



Massachusetts Board of Higher Education

TO: Community College Presidents
State University Presidents
Martin Meehan, President, University of Massachusetts System

CC: Community College Board Chairs
State University Board Chairs
Robert Manning, Chair, University of Massachusetts Board of Trustees

FROM: Commissioner Santiago

DATE: November 12, 2021

SUBJECT: Exigent Circumstances Exemption and Extension Policy for public higher education institution trustees

I. Introduction

Pursuant to [M.G.L. c. 15A, § 45](#), the Board of Higher Education (the “Board” or “BHE”) is required to establish and implement a comprehensive training program for members of the boards of trustees of public institutions of higher education. Under the statute, all public higher education trustees are required to complete the BHE’s training program, at least once every four years and pursuant to the schedule established by the BHE. Under this statute, if a trustee fails to complete the training within the time periods established by the BHE, the trustee’s board membership will automatically terminate. M.G.L. C. 15a, § 45(a).

On October 20, 2020, the BHE approved [Trustee Training and Implementation Guidelines](#) establishing said schedule which requires all public higher education institution trustees, appointed prior to October 20, 2020, complete the full training program no later than November 1, 2021.¹ Trustees appointed after October 20, 2020 must receive training within six months of their appointment. Thereafter, the training program must be completed every four years while a trustee serves on a public higher education board. The BHE’s comprehensive trustee training implementation guidelines delegate to the Commissioner of Higher Education the authority to establish a process for exemptions to the completion timeframes.

¹ On October 7, 2021, the Commissioner of Higher Education granted a broad extension to public higher education institution trustees, allowing all an extra month (or until December 1, 2021) to complete the required training.

II. Policy

Public higher education institution trustees who are unable to complete the full training curriculum in accordance with the timelines set forth in the implementation guidelines, may request an exemption from the required timeline and an extension based on exigent circumstances.

Adequate grounds for granting an exemption and extension are limited to the following circumstances:

- (i) personal illness;
- (ii) personal disability;
- (iii) unanticipated extraordinary personal or family circumstances;
- (iv) active duty military service; and/or
- (v) death or serious illness of a family member.

Every request for an exemption and extension will be considered by the Commissioner of Higher Education and will be granted or denied in their sole discretion based upon the totality of the circumstances.

Trustees that do not request or receive an exemption or extension will have their membership on their particular board of trustees terminated, as required by law. M.G.L. c. 15A, § 45(a).

III. Process

A request for an exemption and extension should be made as soon as reasonably possible and no less than two weeks prior to the applicable deadline by contacting TrusteeTraining@dhe.mass.edu. The trustee should provide as much information as they can to allow the Commissioner to make a fair and informed decision as to their request.