about the use of resources to deliver and support instruction.

Phase III

- **Campus Wide Dialogs:** Gain feedback to refine the Phase II plan.

Phase IV

- **Gap Analysis:** Determine what it will take to get where we want to be.

Acknowledgement

The UEAAC acknowledges that the timeline for Task I completion was short. The UEAAC apologizes for any errors in communication and will address these in Phase II. The UEAAC thanks the entire campus for its participation and collaboration during Task I and looks forward to engaging the WSU community as it continues to successfully accomplish the remaining phases of this efficiency study.

Appendix A

CHARGE UNIVERSITY EFFICIENCY ANALYSIS ADVISORY COMMITTEE (UEAAC)

PURPOSE OF THE COMMITTEE

Westfield State University continues to face financial challenges and an increasing deficit significantly amplified by the COVID-19 pandemic. In an effort to embrace collaboration and participation, made up of members from across divisions and from every union, this committee is charged with thoroughly examining the use of our institutional resources in order to identify where the university can streamline and increase efficiencies across all campus sectors. The goal of this process is to decrease the current budget deficit while maintaining the quality of teaching and learning that distinguishes our university as well as continuing the standard of care and the valuable experiences we provide to students. Given the current circumstances, this committee will act with urgency, relying on data, and make suggestions that can be considered for quick, short-term implementation first and then develop more long-term, systemic adjustments. Accordingly, an accelerated timeline is required to address our current crisis collaboratively and with transparency. This is a University wide advisory committee and per the *MSCA Bargaining Agreement* will provide recommendations to the President.

The university community may ask questions and provide feedback to the committee via email at efficiency@westfield.ma.edu.

CHARGE TO THE COMMITTEE

Reporting to the President, the University Efficiency Analysis Advisory Committee (UEAAC) will consist of university-wide representation from all employee unions and divisions and the student body. This advisory committee is charged with (1) assessing the financial challenges and operational structure of the institution; and (2) suggesting both short-term and long-term pathways for improved efficiency to support the quality of the student experience and service to employees while reducing the budget deficit.

COMMITTEE MEMBERSHIP

Membership of the UEAAC was determined to represent an approximation of the campus population across the breadth of the institution's division, each bargaining group, and the diversity of the campus community experiences.

	NAME	UNIVERSITY POSITION/ROLE	UNIT AFFILIATION
ACADEMIC AFFAIRS			
1.	Monique Lopez	Registrar	APA
2.	Joe Camilleri	Professor, Psychology, CMS	MSCA
3.	Kim Tobin	Professor, Criminal Justice, CEHHS	MSCA
4.	Margot Hennessy	Professor, Ethnic & Gender Studies, CAHSS	MSCA
5.	Rebecca Morris	Dept. Chair, Economics & Mgmt.	MSCA
6.	Gabriel Aquino	Dept. Chair, Sociology	MSCA
7.	Azanda Seymour	Director, Urban Education Program	APA
8.	Rebecca Brody	Digital Resources and Collection Development Librarian	MSCA

9.	Juline Mills	Dean, College of Education, Health & Human Services, <i>Committee Chair</i>	NUP
10.	Lisa Ducharme	Veteran & Military Services Coordinator/CGCE, <i>Committee Secretary</i>	APA
11.	Ron'na Lytle	Administrative Assistant, Ethnic & Gender Studies, Language & Culture Studies, and Sociology	AFSCME – UNIT I
12.	Lisa Plantefaber	Assoc. Dean, Institutional Research & Assessment, <i>Ex-officio, Non-voting</i>	NUP
ADMINISTRATION AND FINANCE			
13.	Jalisa Williams	Assoc. VP, Human Resources	NUP
14.	Maria Feuerstein	Director, Budget and Financial Planning	NUP
15.	Maureen Socha	Executive Director, Facilities & Capital Planning	APA
16.	Bill Connor	Director, Dining Services	APA
17.	Rafael Sevilla	Maintainer I, Environmental Services	AFSCME – UNIT II
18.	Steve Taksar	Vice President, Administration & Finance	VP - Cabinet
19.	Alan Blair	Chief Information Officer	NUP
20.	Carolyn Healey	Administrative Assistant, Catering	AFSCME – UNIT I
ADVANCEMENT			
21.	Lisa McMahon	Director, Advancement & Major Gifts	APA
ENROLLMENT MANAGEMENT			
22.	Joshua Hettrick	Director, Housing Operations	APA
STUDENT AFFAIRS			
23.	Shannon Broderick	Associate Dean, Student Affairs	NUP
24.	Terry Hamel	Accountant II, Athletics	AFSCME -- UNIT I
STUDENT GOVERNMENT			
25.	Cameron Kelleher	Student Government Association	

COMMITTEE TASKS

The committee is charged with the following tasks, to be performed within the attached timeline. The committee's final report will be given to the President on or before December 15, 2020.

1. Review analytics and provide insights into university financial and academic data, as well as data from WSU's regional service area.
2. Examine campus organizational structures and personnel utilization to propose avenues for improving efficiency and reducing expenses while ensuring the continuance of high-quality student and employee services and experiences.
3. Engage in discussions of the working draft of committee information, ideas, and suggestions with all units/divisions/sectors of the campus community, seeking critical feedback and further ideas for promoting institutional financial viability.
4. Construct a Gap Analysis, comparing where we are now on specific items compared to where we want to be.
5. Explore potential revenue opportunities and realistic growth opportunities for both tuition-generating and non-tuition generating activities.

6. Prepare a final report for the President that summarizes comments and ideas generated from both committee work and the discussion sessions that includes a list of suggestions and alternatives for action, with rationale, pros and cons, and specific recommendations which can close the short-term and longer-term budget gap.

2020 TIMELINE FOR UNIVERSITY EFFICIENCY ANALYSIS ADVISORY COMMITTEE (UEAAC)

The UEAAC will provide regular updates to the campus community and will follow the below approximated timeline. The Committee will meet Wednesdays and Fridays from 12noon-2pm, unless otherwise stated.

DATE	TASKS
August 31, 2020	President Saigo announces Advisory Committee membership and charge
September 2, 2020	Advisory Committee Opening Meeting (3pm-4:30pm)
	Welcome and Charge – President Saigo
	Introductions
	Review of Tasks and Timeline
	Assignment of subgroups for Task 1, Task 2, and Task 3. Assign co-chairs
	Discussion on Campus Communication Plan – Assign Lead
	Discussion on Committee Bylaws – Assign Lead
	Review of Data for Project – Access to SharePoint Team
	Determine additional data and information needed to complete Task I
	<i>Information for committee work to be provided by administrative offices upon request</i>
<p>PHASE I: ONE TIME REDUCTION PLAN TO BALANCE FY21 – REDUCE \$7.5M DEFICIT Aim I: Identify areas for immediate expense reductions and cost-savings Aim II: Determine strategies for immediate cost-savings Aim III: Analyze strategies and impact on budget</p>	
September 4, 2020	Introduction to WSU Finances and Data Review
	Examination of university expenses across all divisions and departments/units
September 9, 2020	Continue data review and discussion
	Continue examination of data by division and unit
September 11, 2020	Generate and compile cost cutting solutions
September 12, 2020	Provide written recommendation on cost cutting measures to VP Taksar
September 14, 2020	Review and validation of cost cutting strategies by VP Taksar and Finance Team
September 16, 2020	Finalize campus communication plan and individual unit outreach
September 18, 2020	Validation process results received. Committee makes changes and adjustments
September 21, 2020	VP of Finance, Steve Taksar, presents recommendations to the Cabinet
September 23, 2020	Committee reviews feedback from Cabinet
September 25, 2020	Committee prepares and presents final draft to President Saigo to prepare for Board Meeting
September 28, 2020	UEAAC Shares Written Plan with the Campus Community
September 30, 2020	UEAAC Campus Town Hall
October 2	Final Phase I Report due to President
October 10	Summary of PHASE I task results shared campus-wide
October 13	Board of Trustees Meeting

PHASE II: TASKS	
LONG-TERM PLANNING (2021-2024)	
Full agenda will be shared with the campus community once finalized.	
1. ASSESS ORGANIZATIONAL STRUCTURE AND PERSONNEL EFFICIENCY	
October 2020	Review organizational charts, structures, and personnel
	Identify unit overlaps in personnel usage
	Identify areas for streamlining
	Identify service gaps
	Conduct cross-unit efficiency analysis
	Identify potential cost savings related to organizational structure and efficiency both immediate and long-term
	Share analysis with the Campus Community
2. REVIEW ANALYTICS AND PROVIDE INSIGHTS	
October 2020	Course cost analysis
	Student credit hour generation by department analysis
	Balance score sheet for non-major units
	Teaching and learning quality evaluation
	Academic contribution margin analysis by department
	Identify issues and suggest multiple alternatives for resolution, rationale, pros and cons
	Share analysis with the Campus Community
PHASE III: CAMPUS-WIDE DISCUSSION (ZOOM sessions moderated by committee members)	
November 2020	Unit/Department/Sector review and feedback Student review and feedback
	Units submit written feedback summaries and recommendations
	Summary of PHASE II discussions with collated comments & ranked suggestions
PHASE IV: GAP ANALYSIS – Where we are versus where we want to be	
December 2020	Develop full list of Gap Analysis factors including financial and organizational indicators
	Summarize for final reporting
December 15	Final committee report due to President
	The report should have an Executive Summary but also contain full detail & relevant attachments

Appendix B

UNIVERSITY EFFICIENCY ANALYSIS ADVISORY COMMITTEE (UEAAC) By-Laws

ARTICLE 1. Name.

The name of the organization will be the University Efficiency Analysis Advisory Committee (UEAAC). It is an advisory committee that reports directly to the University President.

ARTICLE 2. Purpose and Responsibilities.

2.1 Purpose

Westfield State University continues to face financial challenges and an increasing deficit significantly amplified by the COVID-19 pandemic. In an effort to embrace collaboration and participation, made up of members from across divisions and from every union, this committee is charged with thoroughly examining the use of our institutional resources in order to identify where the university can streamline and increase efficiencies across all campus sectors. The goal of this process is to decrease the current budget deficit while maintaining the quality of teaching and learning that distinguishes our university as well as continuing the standard of care and the valuable experiences we provide to students. Given the current circumstances, this committee will act with urgency, relying on data, and make suggestions that can be considered for quick, short-term implementation first and then develop more long-term, systemic adjustments. Accordingly, an accelerated timeline is required to address our current crisis collaboratively and with transparency. This is a University wide advisory committee and per the *MSCA Bargaining Agreement* will provide recommendations to the President.

2.2 Responsibilities

The UEACC is charged with:

1. assessing the financial challenges and operational structure of the institution; and
2. suggesting both short-term and long-term pathways for improved efficiency to support the quality of the student experience and service to employees while reducing the budget deficit.

The specific responsibilities to fulfill this charge by December 15, 2020 include:

1. Review analytics and provide insights into university financial and academic data, as well as data from WSU's regional service area.
2. Examine campus organizational structures and personnel utilization to propose avenues for improving efficiency and reducing expenses while ensuring the continuance of high-quality student and employee services and experiences.
3. Engage in discussions of the working draft of committee information, ideas, and suggestions with all units/divisions/sectors of the campus community, seeking critical feedback and further ideas for promoting institutional financial viability.
4. Construct a Gap Analysis, comparing where we are now on specific items compared to where we want to be.
5. Explore potential revenue opportunities and realistic growth opportunities for both tuition-generating and non-tuition generating activities.
6. Prepare a final report for the President that summarizes comments and ideas generated from both committee work and the discussion sessions that includes a list of suggestions and alternatives for action, with rationale, pros and cons, and specific recommendations which can close the short-term and longer-term budget gap.

ARTICLE 3. Membership.

The UEAAC consists of university-wide representation from all employee unions and divisions and the student body. Membership of the UEAAC represents an approximation of the campus population across the breadth of the institution's division, each bargaining group, and the diversity of the campus community experiences. Total membership shall not exceed 24 voting members.

The Dean of Education, Health, and Human Services serves as the Chair of the committee, with voting limited to tie-break situations. The Vice President of Administration and Finance serves this role in the absence of the Chair.

The Chair will assign a member of the campus community to take minutes. If this person is a committee member they may vote, otherwise they are a non-voting member.

Additional non-voting advisory members are assigned to the committee as necessary and are approved by the Chair.

ARTICLE 4. Meeting Structure.

4.1 Committee meetings

The UEAAC shall meet twice per week, at such dates and times, as decided by the Chair, to conduct the business of the committee. Additional meetings of the full committee may be held at the discretion of the Chair of the UEAAC.

4.2 Agenda

The Chair of the UEAAC shall set the agenda for full committee meetings of the UEAAC. Preliminary agenda from the previous meeting will be distributed 24 hours in advance. New items may be added at the discretion of the President and Chair.

4.3 Minutes

The UEAAC shall keep minutes of all committee and subcommittee meetings that serve as permanent records. A record of all actions taken shall also be included. Permanent records of meetings are subject to all rules and restrictions of Massachusetts Public Records laws. Committee records will be kept in the President's Office.

4.4 Quorum

Quorum requires a minimum of 13 members, with at least one member from each constituency (NUP, APA, AFSME, MSCA, student). Quorum is required for official votes, to address new items, or to move items to the President.

ARTICLE 5: Subcommittees.

5.1 Subcommittee membership

Sub-committees will be formed to fulfill the goals of UEAAC. Membership on sub-committees is limited to members of the UEAAC. The UEACC Chair is an ex-officio member of all subcommittees.

Final assignment into subcommittees will be determined by the UEAAC chair. Assignment into sub-committees should strive to represent the diversity of the full committee, as well as individual member strengths and interest.

5.2 Meeting structure

Each sub-committee will designate a chair and a note taker for minutes. The UEACC chair may not serve as a sub-committee chair. The subcommittee chair will call meetings as necessary. Sub-committees will conform to agenda and minute requirements noted in Article 4.2 and 4.3. Sub-committees are required to have a simple majority for quorum but recognize that All sub-committee work will be report to the UEACC as the recommending body.

ARTICLE 6: Confidentiality.

UEAAC is subject to open meeting law and public records law (MA G.L. c. 30A 18-25; G.L. c. 4 7/26) and disclosure restrictions noted in the legal code. Consistent with this, committee members are expected to keep information and discussions pertaining to specific employees and personnel records confidential. Committee

members are not permitted to discuss in this Committee personnel matters of themselves or others as it relates to information kept in the University's personnel files of past, current or pending investigations, legal proceedings, disciplinary actions or the like. A committee member who shares confidential information or discussions outside of the committee or raises discussions of prohibited personnel matters involving themselves or others will be immediately removed from the UEACC.

ARTICLE 7: Parliamentary Authority

In questions of parliamentary procedure, the committee shall refer to the current edition of Robert's Rules of Order, Newly Revised, in all cases to which they are applicable and not inconsistent with the rules of union contracts.

ARTICLE 8: Amendment of Bylaws

Any of the provisions of these bylaws may be amended upon a vote by a two-thirds (67%) majority of the committee. There must be sufficient notice to members regarding any meeting in which bylaw changes will be discussed, normally, at least one week prior to the meeting; bylaws amendments cannot be introduced as new business.

UNIVERSITY EFFICIENCY ANALYSIS ADVISORY COMMITTEE (UEAAC) COMMUNICATION PLAN

Introduction:

The UEAAC consists of university-wide representation from all employee unions and divisions and the student body. This campus-wide advisory committee is charged with (1) assessing the financial challenges and operational structure of the institution; and (2) suggesting both short-term and long-term pathways for improved efficiency to support the quality of the student experience and service to employees while reducing the budget deficit.

This plan is to provide a clear structure for UEAAC communication to the WSU community and to address the needs for internal communication among and between committee members.

Guiding principles:

- **Transparency:** A transparent process is essential for the success of the work of the committee and honoring the shared stewardship of the financial health of the University. The voices of the campus community are central to this process.
- **Listening:** The UEAAC members are committed to seeking and listening to valuable input and ideas from all campus constituencies despite the accelerated timeline.
- **Consistency and clarity:** consistent and honest communication is essential for the health of our campus.

Goals and Objectives:

- Build understanding and support for the changes we need to recommend and embrace to survive the current fiscal crisis and go forward stronger.
- Ensure that all committee members have access to all the data and information they need in order to make better informed decisions and recommendations.
- Report out all information from sub-committees to the whole committee including providing rationales and documentation when necessary.
- All committee members will be aware of the work of all other members and have access to information about that work and any recommendations.

Internal Communication Strategy:

- The Committee will use Microsoft Teams to share, access and store all data and documents.
- Files with Financial Data and other important information will be loaded and stored on the Teams site.
- Agendas, Notes, and Meeting Minutes will be posted on the site for review before each meeting.
- Recommendations will be loaded by sub-groups into the Folders created on teams and made visible to all committee members.

Campus wide Communications Strategies:

- The Committee will compose and issue a weekly update either in writing or as a video, outlining the progress and process to the university community. This email will include clear assignments, and any update on recommendations.
- Weekly Updates will be assigned to at least 2 members per week on a rotating basis and each update will be accompanied by an email from the Interim President framing and supporting the work. This work will be supported by a volunteer Communications Coordinator.
- The members of the committee and the Chair will make themselves available to Union Leadership for any questions and concerns and will attend Union Meetings to provide updates as requested by the Unions.

Members of the committee who are members of the various Unions will assist in clear communication between the committee and the members of their union.

- The Committee will see input from all campus units on its various tasks.
- The Committee will host at least 2 Virtual Town Hall style Forums during this semester (Dates TBD) to elicit feedback, respond to questions, and encourage dialogue with the campus community.
- The Committee will issue a Report with recommendations to the President and the campus Community at the completion of the work for each Tier. We will also issue a final report to the President. Upon approval by the President the Committee will share its report and findings with Campus Governance, Union leadership, and the Westfield State Community.
- Members of the committee will make themselves available to work with the campus as questions and concerns are brought to the committee.
- All Vice Presidents will be notified of the process, activities, and communication from the committee to departments within their divisions.
- Sub-committee members will reach out to Departments and Divisions in a clear, consistent, and cordial way for information and input on their budgets and critical needs.

Weekly Communication Plan Leads:

List developed using pregenerated randomization at <https://www.random.org/lists/?mode=advanced>

Volunteer Communication Coordinator:

Margot Hennessy: will collect and assist with all updates including coordinating with the President's Office and fill in when necessary.

Westfield State University
Finance and Capital Assets Committee

FY21 Provisional Budget Narrative

June 13, 2020

EXECUTIVE SUMMARY

The FY21 budget cycle presents a significant amount of uncertainty with the COVID-19 pandemic and its effect on campuses across the country. Every campus has been impacted by this event and providing definitive plans for the next year is nearly impossible. Given these circumstances, the campus is proposing a provisional budget for approval now and will submit a final annual budget at the October board meeting. State appropriation and enrollment are the primary revenue drivers for the university and without a stable understanding of those revenue categories, developing a realistic budget is problematic. By September, we will have a much better idea on those revenue categories and their impact on our resources.

This budget approach also includes a variety of budget reductions, temporary and permanent, of over \$10M compared to the FY20 budget but there is still a ways to go. While the first set of reductions have been made in the provisional budget represented today, the budget still results in a projected loss of \$7.4M. Our goal is to refine the projected loss as new information becomes available and work to close that gap by the October board meeting in the most prudent manner possible. The health and safety our of students and community is of utmost importance as we prepare for a fall opening.

It is important to note that the residential life budget is represented as a neutral impact to our budget. As of this writing, a decision has not been made on how the residential program will operate in FY21. But, we do know that MSCBA will provide financial relief of approximately \$8M in the form of debt restructuring, refinancing and release of reserves to fund interest payments, for one year (there will be some reductions in FY22 but not at the level in FY21). The overall impact of these events make it difficult to accurately predict the impact on our budget until decisions are made during the summer months and the debt restructuring has been finalized.

The two step approach to developing an annual budget makes the most logical sense to the campus to ensure that our resources can align with external factors which impact developing our annual budget. Careful consideration must be given to ensure the quality of our programs balanced with available resources and a long term view to sustain the university in very challenging times.

CAMPUS STRATEGY TO BALANCE BUDGET

FY21 Cost Reduction Strategy

The campus implemented a 3-Tiered cost reduction strategy, executing \$7.6m of reductions across multiple funds for Tier 1. The reductions included a hiring freeze totaling \$4.0M; a

\$2.0M reduction to the adjunct budget; a \$500k reduction to temporary workers; \$600k reduction to department operating budgets; and \$400k reduction to strategic plan funding. A decision on implementing Tiers 2 & 3 is dependent upon additional indication of key factors affecting the revenue budget such as State Appropriation, Enrollment, and a potential change to the campus operating modality following further guidance from the state as it pertains to Covid-19.

In addition to the Tiered budget balancing strategy mentioned above, the campus implemented the following permanent savings totaling \$3.3M in December in response to the FY20 enrollment shortfall:

- \$920k of divisional budget reductions.
- FY21 VSIP savings of \$1.7M
- \$700k of various funding categories were reduced from the FY21 Provisional Budget.

ENROLLMENT

FY20 enrollment was budgeted at 4,223 average annual billable students, however, the FY21 Provisional Budget reflects an undergraduate enrollment decrease of approximately 943 average billable students. The previous fall entering class was expected to be comprised of 1,050 new entering students and 340 transfer students for a total of 1,390 students. The FY21 enrollment target is a fall entering class of 978 new entering students and 234 transfer students for a total of 1,212. Current deposits are tracking significantly lower than prior year; as of June 2nd, the Admission Funnel Report reflected 888 deposits and 183 transfers, for a total of 1,122; resulting in a current gap of 90 students (1,212 – 1,122) compared to budget. It is expected that the final enrollment budget will be lower than the FY21 Provisional Budget based on current enrollment data.

REVENUES

Total Revenues are projected to decrease by 14% or \$17.9m over last year's budget mainly due to a significant decrease in Tuition and Fee Revenue totaling \$9.5m, a 10% reduction in State Appropriations totaling \$2.9m; a 19% reduction in Residence Fees totaling \$3.6m; and a 13% reduction in Dining Fees totaling \$1.4m. The FY21 Provisional Budget assumes a 10% decrease in State Appropriations compared to the FY20 Budget, an entering class enrollment decline of 15%, and a 7% reduction in enrollment due to retention issues.

Board approved fee increases for undergraduate and CGCE have been integrated in the budget (refer to FY21 *Schedule of Annual Tuition and Fees – Approved and Revised as Final 5/27/2020*). Total cost of attendance increase for an in-state on campus residential student would be 2.6% or \$583 and 2.7% or \$290 for a commuter student. This increase places Westfield's relative "sticker price" in the median range compared to other Massachusetts state universities.

- Residential Life rent revenue is expected to be significantly lower than prior year due to a decrease in occupancy rates offset by a 3% increase in room rates.

- Dining Services revenue is projected to decline by 13% or approximately \$1.4M due to the decline in occupancy in housing which requires a meal plan.
- CGCE revenue is decreasing by approximately \$0.3M or approximately 2.7% over last year's budget for a total of \$11.8M due to the COVID-19 pandemic for all undergraduate and graduate programming. Based upon preliminary enrollment data, it is projected there will be a decline in the following areas: (1) 10% in credits in overall undergraduate (except RN-BSN) and graduate (except MSW and PA), (2) 8% decline in RN-BSN, (3) 5% reduction in MSW, (4) 20% in XRG, (5) 10% in waivers, and (6) 5% in ed service fees.

EXPENSES

Operating expenses are decreasing by \$8.1M or roughly 8% below FY20 as a result of the following:

- Compensation and fringe expenses are \$3.0M lower than FY20 due to \$1.7M of VSIP savings and \$4.0M due to the hiring freeze offset by a \$2.9M increase in campus payroll obligation due to lower state appropriation, which is applied directly to base compensation. The fringe rate increased from 37.99% to 39.18%.
- No increases in salaries are assumed in this budget.
- Operating budgets decreased by \$3.1M mainly due to implementing the Tier 1 cost reductions which included \$2.0M in Adjunct costs; \$0.6m in Department Operating Expense; and \$500k in temporary worker expenses.
- Strategic investments were reduced from \$500k in FY20 to \$350k in FY21 and will be allocated mainly to increasing Financial Aid by \$250k, \$100k for One-time initiatives, and funding \$20k for the Innovation Fund.
- Early indications from MSCBA are that roughly \$8M of debt service relief will likely be provided through restructuring in order to support housing operations following the impact of the Covid-19. As a result, the MSCBA Assessment was reduced as a temporary placeholder until a more accurate amount is provided and the fall opening model is determined.

While expenses exceed revenues by \$11.18M, it is important to note the following:

- 1) Capital rollover funds represents approximately \$1.7M due to several projects that are expected to remain incomplete by year-end including \$900k for DCAMM funded projects, \$360k for ITS projects, and \$400k for other University funded projects.
- 2) Operating contingency of \$760k is built into the expense category and is a combination of true contingency which includes \$425k in operating contingency for the campus and a projected surplus of \$290k in CGCE. The contingency is used to hedge against an unplanned tuition shortfall or one-time unplanned expenses which are necessary to fund.
- 3) Potential planned use of reserves totaling \$2.03M is mainly due to Dining use of reserves to fund capital projects including the Dining Common floor replacement (structural issue) and Wilson Café. Additional use of reserves totaling \$630k represents CURCA, SGA, Residential Life, Grants, and Athletics.

COLLEGE OF GRADUATE AND CONTINUING EDUCATION (CGCE)

FY21 revenue of \$11.8M represents a decrease of \$300k when compared to prior year based on a projected decline in credits counts affecting both graduate and undergraduate. Expenses are decreasing by \$300k as CGCE has made efforts to balance their budget across multiple operational expense lines. In alignment with the campus operating assumption, the CGCE budget does not include increases for collective bargaining. CGCE has added one new faculty line to support accreditation requirements for the PA program. The net result for CGCE is a projected surplus of \$300k.

Non-credit programs administered by CGCE are represented within the Other Trust Fund category in the *Detailed Budget by Trust Fund* summary document. Non-credit is projecting a minor surplus of \$28k which is also identified as an operating contingency.

AUXILIARIES (RESIDENTIAL LIFE AND DINING SERVICES)

- **Residential Life** – Rates are increasing by 3% in FY21 while occupancy rates are projected to decline by 19% from prior year. Residential Life will require debt service relief from MSCBA in order to balance its budget in FY21 mainly because the Covid-19 pandemic coupled with declining enrollment and a competitive off-campus housing market are expected to further cause financial limitations. In FY20, Housing Operations provided refunds totaling \$4.2M and expected an additional enrollment related revenue decline of \$1.2M. Covid-19 may have an additional impact on housing operations in FY21, but the full impact is currently unknown. Due to Covid-19, Residential Life will not have additional summer conference revenue as summer conferences have been cancelled.
- **Dining Services** - Despite a 3% increase to the average meal plan, revenue is expected to be \$1.4M lower than prior year mainly due to lower on campus housing occupancy. For instance, revenue was projected at \$10.6M in FY20 and \$9.2M in FY21. Budget adjustments have been made to produce a balanced budget. While Dining Services historically contributes \$2.4M to the campus through a university assessment, at this time, the contribution has been reduced to \$2.0M. Dining commons floor requires structural repairs and is targeted as a priority capital improvement \$1.3M project for Dining Services, in addition to \$100k for the Wilson Cafe project; both projects are funded by reserves.
 - Dining services proposed, and the board approved a one meal plan option for residential students next year in lieu of multiple meal plan options in response to the requirements to operate under COVID -19 parameters.

CAPITAL BUDGET

The capital budget is projected to be approximately \$5.9M, which includes \$4.5M of new/incomplete capital projects and \$1.4M of capital for the dining commons project. The

campus base budget for capital was reduced as part of the cost reduction plan by \$200k and is now \$2.8M.

The projected capital budget excludes funding for the renovation of Parenzo Hall as the campus portion will be funded from cash reserves later in FY21/FY22.

Major capital investments include:

- Several deferred maintenance projects as partially funded by DCAMM - \$720k
- Campus Website Redesign - \$250k
- Campus Electrical System Arc Flash Study - \$200k
- Classroom technology - \$160k
- Lifecycle Computers for Faculty, Staff, and Labs - \$220k

FY20 Capital Rollover includes DCAMM Funding for emergency projects including the water slope \$180k and the Horace Mann Garage Roof for \$290k

FY21 DCAMM Matched Deferred Maintenance Projects are as follows:

	67.8%	32.2%	100.0%
Project Title	DCAMM Funded	WSU Match	FY21 total
Sprinkler Study	40,500		40,500
Dower Center Roof Replacement Construction	406,800	193,200	600,000
Horace Mann Garage Roof	339,000	161,000	500,000
Horace Mann Mass Notification System	135,600	64,400	200,000
Trades (Maintenance) Building roof replacement -Jan doc May start	67,800	32,200	100,000
Campus Steam Tunnel roofs	135,600	64,400	200,000
Horace Mann Center AC replacements Work Study Oct Const March	339,000	161,000	500,000
Horace Mann Center Sewer Ejector replacement- January	33,900	16,100	50,000
Power Plant Condensate Receiver Tank	67,800	32,200	100,000
Wilson Roof Study	32,340		32,340
Total	1,598,340	724,500	2,322,840

PLANNED USE OF RESERVES

Planned use of reserves is an estimate based on the assumption that reserves will be needed next year. For FY21, the estimated amount is \$2.0M mainly due to \$1.4M in Dining Capital projects, which are funded from Dining Reserves, and \$630k of Other Trust Fund rollovers which represents other requests for use of reserves from across various campus groups including Athletics, CURCA, Grants, and SGA Fundraising to name a few. Despite a significant decline in occupancy, it is unclear that Residential Life will use reserves to support its operation mainly as a result of the anticipated MSCBA debt service restructure which is expected to

provide significant financial relief for Housing Operations. The residential life impact on reserves will be revisited prior to the October board meeting.

STRATEGIC PLAN INVESTMENT

Overall the campus has allocated a total of \$802k in Strategic Investments of which \$470k represents FY20 strategic plan funding which is permanent and therefore remains in the budget on a cumulative basis each year. An additional \$350k was allocated in FY21 toward strategic plan funding of which \$250k was applied toward increasing financial aid and the remaining is aligned to multiple divisional one-time initiatives that support fundraising and creating operational efficiencies, and most notably, a \$51k investment in a free winter and summer course incentive program.

SUMMARY

The campus has undergone perhaps one of the most significant obstacles in recent history given the Covid-19 pandemic coupled with declining enrollment. Through diligent planning, the campus has been able to reducing overall expense by a total of \$10.9M since the start of FY20. The campus continues to carefully evaluate the balance between affordability, enrollment, and strategic investments while striving to balance the budget. The FY21 Provisional Budget was developed keeping in mind there are several critical planning elements that are still uncertain. Until key revenue indicators such as enrollment and state appropriation are better known, it is going to be challenging to predict whether additional cost reductions will be necessary. The highest priorities in FY21 are going to be: 1) Campus safety for both students and employees; 2) creating financial stability through enhanced planning which may include further budget reductions; 3) developing ways to attract and retain students; and 3) continuing to invest in the strategic plan in order to remain competitive.

Westfield State University
FY21 Campus Provisional Budget
Provisional Budget as of June 13, 2020

	FY21 Budget	FY20 Budget	\$ Change	% Change
<u>Revenue</u>				
Scholarship Allowance	(10,285,448)	(10,610,448)	325,000	-3%
Tuition and Fees	49,470,231	59,002,807	(9,532,576)	-16%
Federal Grants and Contracts	8,963,998	9,271,568	(307,570)	-3%
State Grants and Contracts	2,728,000	2,585,000	143,000	6%
Private Grants and Contracts	435,000	478,000	(43,000)	-9%
Residence Fees	15,789,402	19,411,659	(3,622,256)	-19%
Dining Fees	9,232,436	10,636,124	(1,403,688)	-13%
Other Operating Revenues	1,760,840	2,255,890	(495,050)	-22%
Commissions	430,194	550,000	(119,806)	-22%
State General Appropriations	26,516,934	29,463,260	(2,946,326)	-10%
Foundation Support	480,000	430,000	50,000	12%
Investment Income	635,188	677,400	(42,212)	-6%
Total Revenue	106,156,775	124,151,260	(17,994,484)	-14%
<u>Expenses</u>				
Personnel	51,570,997	54,766,124	(3,195,127)	-6%
Fringe Benefits	10,697,631	10,527,350	170,282	1.6%
Operations	28,232,246	31,342,404	(3,110,158)	-10%
Strategic Investments	820,000	500,000	320,000	64%
Utilities	4,364,183	4,541,635	(177,452)	-4%
Debt Payments	2,486,784	2,465,435	21,349	1%
Operating Contingency	761,878	1,309,799	(547,922)	-42%
Capital Projects	4,498,681	4,592,092	(93,411)	-2%
Scholarships	4,789,554	4,270,134	519,420	12%
Transfers	-	-	-	
MSCBA Assessment	9,122,343	12,897,864	(3,775,521)	-29%
Total Expense and Transfers	117,344,298	127,212,838	(9,868,540)	-8%
Net Revenue over Expense	(11,187,523)	(3,061,579)	(8,125,944)	265%
Planned Use of Reserves	2,035,959	1,529,486	506,473	33%
Capital Rollover	1,698,681	1,532,092	166,589	11%
Total Use of Reserves	3,734,641	3,061,579	673,062	22%
Net Surplus/(Loss)	(7,452,882)	-	(7,452,882)	

Westfield State University
FY21 Detailed Provisional Budget by Trust Fund
Provisional Budget as of June 13, 2020

	Operating Budget	Grants	Capital Project Fund	CGCE	Residential Life	Dining Services	Other Trust Funds	FY21 Budget All Funds	Notes
Revenue									
Scholarship Allowance		(10,285,448)						(10,285,448)	
Tuition and Fees	37,560,644			11,809,587			100,000	49,470,231	
Federal Grants and Contracts		8,963,998						8,963,998	
State Grants and Contracts		2,728,000						2,728,000	
Private Grants and Contracts		185,000					250,000	435,000	
Residence Fees					15,789,402			15,789,402	
Dining Fees						9,232,436		9,232,436	
Other Operating Revenues	740,008				19,000		1,001,832	1,760,840	(1)
Commissions	340,194				90,000			430,194	
State General Appropriations	26,516,934							26,516,934	
Foundation Support	480,000							480,000	
Investment Income	635,188							635,188	
Total Revenue	66,272,968	1,591,550	-	11,809,587	15,898,402	9,232,436	1,351,832	106,156,775	
Expenses									
Personnel	43,650,537	275,000		3,416,692	2,057,846	1,982,294	188,629	51,570,997	
Fringe Benefits	7,589,081	106,648		1,414,220	755,330	758,274	74,079	10,697,631	
Operations	13,368,196	829,902		4,097,618	2,845,527	5,551,778	1,539,225	28,232,246	
Strategic Investments	820,000							820,000	
Utilities	2,678,323				1,685,860			4,364,183	
Debt Payments	2,173,763					313,021		2,486,784	
Operating Contingency	425,000			286,683		25,194	25,000	761,878	
Capital Projects			4,498,681			-		4,498,681	
Scholarships	3,847,995	380,000		105,855	386,704	4,000	65,000	4,789,554	
Transfers	(801,765)	68,453	(2,800,000)	2,488,519	(955,207)	2,000,000		-	(2)
MSCBA Assessment					9,122,343			9,122,343	
Total Expense and transfers	73,751,130	1,660,003	1,698,681	11,809,587	15,898,403	10,634,561	1,891,933	117,344,298	
Net Revenue over Expense	(7,478,162)	(68,453)	(1,698,681)	-	(0)	(1,402,125)	(540,101)	(11,187,523)	
Planned Use of Reserves	25,280	68,453		-	0	1,402,125	540,101	2,035,959	(3)
Capital Rollover			1,698,681					1,698,681	
Total Use of Reserves	25,280	68,453	1,698,681	-	0	1,402,125	540,101	3,734,641	
Net Surplus/(Loss)	(7,452,882)	-	-	-	-	-	-	(7,452,882)	

Notes:

1. Other Operating Revenues consist of parking revenues, application fees, phone fee, non-credit program revenue and other miscellaneous fees
2. Transfers represent the movement of cash from one trust fund to another (for example, dining services will transfer \$2.0m to the University's Operating Budget).
3. Planned Use of Reserves may require immaterial adjustments due to year end account validation.

Westfield State University
Finance and Capital Assets Committee

FY22 Budget Planning Assumptions and Timeline

October 13, 2020

The development of a campus budget for FY22 will follow a process similar to prior years for Trustee input, review and approval. Discussion on preliminary planning assumptions are necessary to prepare and evaluate multiple budget scenarios for selection as the basis for the FY22 Budget. It is anticipated that there will be significant restructuring occurring for FY22 as a result of reducing the FY21 structural budget deficit by \$7.5M. Nonetheless, the campus will begin the planning process in the fall to work towards developing financial models for the next budget cycle. While much is still unknown at this point, the process must begin soon to lay the foundation to support an effective resource allocation model.

FY22 Planning Assumptions and Timeline:

FY22 Major Planning Assumptions

Revenue

- Enrollment is expected to increase over FY21 by 3.5% or 122 students.
- Cost of attendance with a range of 0.0% - 2.0%; Including CGCE, Dining and Res Life.
- State Appropriation – decreasing or no increase; assume range of -5.0% - 0.0%.
- CGCE contribution funding to remain fixed at \$2.45M.
- Investment income – flat, no change from FY21.
- Dining program contribution in flux; revise contribution plan. Unlikely to achieve \$2M contribution. Assume more realistic assessment.

Expense

- Limited strategic plan investment funding; at a minimum, allocate support for financial aid.
- Department Operating Budgets – no increases
- Fund mandatory contractual increases for services, facilities and technology contracts.
- Salary Increases – assume no collective bargaining increases in budget other than potential costs for salary increases not funded through state appropriation or collective bargaining.
- Benefit Rate - assume historical average annual increase over prior year.
- Residence life – assume continued relief from debt restructuring in FY20 of \$4M; expect balanced budget for FY22.

Board of Trustees Budget Planning Timeline FY22

October 2020	<ul style="list-style-type: none">• Preliminary Planning Assumptions Agreed Upon• Annual Planning Calendar Distributed
December 2020	<ul style="list-style-type: none">• Review Preliminary Financial Scenarios• Review Enrollment Projection• Discuss Strategy for Efficiencies and Restructuring
February 2021	<ul style="list-style-type: none">• Approve Fee Recommendations (based on parameters)
April 2021	<ul style="list-style-type: none">• Draft Operating Budget Presented• Draft CGCE Budget presented• Draft Capital Budget Presented
June 2021	<ul style="list-style-type: none">• Final Budget Review and Approval• Update 5-year plan