

**BOARD OF HIGHER EDUCATION  
REQUEST FOR BOARD ACTION**

**NO.:** BHE 25-34

**BOARD DATE:** February 25, 2025

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**APPROVAL OF COMMISSIONER'S ANNUAL PERFORMANCE EVALUATION AND  
COMPENSATION ADJUSTMENT**

**MOVED:** The Board of Higher Education hereby approves the attached  
Commissioner's annual Performance Evaluation.

Further, the Board approves a salary adjustment for Commissioner  
Ortega in alignment with the salary increases and the effective dates  
that the Commonwealth's Human Resources Division (HRD) announced  
on July 25, 2024 for all eligible managers in the executive branch as  
specified in the attached Background Statement.

The Board commends Commissioner Ortega and his team for their  
accomplishments and work, and thanks the Commissioner for his  
service.

**VOTED:** Motion adopted by the BHE on 2/25/2025.

**Authority:** Massachusetts General Laws Chapter 15A, Section 6

**Contact:** Constantia T. Papanikolaou, Chief Legal Counsel

## **Background**

Pursuant to its enabling legislation, the Board of Higher Education (BHE) is authorized to determine the Commissioner's salary, subject to appropriation. See M.G.L. c. 15A, § 6 (stating that "the Commissioner shall, subject to appropriation, receive such salary as the [BHE] may determine.") In executing this statutory responsibility, the BHE's annual performance review of the Commissioner provides the context and supporting justification for any BHE-approved compensation adjustments for each fiscal year.

The full board met during a special meeting on February 18, 2025 to discuss and review the Commissioner's performance during calendar 2024. Based on that discussion, the Board Chair prepared a draft performance evaluation, as attached (Attachment A) and as submitted for Board of Higher Education (BHE) approval. As noted in the attached document, the attached performance evaluation includes performance expectations for the Commissioner moving forward.

On July 25, 2024, the Commonwealth's Human Resources Division (HRD) issued guidance on allowable salary increases for executive branch employees. Such guidance provides as follows: a 3% salary increase as of January 12, 2025, and a 2% salary increase as of July 13, 2025, subject to eligible managers meeting performance expectations.

Having completed an assessment of the Commissioner's performance, the Board Chair, consistent with the Board discussion on February 18<sup>th</sup>, is recommending a salary increase for the Commissioner to be implemented in alignment with the HRD recommendations set forth above.

### Attachments

35 a\_ Commissioner Ortega Self Evaluation

35 b\_ BHE Annual Performance Evaluation of Commissioner Ortega