

BOARD OF HIGHER EDUCATION

REQUEST FOR BOARD ACTION

NO.: BHE 27-01

BOARD DATE: August 24, 2026

APPOINTMENT OF INTERIM COMMISSIONER

MOVED: The Board of Higher Education hereby selects José Luis Santos to serve as Interim Commissioner of the Department of Higher Education at an annual salary rate of \$282,000.

The Board authorizes the Chair to submit to the Secretary of Education José Luis Santos' name for approval of the Board's recommended appointment as Interim Commissioner with an effective October 1, 2026.

VOTED: Motion adopted by the BHE on 8/24/2026.

Authority: Massachusetts General Laws Chapter 15A, § 6; and Chapter 6A, §14(a)(c)(3)

Contact: Constantia T. Papanikolaou, Chief Legal Counsel

Background

Commissioner Noe Ortega announced on August 14, 2026, that after nearly four years of service, he is stepping down from his position as Commissioner of the Department of Higher Education, effective September 30, 2026. The Board of Higher Education (BHE) is grateful for his leadership and service.

Under state law, the BHE must select for appointment a Commissioner (or Interim Commissioner), who shall serve as chief executive officer of the Department of Higher Education. M.G.L. c. 15A, §6; M.G.L. c. 6A, §14A(c)(3). The BHE must identify and submit to the Secretary for approval its recommended candidate "by two-thirds vote of all its voting members" (i.e., at least 9 of its 13 voting members). M.G.L. c. 15A, § 6. The Secretary may act on the recommended appointment only from candidates submitted to the Secretary from the BHE. Id. In addition, the BHE is responsible for setting the salary of the Commissioner (or Interim Commissioner). Id.

It is the recommendation of Chair Gabrieli that BHE approve Deputy Commissioner José Luis Santos as Interim Commissioner with an effective start date of October 1, 2026, and that Deputy Commissioner's Santos' name be submitted to the Secretary for approval. Chair Gabrieli further recommends BHE approve a salary in the amount of \$282,000 while Deputy Commissioner Santos serves in this interim role. Deputy Commissioner Santos' resume (CV) is attached.

Attachments to BHE 27-01:

01a_ Dr. José Luis Santos Resume (CV)