

**QUINCY COLLEGE
BOARD OF GOVERNORS**

PERSONNEL AND PROGRAMS COMMITTEE

MEETING OF FEBRUARY 26, 2018

Minutes

The meeting of the Personnel and Programs Committee, held in the Hart Board Room, Room 706, 7th Floor, Presidents Place, 1250 Hancock Street, Quincy, Massachusetts, was called to order at 5:33 PM. The member roll was called. The following members of the Personnel and Programs Committee were present at the call of the member roll: Ms. Carolyn O'Toole, Committee Chair; Ms. Barbara Clarke; Mr. Thomas Feenan; and Mr. Joseph Shea. Absent at the call of the member roll was Father James Hawker. A quorum was present.

Also present were: Governor Christopher Bell; Governor Paul Barbadoro; Peter H. Tsaffaras, J.D., President and Secretary of the Board of Governors; Dr. Mary E. Burke, Senior Vice President for Academic Affairs; Mr. Joseph Arangio, Senior Vice President for Administration & Finance; Mr. Thomas Pham, Vice President for Technology & Mission Support; Mr. Stephen Kearney, J.D., Assistant to the President; and other members of the College community.

Chair O'Toole moved directly to agenda item number IV, Update on Accreditation and Regulatory Issues. President Tsaffaras began by reporting to the members that in reviewing the Code of Massachusetts Regulations (CMR) governing BORN (Massachusetts Board of Registration in Nursing) it appears to the College that BORN is precluded from taking adverse action prior to twelve (12) months from notice of deficiencies. The President reported that the consulting firm of Kirby Bates was at the College that day reviewing candidates for the permanent Nursing Dean position. There were questions by the members and discussion among the members regarding Kirby Bates and their work and progress. Mr. Arangio addressed the questions posed by the members and explained the process and where Kirby Bates is currently at in the search process.

Dr. Mary Burke reported that she and Dr. Lori Koehler are currently working on a new admissions policy for the Nursing Program. Dr. Burke reported that they are also preparing for the upcoming visit by ACEN (Accreditation Commission for Education in Nursing).

Chair O'Toole reported that it is her understanding that BORN, at their meeting on March 14, 2018, will meet in the morning in open session, but will meet in the afternoon in closed session. There were questions as to whether the Interim Nursing Dean and/or the President will attend the closed afternoon session. The President reported that there are only certain reasons for which any public body in Massachusetts can meet in closed session. Deliberation on the status of a college's nursing program would seem to be a matter that would be discussed in open session. The College is looking into this matter and is trying to determine exactly how the meeting on March 14, 2018 will proceed.

Old Business

During the last Executive Session, there was discussion regarding hiring legal representation for the Board of Governors. Mr. Barbadoro was asked to seek out qualified

legal counsel to present to the Board. Mr. Barbadoro introduced Michael J. Maccaro from the law firm of Murphy Hesse Toomey & Lehane LLP. Mr. Maccaro was given an opportunity to introduce himself and his experience and the experience of his law firm. Mr. Maccaro stated that he and his firm do a lot of work with the City of Quincy, are familiar with issues such as the open meeting law, and represent other boards such as this Board. Mr. Maccaro stated that his firm has been in the area for about thirty (30) years. Ms. Clarke inquired if there is a conflict of interest with him or his firm since they do work for the City and the College has spent a lot of time and money separating from the City. Mr. Maccaro stated that he sees no conflict. Mr. Shea asked about the process for hiring legal counsel. Mr. Barbadoro stated that it is a matter that must go to the full Board.

Also under old business, Mr. Shea inquired about an earlier statement that BORN cannot take further action against the College. The President responded that the College's reading of the regulations are that the College must have twelve (12) months to correct the issues raised in the letter from BORN dated June 2017. Mr. Barbadoro said that that regulation may be a ground for appeal if they do take adverse action.

Also under old business, Mr. Shea asked if the matter of the Appointing Council can be put on the agenda for the Special Meeting of the Board of Governors scheduled for next Monday. The President responded that it can be put on the agenda. Mr. Bell asked if an Executive Session can be listed on every agenda and, if so, can the Board or committee go into Executive Session or not at their option. There was general discussion regarding agendas for the meetings of the Board and the various committees. It was discussed that the issues raised by BORN should be discussed in open session as it does not appear to fall into any of the ten (10) reasons for going into executive session enumerated in the Open Meeting Law. It was asked if an executive session could be included on the agenda for the next meeting with #2, #3, and #6 as the reasons for going into executive session.

Mr. Feenan expressed concern regarding the costs of legal counsel, specifically, that various members of the Board might call upon the attorney and run up the legal fees. Mr. Barbadoro stated that he will develop a protocol as to whom from the Board can call upon Board Council.

There was general note by members of the Board about receiving calls from nursing students.

At 5:54 PM, motion by Mr. Shea that the Committee go into Executive Session in accordance with Massachusetts General Laws, Chapter 30A, Section 21(a)(1-10). Motion seconded by Ms. Clarke. There was no discussion on the motion. The following members of the Personnel and Programs Committee voted in favor of the motion to go into Executive Session: Ms. O'Toole; Ms. Clarke; Mr. Feenan; and Mr. Shea. There were no votes in opposition to the motion, and no abstentions. The motion was adopted and the public was excused.

Ms. Clarke departed at 6:32 PM.

Motion by Mr. Shea that the Board of Governors close the executive session and return to open session for the purpose of adjournment. The motion was seconded by Mr. O'Toole. There was no discussion on the motion. The following Governors voted in favor of the motion to return to open session: Mr. Feenan; Ms. O'Toole; and Mr. Shea. There were no votes in opposition to the motion and no abstentions. The motion was adopted and at 6:35 PM the Committee returned to open session.

Reported out of Executive Session that the Personnel & Programs Committee voted to recommend to the full Board the hiring of legal counsel to represent the Board of Governors. Motion by Mr. Shea. Seconded by Mr. Feenan. The following Governors voted in favor of the motion: Mr. Feenan; Ms. O'Toole; and Mr. Shea. There were no votes in opposition to the motion and no abstentions. The motion was adopted

At 6:39 PM, motion by Mr. Shea to adjourn the meeting of the Personnel & Programs Committee. Motion seconded by Mr. Feenan. There was no discussion on the motion. The following Governors voted in favor of the motion: Mr. Feenan; Ms. O'Toole; and Mr. Shea. There were no votes in opposition to the motion and no abstentions. The motion was adopted and the meeting was adjourned.