

WORCESTER STATE UNIVERSITY
BOARD OF TRUSTEES MEETING
Tuesday, October 22, 2024
4:00 P.M.
Wellness Center, Room 204

Meeting Called By: Dr. Lisa Colombo (Chair)

Minutes: Nikki Kapurch

Board Members: Dr. Lisa Colombo (Chair); Maureen Power (Vice-Chair); Dr. Lawrence Sasso (Vice-Chair); Karen Lafond; David

Tuttle; Dina Nichols; Amy Peterson;; Kyrām Pou; Marina Taylor

WSU Staff: Barry Maloney; Ashlynn Allain; Kathy Eichelroth; Carl Herrin; Nikki Kapurch; Stacey Luster; Lois Wims

All documents considered to be **drafts** until discussed and/or approved by the Board

AGENDA		
ITEM	RESPONSIBLE	ACTION
1. Administrative Business A. Call to Order B. Approval of the Minutes: <ol style="list-style-type: none"> 1. Human Resources Committee - June 11, 2024* 2. Full Board - June 11, 2024* 	Dr. Lisa Colombo	1. vote required 2. vote required
2. Equity, Diversity and Inclusion Presentation - 15 minutes w/ Q&A A. Freedom of Speech & Demonstration Policy Presentation*	Stacey Luster	A. Informational
3. MA State Universities Equal Opportunity, Non-Discrimination, and Title IX Plan (EOP) Presentation - 15 minutes w/ Q&A A. Title IX: Key Projects and Developments Presentation* B. Massachusetts State Universities Equal Opportunity, Non-Discrimination, and Title IX Plan (EO Plan)*	Julie Kazarian Jennifer Quinn	3. Informational & vote required
4. Finance & Facilities Committee Report A. Finance & Facilities Committee Packet*	Dr. Lawrence Sasso	4. Informational & vote required
5. Administrative Updates A. Report of the Chair <ol style="list-style-type: none"> I. Committee Assignments* II. Next meeting: November 26, 2024 B. Report of the Student Trustee C. Report of the President <ol style="list-style-type: none"> I. President's Update* II. AYKO Booklet III. Appointment of Associate Vice President for Administration and Finance* IV. Proposal to backfill Assistant Vice President of Marketing and Communications* V. Fundraising Update VI. Enrollment Update 	Dr. Lisa Colombo Kyrām Pou, Jr. Barry Maloney Kathy Eichelroth Tom McNamara Ryan Forsythe	I. Informational I. Informational II. Informational III. vote required IV. Informational V. Informational VI. Informational
6. Adjournment	Dr. Lisa Colombo	6. vote required

*Attachments

**WORCESTER STATE UNIVERSITY
HUMAN RESOURCES COMMITTEE MEETING
Meeting Minutes**

CHAIR: Dina Nichols (Chair) DATE: June 11, 2024

LOCATION: Wellness Center, Room 204 MINUTES BY: Nikki Kapurch

TIME: 2:00 PM

COMMITTEE MEMBERS PRESENT: Dina A. Nichols (Chair), Amy Peterson, Maureen Power(remotely), David Tuttle (remotely)

BOARD MEMBERS PRESENT: Marina L. Taylor

WSU STAFF: Barry Maloney; Ashlynn Allain; Nikki Kapurch; Sathi Mitra; Stacey Luster; Lois Wims

The provisions of General Laws, Chapter 30A, having been complied with and a quorum present, a meeting of the Human Resources Committee was held on Tuesday, June 11, 2024, in room 204, located in the Wellness Center. Vice Chair Power called the meeting to order at 2:03 p.m. Trustee Power reported that two trustees will participate by remote access and announced that all votes would be by recorded roll call.

Administrative Business

APPROVAL OF THE MINUTES - April 4, 2024

Upon a motion made by Trustee Taylor, and seconded by Trustee Peterson, it was unanimously

VOTED: to approve the minutes of the April 4, 2024, Human Resources Committee meeting as presented.

ROLL CALL VOTE: Dina A. Nichols (Chair), Amy Peterson, Maureen Power, David Tuttle

Human Resources Committee Report

- Trustee Power opened the meeting by approving the minutes of the April 4, 2024, meeting, which was held to conduct the '23-'24 annual evaluation of President Maloney.
- The second item on the agenda was a discussion of a promotion for Dr. Henry Theriault.
- Trustee Nichols presented the recommendation coming forward to the board and mentioned that supplemental materials were included in the packet in support of this promotion.
- President Maloney highlighted some of Dr. Theriault's accomplishments. Dr. Theriault has been with the university for many years and has thrived in his administration roles.
- President Maloney spoke on the reasoning behind proposing the creation of an Associate Provost position at Worcester State University. This strategic move is designed to enhance our academic leadership and better align our resources with our institutional goals.
- This recommendation comes after a thorough analysis of our current administrative structure in Academic Affairs and the implementation of succession planning for the future.
- The Associate Provost will report directly to the Provost and will be a key member of the Academic Affairs team, ensuring alignment across various academic departments and initiatives. The position

will be integrated into our existing organizational chart, filling a crucial gap in leadership between the Provost and department head. It will clarify Dr. Theriault's role in the division of Academic Affairs. The new roles and responsibilities will provide more clarity.

- Provost Wims mentioned that Dr. Theriault is a sought-after scholar, and we would like to move forward on retaining him.
- President Maloney reminded board members that any position at the rank of dean, or higher, needs to go to the Board for approval.
- President Maloney is seeking to promote Henry Theriault, the Associate Vice President, to the position of Associate Provost for Academic Affairs.

Upon a motion made by Trustee Peterson, and seconded by Trustee Power, it was unanimously

VOTED: **to recommend to the full board the approval of a promotion for Dr. Henry Theriault to the position of Associate Provost for Academic Affairs as presented.**

ROLL CALL VOTE: Dina A. Nichols (Chair), Amy Peterson, Maureen Power, David Tuttle

Upon a motion made by Trustee Peterson, and seconded by Trustee Power, it was unanimously

VOTED: **to adjourn the meeting at 2:42 pm**

Respectfully submitted,


Barry M. Maloney
Secretary, Board of Trustees

**WORCESTER STATE UNIVERSITY
BOARD OF TRUSTEES MEETING
Meeting Minutes**

CHAIR: Marina Taylor (Chair) DATE: June 11, 2024

LOCATION: Wellness Center, Room 204 MINUTES BY: Nikki Kapurch

TIME: 4 p.m.

MEMBERS PRESENT: Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); David Tuttle (remotely); Lawrence Sasso (Vice-Chair); Kaitlin Schott

MEMBERS ABSENT: William Mosley

WSU STAFF: Barry Maloney; Lois Wims; Ashlynn Allain; Kathy Eichelroth; Ryan Forsythe; Nikki Kapurch; Stacey Luster; Julie Kazarian; Tom McNamara; Maureen Stokes; Carl Herrin

The provisions of General Laws, Chapter 30A, having been complied with and a quorum present, a meeting of the Board of Trustees was held on Tuesday, June 11, 2024, in room 204, located in the Wellness Center. Chair Taylor called the meeting to order at 4 p.m., reported that one trustee would participate remotely, and announced that all votes would be made by recorded roll call.

Chair Taylor called for a 10-minute recess, and the group reconvened at 4:10 p.m.

Administrative Business

APPROVAL OF THE MINUTES - Full Board Meeting - April 9, 2024

Upon a motion made by Trustee Colombo and seconded by Trustee LaFond, it was unanimously

VOTED: to approve the April 9, 2024, full Board meeting minutes as presented.

ROLL CALL VOTE: 9 approved. Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

APPROVAL OF THE MINUTES - Academic & Student Development - April 9, 2024

Upon a motion made by Trustee Peterson and seconded by Trustee Sasso, it was unanimously

VOTED: to approve the minutes of the April 9, 2024, Academic & Student Development Committee meeting as presented.

ROLL CALL VOTE: 4 approved. Karen Lafond; Maureen Power; Lawrence Sasso (Vice-Chair); Kaitlin Schott

APPROVAL OF THE MINUTES -Nominating Committee - May 14, 2024

Upon a motion made by Trustee Colombo and seconded by Trustee Sasso, it was

VOTED: to approve the minutes of the May 14, 2024, Nominating Committee meeting as presented.

ROLL CALL VOTE: 3 approved.; Lisa Colombo; Marina Taylor; Lawrence Sasso
One abstained. David Tuttle

PRESENTATION

Operational Excellence (OpEx) Presentation - 30 minutes, including Q&A

President Maloney introduced Jonathan Walker, Institutional Risk and Compliance Officer, who walked us through the PowerPoint presentation that was included in the packet.

- Operational Excellence overview and objectives are to identify and implement strategies to increase revenue and reduce costs, introduce efficiencies, and promote and apply lean and continuous improvement principles across all areas of campus. These objectives are achieved through completing Financial Sustainability Task Force (“FSTF”) or ‘Non-FSTF’ projects, collectively referred to as Operational Excellence (“OpEx”) projects.
- Provided some examples of Non-FSTF Projects/Activities
- Mr. Walker provided a review of the website.
- Gave an update on the demonstration projects that went through the rapid improvement event process.
- Future activities and projects were discussed.

PRESENTATION

Equity, Diversity, and Inclusion Presentation - 15 minutes including Q&A

Advisory Committee for Affirmative Action and Equal Opportunity

- The Chair welcomed Edgar Moros, Executive Director of Diversity, Inclusion, and Equal Opportunity, who introduced one of the co-chairs, Charlotte Haller, and a member of the committee, Shay Shuler, who provided a program overview PowerPoint presentation that was included in the packet.
- The group focused on two key areas: Recruitment and Retention
- The committee is currently taking proactive steps to address these challenges.
- They discussed creating a new position of Staff Diversity Navigator to meet the needs of BIPOC/ALANA staff.

FINANCE & FACILITIES COMMITTEE REPORT

FY 2025 Comprehensive University Budget

- Trustee Colombo, chair of the committee, reported that the group convened today at 3 p.m. Trustee Colombo provided a brief summary of the meeting.
- The committee reviewed the FY 2025 Comprehensive University Budget, including the collaborative budget process.
- Reviewed the current status of the trust funds.
- Trustee Colombo mentioned that at the April 9th Finance and Facilities Committee meeting, the

- committee members spent a lot of time discussing the budget. It's fair to say it's a challenging year. Revenue trailed off and came in lower than anticipated. Due to a large number of vacant positions, expenses were kept at bay.
- We have a \$9,491,900 revenue gap. The resources available to backfill the gap include general fee increase, DGCE tuition fee increase, formula funds, and deferred vacancies. The remaining budget gap will be filled with an anticipated \$2,702,204 draw from unrestricted General Fund reserves.
- Chair Colombo commended the Administration and Finance staff for all their hard work.

Upon a motion made by Trustee Sasso and seconded by Trustee Nichols, it was unanimously

VOTED: **to accept the recommendation of the Finance and Facilities Committee and approve the WSU FY 2025 Comprehensive University Budget, including the Academic Year 2024/2025 Tuition and Fees Schedule (Appendix B)**

ROLL CALL VOTE: **9 approved.** Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

HUMAN RESOURCES COMMITTEE REPORT

- Trustee Nichols reported that the committee met at 2 p.m. today. The first business was to approve the minutes of the April 4, 2024 meeting, which was held to conduct the '23-'24 annual evaluation of President Maloney.
- The second item on the agenda was a discussion of a promotion for Dr. Henry Theriault.
- The packet included a promotion letter, a letter of support from Provost Wims, and a proposed Associate Provost job description.
- Trustee Nichols highlighted some of Dr. Theriault's accomplishments. Dr. Theriault has been with the university for many years and has thrived in his administration roles.
- Trustee Nichols spoke on the reasoning behind proposing the creation of an Associate Provost position at Worcester State University. This strategic move is designed to enhance academic leadership and better align our resources with our institutional goals.
- This recommendation comes after a thorough analysis of the current administrative structure in Academic Affairs and the implementation of succession planning for the future.
- The Associate Provost will report directly to the Provost and will be a key member of the Academic Affairs team, ensuring alignment across various academic departments and initiatives. The position will be integrated into the existing organizational chart, filling a crucial gap in leadership between the Provost and department head. It will clarify Dr. Theriault's role in the division of Academic Affairs. The new roles and responsibilities will provide more clarity.

Upon a motion made by Trustee Colombo and seconded by Trustee Peterson, it was unanimously

VOTED: **to accept the recommendation of the Human Resources Committee and approve the promotion for Dr. Henry Theriault to the position of Associate Provost for Academic Affairs as presented.**

ROLL CALL VOTE: **9 approved.** Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

NOMINATING COMMITTEE REPORT

- Trustee Taylor, chair of the committee, reported that the group convened on May 14 at 12 p.m. and provided a summary of that meeting.
- The Nominating Committee was appointed by Chair Taylor at the April 9th meeting and was charged with bringing forth a slate of officers for election at the full Board meeting on June 11, 2024. Chair Taylor appointed Trustee Colombo, Trustee Taylor, and Trustee Sasso to serve.
- Trustee Taylor also acknowledged that an email was sent to all the trustees prior to the meeting seeking any voluntary interest in any of the available positions. She received an expression of interest from Trustee Colombo in the chair role.
- After a full discussion, the trustees agreed to nominate Trustee Colombo for the Chair position. Trustee Sasso would remain in the vice-chair position that he currently holds, and Trustee Power would be moved into the second vice-chair role. Trustee Colombo appreciates the opportunity to fill this role and looks forward to serving.
- After a healthy discussion among the trustees, it was agreed to present the following slate of officers to the full Board at the June 11, 2024, meeting.

Upon a motion made by Trustee Sasso and seconded by Trustee LaFond, it was unanimously.

VOTED: **to accept the recommendation of the Nominating Committee and approve the slate of officers for 2024- 2025 as presented.**

2024-2025 OFFICERS

Chair	Trustee Lisa Colombo
Vice-Chair (2)	Trustee Lawrence Sasso Trustee Maureen Power
Secretary	President Barry Maloney
Assistant Secretary	Nikki Kapurch
Foundation Board (2)	Trustee Marina Taylor Trustee Maureen Power
Executive Committee Alternate	Trustee Karen LaFond Trustee Amy Peterson

June 11, 2024

MA State Colleges Presidents/Trustees Association <i>(Chair)</i> Alternate (<i>Vice-Chairs as alternate</i>)	Trustee Lisa Colombo Trustee Lawrence Sasso Trustee Maureen Power
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ROLL CALL VOTE: **9 approved.** Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

REPORT OF THE CHAIR

Chair Taylor shared that this was her last meeting as chair and thanked everyone for everything they do for WSU. She then presented the 2024-2025 meeting schedule. After a thorough discussion, the trustees decided to remove the March 4, 2024, meeting from the schedule and then proceeded to vote on approving the schedule.

Upon a motion made by Trustee Sasso and seconded by Trustee Peterson, it was unanimously.

VOTED: **to approve the following 2024-2025 meeting schedule as follows:**

- Tuesday, October 22, 2024**
- Tuesday, November 26, 2024**
- Tuesday, January 14, 2025**
- Tuesday, April 08, 2025**
- Tuesday, June 10, 2025**

ROLL CALL VOTE: **9 approved.** Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

Trustee Colombo emphasized the importance of trustee presence at events and encouraged the board members to attend the Student Convocation on September 3, 2024.

REPORT OF THE STUDENT TRUSTEE

- Trustee Schott brought up the current Follett bookstore contract, which President Maloney provided an update. He mentioned that the contract is up for renewal in 2025 and that he, along with VP Eichelroth, met with representatives of the faculty union and will work on the development of a new bookstore RFP. Additionally, he will continue to encourage our faculty to use open-resource materials.
- Trustee Schott thanked everyone for the opportunity.
- She introduced Kyrma Pou as the next student trustee.

PRESIDENT’S REPORT

President’s Update

- Thanked the student trustee and the board chair for volunteering their time.

WSU Board of Trustees

June 11, 2024

- The president's report is included in the packet. If anyone has any questions about the report's information, please contact the President.
- The President discussed the University's position on neutrality, and a message was sent to the campus.
- My office will contact each trustee to set up one-on-one meetings over the summer.
- The 3rd Year Strategic Plan Progress Report is included in the packet as information.
- He thanked the board members for attending the end-of-the-year commencement ceremonies.
- President mentioned that they are close to receiving a significant gift to the university and proposing the naming of the science building.
- VP Ryan Forsythe provided a Fall 2024 enrollment update.

OTHER BUSINESS:

Executive Session

- Security Report Update

Upon a motion made by Trustee Colombo and seconded by Trustee Nichols, it was unanimously

VOTED: by recorded roll call to enter into an Executive Session at 6:01 pm to discuss a security report and to reconvene in open session for the sole purpose of adjournment of the meeting.

ROLL CALL VOTE: 9 approved. Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Maureen Power; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), Kaitlin Schott; David Tuttle

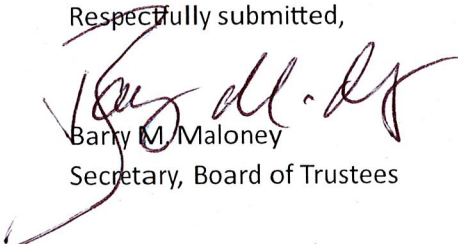
With there being no further business, the WSU Board of Trustees meeting was adjourned at 7:33 pm.

Upon a motion made by Trustee Sasso and seconded by Trustee Taylor, it was unanimously,

VOTED: to adjourn the meeting at 7:33 p.m.

ROLL CALL VOTE: 7 approved. Lisa Colombo (Vice-Chair); Karen Lafond; Dina Nichols; Amy Peterson; Marina Taylor (Chair); Lawrence Sasso (Vice-Chair), David Tuttle

Respectfully submitted,



Barry M. Maloney

Secretary, Board of Trustees

Board of Trustees | October 22, 2024

Freedom of Speech and Demonstration Policy



**Our Place.
Our Purpose.**

**WORCESTER STATE
UNIVERSITY**

Stacey Luster, J.D.
General Counsel and Assistant to the President



Background

In accordance with WSU's commitment to each student's, staff and faculty member's right to their own opinions, as well as their first-amendment right to express them, the University developed and revised its freedom of speech and demonstration policy.

- On November 3, 2021, the University approved its Freedom of Speech policy, which tracks the First Amendment of the United States Constitution.
- On June 5, 2024, the policy was amended into the Freedom of Speech and Demonstration policy.
- Both policies were approved by the policy committee, as well as Cabinet, in accordance with our administrative policy process.
- The policies distinguishes between curricular and non-curricular activities, as well as between constitutionally protected speech and unprotected speech, which would be subject to disciplinary action.

Freedom of Speech and Demonstration Policy

WSU is an inclusive community that supports each person's First Amendment right to express opinions and ideas, including unpopular or controversial viewpoints, without governmental interference, retaliation or punishment. WSU also protects each community member's right to an environment free from discrimination and harassment based on characteristics protected by law.

Although WSU supports all forms of constitutionally protected expression, the community must understand that certain types of expression are not protected:

1. Words or expressive conduct that incite violence or illegal activity;
2. Obscenity or lewd behavior;
3. True threats;
4. Defamation/libel;
5. Expressive activity that involves illegal conduct (e.g., vandalism, trespass, disturbance, terrorizing activity);
6. Harassing speech or conduct that is (1) unwelcome, (2) discriminatory, (3) directed at an individual, (4) on the basis of his or her protected status, and (5) so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

WSU may also impose reasonable limits on the time, place and manner of expressive activities for the purposes of assuring that the administrative functions supporting WSU's mission continue and that all community members are able to learn, teach and work safely and without disruption.

Time, Place and Manner

1. No speech or demonstration may create a clear and present danger of the commission of unlawful acts, or include “**fighting words**,” which are those words that by their very utterance tend to incite an immediate breach of the peace.
2. No person may block or otherwise **interfere with reasonable ingress or egress** into and out of campus buildings, or interfere with any use of property belonging to the university or to other persons. There must be no obstruction of entrances or exits, corridors or thoroughfares of buildings.
3. No person shall engage in **physically assaultive conduct** towards any other person or damage or destroy any article of personal property belonging to the university or another person. There must be no interference with scheduled university ceremonies, events, or activities.
4. Persons engaged in speech activities or distributing literature **shall not impede** the progress of passersby, **nor shall they force** passersby to take material.
5. All persons shall comply with the directions of university officials lawfully acting in the performance of their duties. University officials shall not invoke this provision to stifle expression because of its content. Failure to identify oneself to, or comply with the directions of, a university official or other public official acting in the performance of his or her duties while on university property, is prohibited.
6. Amplified sound equipment is prohibited unless approved in advance by university officials. Under no circumstances will noise be allowed to exceed 55 decibels at a distance of 50 feet from the source of the amplification.

Time, Place and Manner

7. University organizations may sponsor a speaker or event, at the expense of the organization, under the university's usual event registration procedures. Such sponsorship does not necessarily imply approval of the views presented.
8. No stand, table, or booth shall be used in distribution except in traditional public forum areas. Such use shall require the prior permission of the chief of police or designee.
9. Marches, parades, and processions may take place on streets and sidewalks and other public areas of the campus. Public safety and traffic control considerations dictate that plans for an event of this nature must be approved by the chief of police or designee at least 48 hours in advance.
10. All persons at a talk or demonstration **must respect the right to dissent**. Any person who interferes with acceptable forms of dissent is considered in violation of this policy in the same way as is a dissenter who violates the rights of the speaker or the audience. Preventing speech from occurring by disruptive protest itself constitutes an attack on freedom of speech.
11. There must be no interference with educational or administrative activities inside or outside of buildings.
12. Persons engaged in expressional activities shall not threaten, touch, or strike attendees or passersby.

Time, Place and Manner

13. Lewd or **obscene conduct** is prohibited.
14. No alcoholic beverages of any kind shall be in the possession of or consumed by individuals at any event held under the provisions of this policy. This does preclude the CESO approved bartending services.
15. No hand-held signs or pickets are permitted in any building.
16. **Harassment or interference** with speakers or individuals distributing flyers is prohibited.
17. **Malicious or unwarranted damage** or destruction of property owned or operated by the university, or property belonging to students, faculty, staff, or guests of the university, is prohibited. Persons or organizations causing such damage will be held legally and financially responsible.
18. Persons or organizations responsible for a demonstration or other expressive event must remove all resulting structures, signs, and litter from the area at the end of the event. If this is not done, the persons or organizations responsible for the event will be held legally and financially responsible.
19. No camping is allowed without permission and temporary structures are prohibited without permission.
20. There must be compliance with all applicable state and federal laws and university policies, rules and regulations.

Discussion & Questions



Thank you





WORCESTER
STATE
UNIVERSITY

Title IX: Key Projects and Developments

Jennifer Quinn

Asst. Dean of Student Affairs Compliance & Education/University Title IX Coordinator

Civil Rights law enacted in 1972 that states:

“No person in The United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

** WSU policies also comply with:*

- Violence Against Women Reauthorized Act of 2018 (“VAWA”), including the Campus SaVE Act
- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).
- MA Legislature S. 2979, *An Act relative to sexual violence on higher ed. campuses* Aug. 2021
- Title VII- Civil Rights Act of 1964, Protects employees from discrimination.
- NCAA Sexual Violence Policy



Key Projects

- Sexual Misconduct Campus Climate Survey - Developed in response to MA legislation 2979.
- Culture of Respect - Multi-year initiative w/NASPA. Includes extensive self-assessment that is intended to lead to programmatic and policy changes.
- Collaborated to construct substantive changes to the EO Plan.
- Worked to ensure WSU's compliance with the August 1st effective date.

2024 Final Rule - Effective Aug. 1, 2024

- Adds and revises definitions (§ 106.2)
- Scope of sex discrimination (§ 106.2, 106.10)
- Definition of Sex-Based Harassment (§ 106.2)
- Grievance procedures for all sex based discrimination complaints (§ 106.45) - Increase in Informal opportunities
- Discrimination based on Pregnancy or related conditions (§§ 106.2, 106.21, 106.4, 106.51 (b)(6), 106. 57)
- Employee Obligations
 - Reporting (§ 106.44)
 - Training (§ 106.8 (d))

Final Rule Implications

- Clarify and streamline compliance
- Emphasize flexibility, inclusion, and balance between due process and protecting students
- Increased number of Required Reporters
- Increase in training requirements for employees
- Potential increase in number of reports
- Potential decrease in formal grievance cases
- Flexibility in formal grievance procedure
- Increase in supportive measures



WORCESTER
STATE
UNIVERSITY

Questions?

Massachusetts State Universities'

Equal Opportunity, Nondiscrimination, and Title IX Plan

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 1, 2024

Approved by the Massachusetts Board of Higher Education: **DATE**

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1 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”) have carefully developed the major elements of this Equal Opportunity, Nondiscrimination, and Title IX Plan (“Plan” or “EO Plan”) in accordance with applicable local, state and federal constitutions, statutes, regulations, and executive orders.

Notices, policies, and procedures within this Plan make reference to “the University”, which does not refer to any one specific institution but to each one of the nine MA State Universities implementing this Plan.

1.1 PURPOSE

A primary purpose of this EO Plan is to inform the campus communities of:

1. the Universities’ prohibition of discrimination; discriminatory harassment, including sex-based harassment and sexual misconduct, including sexual assault, domestic violence, dating violence, stalking; and retaliation;
2. the Universities’ efforts to prevent such behaviors; and
3. the manner in which the Universities will respond to such behaviors, including the prompt, impartial, fair, and thorough investigation and resolution of complaints.

Through this Plan, the Universities also seek to responsibly recognize and, when possible, resolve the effects of past societal discrimination and promote equitable policy and practices across all institutions. To those ends, the Universities commit to an ongoing examination of all policies and procedures to ensure that they do not operate to the detriment of any person or group on any discriminatory basis. Furthermore, the Universities commit to a pro-active affirmative action posture with respect to the recruitment, selection, and promotion of students and employees.

This EO Plan incorporates by reference, and where applicable, the requirements of: Titles VI and VII of the Civil Rights Act of 1964; Title VI of the Civil Rights Act of 1968; Titles I and II of the Civil Rights Act of 1991; Title IX of the Education Amendments of 1972 and its regulations found at 34 C.F.R. part 106; the Equal Pay Act of 1963; Civil Rights Restoration Act of 1988; Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990, as amended; Section 402 of the Vietnam-era Veterans Readjustment Act of 1974, Uniformed Services Employment and Reemployment Rights Act; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967, as amended; the Family and Medical Leave Act of 1993; the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. Sec. 2000ff; the reauthorized Violence Against Women Act, Pub. Law No. 113-4 (2013); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; the Higher Education Act of 1965, as amended; Federal Executive Order 11246 of 1965, as amended by Executive Order 11375 of 1967; Federal Executive Order 12900 of 1994; Federal Executive Order 13145 of 2000; Federal Executive Order 13160 of 2000; Federal Executive Order 13166 of 2000; Massachusetts Civil Rights Act; Massachusetts General Laws Chapters 151B, 151C, and Chapter 149; An Act Relative to Gender Identity, Mass. Acts of 2011, ch. 199; An Act Relative to Transgender Anti-Discrimination, Mass. Acts of 2016, ch. 134; the Pregnant Workers Fairness Act; the PUMP for Nursing Mothers Act (“PUMP Act”); An Act Expanding Protections for Reproductive and Gender Affirming Care, Mass. Acts of 2022, ch. 127; An Act Relative to Sexual Violence on Higher Education Campus, Mass. Acts of 2020,

ch. 337 (also known as the 2021 Campus Sexual Assault Law); An Act Prohibiting Discrimination Based on Natural and Protective Hairstyles (Massachusetts CROWN Act), Mass. Acts of 2022, ch. 117; directives of the BHE, the Universities' Boards of Trustees and the Commonwealth; and other applicable local, state and federal constitutions, statutes, regulations and executive orders.

1.2 DURATION

Pursuant to M.G.L. Chapter 15A, this Plan shall be approved by the Commonwealth of Massachusetts' Board of Higher Education ("BHE") and each local Board of Trustees.

1.3 SCOPE

The provisions of this Plan, in compliance with applicable laws and collective bargaining agreements, apply to every educational, employment, and co-curricular activity at the Universities. All benefits, services, and opportunities pertaining to the Universities' educational programs, employment, and services are available to all applicants, students, employees and others having dealings with the Universities regardless of race, color, religion, national origin, age, disability, sex, sexual orientation, gender identity, gender expression, pregnancy and pregnancy-related conditions, genetic information, marital or parental status, or Veteran status. No provision of this Plan is intended, and should not be used, to discriminate against any applicant, employee, or student on any prohibited basis.

1.4 IMPLEMENTATION

The final authority and ultimate responsibility for the implementation of this Plan rests with the Presidents of the Universities.

The EO Officer on each campus is assigned the responsibility for the overall development, administration and monitoring of all policies, procedures, and programs pertinent to the implementation of this Plan as it pertains to prohibited discrimination other than sex-based discrimination. Title IX of the Education Amendments Act of 1972 requires that each University designate a Title IX Coordinator. The Title IX Coordinator for each University is assigned the responsibility for the overall development, administration, and monitoring of all policies, procedures, and programs pertinent to the implementation of this Plan as it pertains to sex-based discrimination. The Equal Opportunity Officer and the Title IX Coordinator may or may not be the same person. The EO Officer and Title IX Coordinator commonly report to the President or a senior cabinet member, collaborate on the oversight and implementation of this Plan, and bear the responsibility for the preparation and execution of all equal opportunity policies and programs. Details regarding the EO Officer's and Title IX Coordinator's primary responsibilities can be found in Appendix 1 and Appendix 2, respectively. All Vice Presidents, Deans, Directors, Program Coordinators, Department Chairs, and other supervisory personnel are accountable for ensuring that equal opportunity and nondiscrimination, are integrally tied to all actions and decisions for which they are responsible and which fall within the scope of the Plan. A statement concerning such accountability will be added to all appropriate position descriptions. It shall be considered a regular function of faculty, librarians, administrators, and supervisory staff that they are aware of goals. The Universities, independently and collectively, from time to time, will develop internal practices, procedural guidelines, and other supplemental documentation to guide them in implementation of this Plan.

1.5 PLAN AWARENESS

The Universities' Notice of Nondiscrimination, with reference to this Plan, will be posted in areas customarily used for public announcements and on the Universities' websites. Prospective employees and applicants for admission will be informed of this Notice in all advertisements posted both on and off campus.

At the start of each academic year, all policy statements regarding equal opportunity and nondiscrimination at the Universities will be distributed, either electronically or in hard copy or in both formats, as follows:

- to every office at each University, including the Human Resources Office, the Office of the Equal Opportunity Officer, and the Office of the Title IX Coordinator;
- to each University's Library;
- to all students, either in the relevant Student Handbook, Course Catalog, or by e-mail;
- to all employees, either in a relevant publication or by e-mail;
- posted to all relevant sections of the Universities' public-facing websites;
- posted to all relevant sections of the Universities' intranets, if such exists;
- copies will be made available to the campus community and to the public upon request; and
- copies will also be made available in accessible formats upon request.

Copies of all policy statements regarding equal opportunity and nondiscrimination will also be provided to students who enroll mid-year and to all new employees upon their hire.

1.6 REVIEW

The Universities will continually review this Plan to ensure compliance with the requirements of federal and state law and regulations.

2 STATEMENT OF NONDISCRIMINATION

The University is committed to nondiscrimination and equal opportunity. The University is dedicated to providing educational, working, and living environments that value the diverse backgrounds of all people.

The University does not discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of race, color, religion, national origin, age, disability, genetic information, marital or parental status, or Veteran status. The University prohibits discrimination or discriminatory harassment on all of those bases. Such behaviors violate the University's Policy of Nondiscrimination, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

The University has appointed an Equal Opportunity Officer ("EO Officer") to oversee its compliance of applicable policy, as well as the state and federal nondiscrimination and equal opportunity laws. Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment, or retaliation may contact the EO Officer at:

[CUSTOMIZE: include link to location(s) on website or otherwise describe location(s)].

Furthermore, the University does not discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of sex, including sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, or pregnancy, childbirth, and other related conditions, and prohibits sex discrimination in any education program or activity that it operates, including as required by Title IX and its regulations. Such behaviors violate the University's Policy of Nondiscrimination, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

The University has appointed a Title IX Coordinator to oversee its compliance with Title IX. Inquiries about Title IX may be referred to the University's Title IX Coordinator, the [U.S. Department of Education's Office for Civil Rights](#), or both. The University's Title IX Coordinator is:

[CUSTOMIZE: name or title, office address, email address, and telephone number].

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to:

[CUSTOMIZE: include link to location(s) on website or otherwise describe location(s)].

The University's Policy of Nondiscrimination and complaint resolution procedures can be located at:

[CUSTOMIZE: include link to location(s) on website or otherwise describe location(s)].

3 EQUAL OPPORTUNITY

3.1 STATEMENT OF EQUAL OPPORTUNITY

The University endeavors to ensure that all employment and academic decisions, programs, and policies are formulated and conducted in a manner to ensure equal access for all people and to prevent unlawful discrimination. As part of this effort, the University will ensure that employment and academic decisions, programs, and policies will be based solely on the individual eligibility, merit, or fitness of applicants, employees, and students without regard to race, color, religion, national origin, age, disability, sex, including sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, pregnancy and pregnancies-related conditions, genetic information, marital or parental status, or Veteran status.

3.2 AFFIRMATIVE ACTION

3.2.1 Affirmative Action in Employment

Affirmative action is a critical element of the University's commitment to equal opportunity and refers to proactive steps taken by the University intended to increase workplace opportunities for people who are underrepresented in various areas of our society.

Selection for and participation in the University's employment is without regard to race, color, religion, national origin, age, disability, sex, including sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, pregnancy and pregnancy-related conditions, genetic information, marital or parental status, or Veteran status. However, the University shall act affirmatively to increase the representation of qualified persons in its workforce with marginalized and/or minoritized identities.

3.2.2 Affirmative Action in Admission

Furthermore, the University is a place where all students are welcome and should have the opportunity to succeed, but it recognizes that sustained action is necessary to lift the barriers that keep underserved students, including students of color, from equally accessing the benefits of higher education. The University is committed to efforts to recruit and retain talented students from underserved communities and fostering a sense of belonging for students currently enrolled. Through such efforts, the University strives to effectively support and retain students from diverse backgrounds.

3.3 EQUAL ACCESS FOR PERSONS WITH DISABILITIES

The University is committed to providing equal access to otherwise qualified persons with disabilities. The University recognizes that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate in or benefit from educational programs, services, activities, and employment.

3.3.1 Definitions

3.3.1.1 *Education of Persons with Disabilities*

In accordance with state and federal requirements, the University will provide necessary reasonable accommodations, auxiliary aids, and academic adjustments (including support services) to otherwise qualified students with disabilities to ensure equal access to its programs, facilities, and services. Reasonable

accommodations will also be afforded to applicants for admission who have disabilities to enable them to adequately pursue all opportunities for enrollment in the programs of study.

Further advice or information may be obtained by contacting the EO Officer and/or the Title II/Section 504 Coordinator of each University.

3.3.1.2 *Employment of Persons with Disabilities*

In accordance with the requirements of state and federal law, and through the interactive process, the University will afford reasonable accommodations to any otherwise qualified employee with a disability to enable the employee to perform the essential functions of the job. Reasonable accommodations will also be afforded to applicants for employment who have disabilities to enable them to adequately pursue a candidacy for any available positions.

3.3.1.3 *Individual with a Disability*

A person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of impairment, or is regarded as having an impairment. Examples of disabilities include, but are not limited to: alcoholism; asthma; blindness or other visual impairments; cancer; cerebral palsy; depression; diabetes; epilepsy; hearing or speech impairments; heart disease; migraine headaches; multiple sclerosis; muscular dystrophy; orthopedic impairments; paralysis; thyroid gland disorders; tuberculosis; loss of body parts.

3.3.1.4 *Interactive Process*

An ongoing communication between the University and an individual with a documented disability in an effort to provide reasonable accommodations, auxiliary aids, or academic adjustments.

3.3.1.5 *Qualified Individual with a Disability.*

An employee or applicant who satisfies the skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position; or

A student who meets the academic and technical standards requisite for admission or participation in the institution's educational program or activity.

3.3.1.6 *Reasonable Accommodation*

Modifications or adjustments to an application process, job, work environment, academic program or activity, or a course of study that permit a qualified individual with a disability to perform the essential functions of a position or to enjoy the benefits and privileges of employment or education equally with persons without disabilities, while not reducing or eliminating the curriculum standards.

3.3.1.7 *Title II/504 Coordinator.*

A University official charged with the responsibility for the University's compliance with Title II of the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, the University's Policies for Reasonable Accommodations for Persons with Disabilities, and this Plan with regard to issues of disability discrimination. The Title II/504 Coordinator may also serve as the University's EO Officer. If the positions are held by different individuals, the Title II/504 Coordinator and the EO Officer may collaborate on the enforcement of any part of this Plan. The identity and contact information for the Title II/504 Coordinator shall be published and widely distributed on each campus, including on the website of each campus.

The Title II/504 Coordinator for **[CUSTOMIZE: University]** is:

[CUSTOMIZE: add name and contact information]

3.3.1.8 *Undue Hardship*

The University is required to provide reasonable accommodations to qualified individuals with disabilities unless doing so would impose an undue hardship on the operation of the University's business. Undue hardship means an action that requires significant difficulty or expense when considered in relation to factors such as the University's overall size, financial resources, and the nature and structure of its operation.

3.3.2 **Process by Which to Request Reasonable Accommodations for a Disability**

Any member of the University community who seeks a reasonable accommodation for a disability, including any applicant for employment or admission who seeks assistance in the application process, may contact the EO Officer and/or the Title II/Section 504 Coordinator, or the resources below for more information.

[CUSTOMIZE: add name and contact information]

Additionally, students seeking reasonable accommodations, auxiliary aids, and/or academic adjustments for a disability must contact the resource noted below to obtain such services:

[CUSTOMIZE: add name and contact information]

3.3.3 **Complaint Investigation and Resolution Procedures**

Any member of the University community or any applicant for admission or employment who believes that they have experienced disability discrimination or harassment, or who alleges that the University has failed to provide reasonable accommodations, appropriate auxiliary aids, and/or academic adjustments, may

initiate a claim as outlined in the Policy of Nondiscrimination and the Complaint and Resolution Procedures in Section 5 of this EO Plan.

3.4 REASONABLE ACCOMMODATIONS FOR PREGNANCY AND PREGNANCY-RELATED CONDITIONS

In accordance with the requirements of state and federal law, including Title IX, the University prohibits discrimination against students, employees, and applicants based on pregnancy, childbirth, termination of pregnancy, lactation, related medical conditions, or recovery. Furthermore, the University provides reasonable accommodations for pregnancy and pregnancy-related conditions, including modifications for students, reasonable break time for employees for lactation, and one or more clean, private lactation spaces, that is not a bathroom, for both students and employees. The Title IX Coordinator coordinates specific actions to prevent sex discrimination and to ensure equal access to employment, education programs, and activities.

3.4.1 Student Accommodations for Pregnancy or Pregnancy-Related Conditions

Once a student or the student's representative notifies the Title IX Coordinator of the student's pregnancy or pregnancy-related condition, the University will:

- Inform the student of the University's obligations to students who are pregnant or experiencing pregnancy-related conditions and restrictions on University disclosure of personal information, as well as provide the University's notice of nondiscrimination.
- Provide the student with the option of individualized, reasonable modifications as needed to prevent discrimination and ensure equal access to the University's education program or activity.
- Allow the student a voluntary leave of absence for, at minimum, the medically necessary time period and reinstatement upon return, including reinstatement to the status held by the student when the leave began.
- Ensure the student's access to a clean, private space for lactation that is not a bathroom.

Reasonable modification may include, but are not limited to, the following:

- breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
- intermittent absences to attend medical appointments; access to online or homebound education;
- changes in schedule or course sequence;
- extensions of time for coursework and rescheduling of tests and examinations;
- allowing a student to sit or stand, or carry or keep water nearby;
- counseling;
- changes in physical space or supplies (for example, access to a larger desk or a footrest);
- elevator access; and/or
- other changes to policies, practices, or procedures.

The University does not require supporting documentation from a student unless doing so is necessary and reasonable. For example, the University does not require documentation when it has already been provided or relates to lactation needs; the need is obvious or one of various routine and simple modifications; or when modifications, leave, or other steps are available to students for non-pregnancy related reasons without submitting supporting documentation.

3.4.2 Employee Accommodations for Pregnancy or Pregnancy-Related Conditions

Upon the request from the employee or prospective employee, the University will engage in a timely, good faith, and interactive process to determine an effective, reasonable accommodation to enable the employee to perform the essential functions of the position.

Through the interactive process, the University will provide necessary, reasonable accommodations that will allow an employee to perform the essential functions of the job while pregnant or experiencing pregnancy-related conditions unless doing so would impose an undue hardship on the University. The University recognizes that it cannot make an employee accept a particular accommodation if another reasonable accommodation would allow the employee to perform the essential functions of the job or require an employee to take a leave if another reasonable accommodation may be provided without undue hardship.

Reasonable accommodations may include, but are not limited to, the following:

- reasonable break time for lactation;
- access a clean and private lactation space;
- more frequent or longer paid or unpaid breaks;
- time off to attend to a pregnancy-related condition or recover from childbirth with or without pay;
- acquisition or modification of equipment or seating;
- temporary transfer to a less strenuous or hazardous position;
- job restructuring;
- assistance with manual labor; and/or
- modified work schedule.

The University may require documentation regarding the need for an accommodation from a healthcare professional that explains what accommodation(s) the employee needs, but it cannot require documentation for the following accommodations: (1) more frequent restroom, food, or water breaks; (2) seating; (3) limits on lifting more than 20 pounds; and (4) clean, private space for lactation that is not a bathroom.

3.4.3 Process by Which to Request Accommodations for Pregnancy or a Pregnancy-Related Condition

Persons who seek an accommodation for pregnancy or a pregnancy-related condition may contact the Title IX Coordinator for more information.

[CUSTOMIZE: add name and contact information]

The Title IX Coordinator is responsible for ensuring that any approved accommodations are implemented, including notifying any University officials responsible for implementing specific elements of the accommodation.

3.4.4 Complaint Investigation and Resolution Procedures

Employees, job applicants, and students who believe that they have been subjected to discrimination as a result of pregnancy or a pregnancy-related condition or who allege that the University has failed to provide reasonable accommodations may initiate a claim as outlined in the Complaint Investigation and Resolution Procedures in Section 5 of this EO Plan.

4 POLICY OF NONDISCRIMINATION

4.1 TYPES OF PROHIBITED DISCRIMINATION

Discrimination is an intentional or unintentional act that adversely affects employment and/or educational opportunities because of a person's membership in a protected class, perceived membership in a protected class or association with a member(s) of a protected class. A single act of discrimination may be based on more than one protected class status.

The sections below describe the specific forms of discrimination, harassment, and retaliation prohibited under this Policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of this Policy.

4.1.1 Disparate Treatment Discrimination

Intentional treatment of an individual or group that is less favorable than treatment of others based on discriminatory reasons.

For example, if Latino employees are the only ones who need to take an exam to qualify for employment, they are experiencing disparate treatment.

4.1.2 Disparate Impact Discrimination

Disparate impact occurs where disparate treatment is unintentional because policies, practices, rules, or other systems that appear to be neutral result in a disproportionate impact on a protected group, and such disparities cannot be justified by business necessity.

For example, a qualification test may create a disparate impact if the pass rate among Latino applicants is significantly lower than for other groups.

4.1.3 Discriminatory Harassment

A form of prohibited discrimination including verbal and/or physical conduct based on membership, association with, or perceived membership in a protected class that: (1) has the purpose or effect of creating an objectively intimidating or hostile work or educational environment; (2) has the purpose or effect of unreasonably interfering with an individual's work or educational opportunities; or (3) otherwise unreasonably adversely affects an individual's employment or educational opportunities.

Reasonable directions or warnings by authorized University personnel as to the time, place, and manner in which employees perform their assigned responsibilities, students carry out their educational assignments, or program participants engage in sponsored activities do not constitute evidence of discriminatory harassment under this Policy.

4.1.3.1 *Hostile Environment Harassment*

Hostile environment harassment is a form of discriminatory harassment where:

- The complainant is an actual or perceived member of a protected class, or associated with a member of a protected class;
- The complainant was subjected to conduct directed at said protected class;
- The harassing conduct was subjectively offensive (i.e., unwelcome) and objectively offensive; and

- Considering the totality of the circumstances, the conduct was sufficiently severe or pervasive that it altered conditions of employment or education by creating an intimidating, hostile, or humiliating environment.

Whether a “hostile” environment has been created is a fact-specific inquiry, based on the totality of the circumstances, that includes, but is not limited to, consideration of the following:

- The degree to which the conduct affected the complainant’s ability to access the University’s program or activity;
- The type, frequency, and duration of the conduct;
- The parties’ ages, roles within the University’s program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other harassment on the same or similar basis in the University’s program or activity.

Under this definition, simple teasing, offhand comments, and isolated incidents, unless severe or pervasive and objectively and subjectively offensive, will not amount to hostile environment harassment under this Policy.

4.1.3.2 ***Quid Pro Quo Harassment***

Quid pro quo protected class harassment is a form of prohibited discrimination that can occur when an employee’s continued employment or receipt of workplace benefits, promotions, assignments, or opportunities, etc.; or a student’s educational access or opportunities are conditioned on the individual’s willingness to tolerate conduct of a harassing nature.

In a quid pro quo protected class harassment complaint, a preponderance of the evidence must show:

- Conduct requiring the complainant to alter, conceal, or eliminate a characteristic signifying their membership in a protected class or other unwelcome conduct of a harassing nature based on protected class; and
- Submission to or rejection of the conduct was made either explicitly or implicitly as a term or condition of employment or education or as a basis for employment or educational decisions affecting that individual.

A person may have a claim of quid pro quo harassment when they either reject or submit to the conduct in question, or a mix of both. In either type of case, proof of the above elements necessarily proves that conduct was unwelcome.

Some examples of quid pro quo protected class harassment include:

Example 1: A student’s grade in a course is conditioned on their willingness to conform and participate in their instructor’s religious practices; or

Example 2: An employee assigned male at birth, who identifies as female, is required to dress in traditionally masculine clothing in order to keep her job and is terminated after refusing to do so.

4.1.3.3 ***Coinciding Harassment***

Depending on the circumstances, a person can suffer one type of protected class harassment or both types of protected class harassment simultaneously.

4.1.4 Retaliation

Retaliation is prohibited by this Policy and the University will respond to information and complaints involving conduct that reasonably may constitute retaliation using the same procedures it uses for other forms of prohibited discrimination. Retaliation, even in the absence of provable discrimination in the original complaint, constitutes as serious a violation of this Policy as proved discrimination under the original claim, complaint or charge.

Retaliation may include adverse treatment, intimidation, threats, coercion, or discrimination against any person by the University, a student, or an employee, or other person authorized by the University to provide aid, benefit, or service under the University's education program or activity, (1) for the purpose of interfering with any right or privilege secured by this Policy, or (2) because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy, or (3) because the person is suspected of having filed such claims, complaints, or charges, or (4) the person has protested practices alleged to be violative of the nondiscrimination policies of the University, the BHE, or local, state or federal regulation or statute.

Peer retaliation, which is defined as retaliation by one student against another student or one employee against another employee of similar rank or authority, is also prohibited.

The University may require its employees to participate in, or otherwise assist with, an investigation, proceeding, or hearing, as such requirement does not constitute retaliation under this Policy.

4.2 ELEMENTS OF PROHIBITED DISCRIMINATION AND HARASSMENT

This section defines specific criteria that is assessed to make a determination as to whether prohibited discrimination has occurred under this Policy. In all cases, prohibited discrimination must be based on one's membership in, one's association with, or perceived membership in one or more of the protected classes listed below. However, not all elements are required to demonstrate a violation for all types of prohibited discrimination. Please refer to the previous section for definitions of the types of prohibited discrimination and relevant elements.

4.2.1 Based on a Protected Class

Discriminatory conduct under this Plan, regardless of type of discrimination, is targeted at an individual because they are a member of a protected class, are perceived to be a member of a protected class, or are associated with a member of a protected class. Discriminatory conduct can also be directed at members of a protected class as a whole.

Protected class harassment commonly revolves around membership in a single protected class, but harassment may also be intersectional and attributed to membership in two or more protected classes. This means that a person may face harassment not necessarily because of their membership in one protected class, but because of their concurrent membership in two or more protected classes.

4.2.1.1 Race

Discrimination is based on a complainant's race if it is because the complainant is Black, White, Hispanic or Latino, Asian or Pacific Islander, American Indian or Alaskan Native, multiracial, or another race and is interpreted to prohibit discrimination on the basis of ancestry or physical or cultural characteristics associated with a certain race, such as, but not limited to, skin color, hair texture or hairstyles, or certain facial features, and on the basis of stereotypes and assumptions about abilities, traits, or the performance

of individuals of certain racial groups. All individuals, including persons of more than one race, are protected from discrimination.

4.2.1.2 Color

Color-based discrimination is due to an individual's pigmentation, complexion, or skin shade or tone. Color-based discrimination is sometimes related to discrimination based on race or national origin.

4.2.1.3 National Origin

Discrimination based on national origin is due to a complainant's or the complainant's ancestors' place of origin.

4.2.1.4 Religion

Religion is broadly defined. The protection against religious discrimination is not limited to mainstream religions, but also applies to any lawful observances and practices that are based on one's own sincerely held beliefs.

4.2.1.5 Sex

Sex-based discrimination can be due to sex (female, male, intersex), sex characteristics, sex stereotypes, sexual orientation, gender identity and expressions thereof, and pregnancy, childbirth, and related medical conditions. Sex-based discrimination explicitly includes sexual harassment, sexual assault, domestic violence, dating violence, and sex-based stalking. Additional information is available in section 4.3 of this Policy.

4.2.1.6 Age

For the purposes of employment, age-based discrimination is prohibited against workers aged 40 or older. For the purposes of access to and participation in the University's educational programs and services, all persons of all ages are protected on the basis of age.

4.2.1.7 Disability

Disability discrimination is based on an individual's physical or mental disability or perceived disability, including harassment based on stereotypes about individuals with disabilities in general or about an individual's particular disability. It also can include harassment based on traits or characteristics linked to an individual's disability, such as how an individual speaks, looks, or moves, provided that the conduct meets the criteria for prohibited conduct under section 4.1.3.

4.2.1.8 Genetic Information

Discrimination based on genetic information may be based on any written, recorded individually identifiable result of a genetic test or explanation of such a result or family history pertaining to the presence, absence, variation, alteration, or modification of a human gene or genes.

4.2.1.9 Marital/Parental Status

Discrimination based on marital or parental status can be based on a person's status as single, married, parent, or non-parent where discrimination on these bases has disparately impacted those of different protected classes, including gender and sexual orientation.

4.2.1.10 Veteran Status

Veteran status discrimination is directed at a person who is a member of, has served in, applies to perform, or is obligated to perform service in, a uniformed military service of the U.S., including the National Guard.

4.2.2 Elements Specific to Hostile Environment Harassment

4.2.2.1 Subjective Unwelcomeness

Harassing conduct is subjectively offensive when a person experiences the conduct to be offensive, which, as a practical matter, also demonstrates unwelcomeness. Conduct can be subjectively offensive even if a person voluntarily participates. This standard is a personal one—conduct might be subjectively offensive to one person but not to another. Therefore, a person who does not subjectively perceive the conduct at issue as intimidating, hostile, or offensive has not experienced harassment, even if other individuals would consider such conduct to be so. Objections to or requests to stop harassing behavior, remarks, or epithets, or complaints to other individuals about conduct are some ways of demonstrating that conduct was subjectively offensive. However, a person is not required to complain to the University about the harassment, quit their job, or withdraw from classes in order to prove that they found it subjectively offensive.

Not all conduct of an offensive nature is prohibited. If a person initiates conduct of an offensive nature or is a willing participant in an offensive environment, they might not be a victim of prohibited harassment. However, a person's participation in or acquiescence to conduct of a harassing nature does not determine whether the conduct was unwelcome. When a person submits to harassing behavior to avoid being targeted further, to cope in a hostile environment, or because participation is made an implicit or explicit condition of employment or education, they are not considered to have welcomed the conduct. Rejection of or failure to respond positively to offensive comments or gestures demonstrates unwelcomeness. A person does not have to communicate an objection to harassing conduct to demonstrate its unwelcomeness or communicate objections every time a harassing incident occurs.

4.2.2.2 Objectively Offensive

Harassing conduct relating to protected class is objectively offensive if it is offensive to a reasonable person who is similarly situated, considering all the circumstances. An examination into the totality of circumstances is necessary. The circumstances considered might include, but are not limited to, frequency of conduct, the public nature of the conduct, how other employees or students responded to the conduct, whether the conduct was previously objectionable to the individual, whether it was physically threatening or humiliating, or whether any physical harm resulted. Those circumstances should include a person's protected class(es), if considering protected class may help a factfinder determine what would be offensive to a reasonable person who is similarly situated.

4.2.2.3 Conduct That Alters

Subjectively and objectively offensive conduct alters the conditions of employment or education and creates a hostile environment when it impedes an employee's or student's full participation in the workplace or educational program or activity.

Assessing whether conduct alters the conditions of employment or education requires a fact-based inquiry into the totality of the circumstances. This includes, but is not limited to, the nature, severity, frequency, and pervasiveness of the conduct and the psychological harm to an employee or student, if any.

Conduct that alters can manifest through physical conduct, verbal conduct, nonverbal conduct, written communication, electronic communications, pictures, or any combination of conduct or speech. There is no requirement that conduct must be both severe and pervasive to create a hostile environment, and, in certain circumstances, a single incident can be serious enough to create a hostile environment. Not all unwelcome,

offensive conduct alters an employee's conditions of employment by creating a hostile work environment or a student's education by creating a hostile educational environment.

4.3 SEX-BASED DISCRIMINATION

Sex-based discrimination is any discrimination that depends in part on consideration of a person's sex and can be due to sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, and pregnancy, childbirth, and related medical conditions.

Sex Characteristics - Physiological characteristics, such as anatomy, hormones, chromosomes, and other traits, associated with male, female, or intersex bodies.

Sex Stereotypes - Fixed or generalized expectations regarding a person's aptitudes, behavior, self-presentation, or other attributes based on sex.

Gender Identity - A person's internal view of their gender. "Gender identity" covers a multitude of identities including, but not limited to, male, female, transgender, nonbinary, or gender-nonconforming individuals, and includes any person whose gender identity or gender presentation falls outside of stereotypical gender norms.

Gender Expression - Refers to the ways in which individuals manifest or express masculinity or femininity. It refers to all of the external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions.

Sexual Orientation - Actual or perceived heterosexuality, homosexuality, bisexuality, pansexuality, asexuality, or other sexual identity either by orientation or by practice.

Pregnancy, Childbirth, or Related Medical Conditions - Issues such as pregnancy; childbirth; lactation; using or not using contraception; or deciding to have, or not to have, an abortion.

Under Title IX, the University must not carry out different treatment or separation on the basis of sex by subjecting a person to more than de minimis harm except where permitted under the law in limited circumstances. Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with their gender identity causes more than de minimis harm on the basis of sex.

4.3.1 Sex-Based Harassment or Harassing Conduct Otherwise Based on Sex

A form of sex discrimination that includes sexual harassment and harassment based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity; that is quid pro quo harassment, hostile environment harassment based on sex and/or of a sexualized nature; or one of four specific offenses:

1. sexual assault
2. domestic violence
3. dating violence
4. stalking

Some examples of conduct that may be considered sex-based harassment, all of which are prohibited when they are part of conduct that meets the standard for discriminatory harassment set forth in 4.1.3.1 (Hostile Environment Harassment) and 4.1.3.2 (Quid Pro Quo Harassment), include, but are not limited to:

Example 1: (Quid Pro Quo) A professor promises a student that he will give the student a better grade if he agrees to go out on a date with him. The student goes on the date and is given the better grade, or the student does not go on the date and does not receive the better grade;

Example 2: (Quid Pro Quo) A manager tells her employee that his work hours will be reduced if he does not have sex with her. The employee has sex with the manager and is permitted to retain his current work schedule, or the employee does not have sex with the manager and his work hours are reduced;

Example 3: (Hostile Environment) Unwelcome sexual advances -- whether they involve physical touching or not;

Example 4: (Hostile Environment) Unwelcome sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; unwelcome comments about an individual's body, including comments or inquiries about an individual's sexual activity, deficiencies, or prowess;

Example 5: (Hostile Environment) Unwelcome leering, whistling, brushing against the body, or sexual gestures.

4.3.1.1 Specific Offenses

4.3.1.1.1 Sexual Assault

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

For the purposes of this section, the following considerations apply:

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 and may not be obtained through coercion. 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.

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.

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.

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. 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.

4.3.1.1.1 *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.

4.3.1.1.2 *Sexual Assault – Fondling*

Fondling is the touching of body parts commonly thought private 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. This includes forcing another person to touch one's own body parts commonly thought private.

4.3.1.1.2 Domestic Violence

Felony or misdemeanor crimes committed by a person who:

- A. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the University, or a person similarly situated to a spouse of the victim;
- B. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- C. Shares a child in common with the victim; or
- D. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

4.3.1.1.3 Dating Violence

Dating violence is violence committed by a person:

- A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship;

4.3.1.1.4 Stalking

Engaging in a course of conduct based on sex and directed at a specific person that would cause a reasonable person to:

- A. Fear for the person's safety or the safety of others; or
- B. Suffer substantial emotional distress.

See Appendix 4 for state, local, and campus resources and other information to support persons who have experienced sex-based harassment.

4.4 JURISDICTION

4.4.1 University Programs and Activities

The University's prohibitions against discrimination, harassment, and retaliation applies to all conduct occurring under the University's programs or activities. It 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.

Conduct that occurs under the University's program or activity includes, but is not limited to:

- Athletics;
- Instruction;
- Grading;
- Housing;
- Extracurricular activities;
- Employment;
- Conduct that occurs in any building owned or controlled by a student organization that is officially recognized by a postsecondary institution; and
- Conduct that is subject to the University's disciplinary authority.

4.4.2 Conduct Outside of the University's Programs and Activities

Discrimination, harassment, or retaliation that occurs outside of the University's programs and activities may be actionable if there is a sufficient link with the employment or student relationship or both or where such conduct contributes to a hostile environment within the University's programs or activities. To determine whether conduct outside of the University's programs and activities constitutes prohibited discrimination or harassment, the University may consider the following nonexhaustive list of factors:

- Whether the conduct adversely affected the terms and conditions of the complainant's employment or education or impacted the complainant's work or learning environment;
- Whether the conduct occurred during a workplace event or educational activity, such as a University-sponsored function or outing;
- Whether the conduct occurred during work hours or scheduled class time;
- The relationship between the complainant and alleged harasser, such as harassment between a supervisor and supervisee or faculty member and student; or
- The nature and severity of the alleged conduct.

4.4.3 Online Conduct

Prohibited discriminatory harassment and retaliation may also occur via social media and other virtual platforms. Offensive conduct occurring online may be considered in determining both quid pro quo harassment claims and hostile environment harassment claims, such as a person making sexual requests through private online messages or a member of the campus community posting derogatory information about another member of the campus community online, provided the conduct meets the standard of discriminatory harassment set forth in 4.1.3.1 (Hostile Environment) and/or 4.1.3.2 (Quid Pro Quo). To determine whether conduct occurring online constitutes prohibited harassment covered by this Plan, the University will consider the nature and severity of the conduct, and may consider a range of nonexhaustive factors:

The nature or severity of the conduct;

- The virtual platform within which such conduct took place, and whether it is connected to the workplace or educational environment;
- The device or account used to access social media or the platform, such as use of a University account or device;
- Whether the conduct occurred during work hours;
- How the respondent obtained access to the complainant's social media accounts;
- Whether the harassment was on publicly available social media or private;
- The relationship between the complainant and respondent, such as harassment between a supervisor and employee or between a faculty member and student; or
- Whether the conduct adversely affected the terms and conditions of the complainant's employment or education or has an effect on the complainant's work or educational environment.

4.5 FIRST AMENDMENT AND ACADEMIC FREEDOM

The University is 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. Accordingly, any form of speech or conduct that is protected by the principles of academic freedom or the First Amendment to the United States Constitution is not subject to this Policy.

4.6 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 and sexual harassment. The University does not intrude upon private choices regarding personal relationships when these relationships do not violate the University's policies, or cause harm or increase the risk of harm to the safety and wellbeing of members of the campus community.

4.6.1 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. Even if not expressly prohibited, 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.

4.6.2 Relationships Between Supervisors and Subordinates or Between Coworkers

A consenting romantic and/or sexual relationship between a supervisor and subordinate or coworkers 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 misconduct, sex-based harassment, domestic violence, dating violence, stalking, and retaliation. Therefore, such workplace relationships are strongly discouraged.

4.7 EMPLOYEE OBLIGATIONS

This section outlines specific obligations of employees to participate in required trainings; to report information, knowledge, or suspected knowledge of prohibited conduct under this policy; and/or to provide specific information to reporting parties. Employees who fail to adhere to these requirements and duties are subject to disciplinary action. Any member of the University community who has a question about their responsibilities under this Policy should contact the EO Officer or Title IX Coordinator.

4.7.1 Duty to Report Discrimination, Harassment, and Retaliation

Any trustee, administrator, department chair, program coordinator, manager, or any other employee with any supervisory authority, who receives such a report from a student or other member of the University community is obligated to report to the EO Officer or Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes discrimination, discriminatory harassment, or retaliation in violation of this Policy. This includes sex-based discrimination and harassment.

All employees of the University without a duty to report are still encouraged to report to the EO Officer or Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes discrimination, discriminatory harassment, or retaliation in violation of this Policy and to provide the reporting party as much assistance in bringing it to the attention of the EO Officer or Title IX Coordinator as is reasonably appropriate given their position at the University and relationship with the reporting party.

4.7.2 Duty to Report Sex-Based Discrimination or Sex-Based Harassment

In addition to the employees noted in section 4.7.1, any employee who either has authority to institute corrective measures on behalf of the University or has responsibility for teaching (credit and non-credit-bearing instruction) or advising (faculty and professional academic advisors) in the University's education program or activity, and who is not a confidential employee, is required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under this Policy.

4.7.3 Duty to Notify Reporters of Sex-Based Discrimination or Sex-Based Harassment

Any employee not otherwise required to report information about conduct that reasonably may constitute sex discrimination may still elect to notify the Title IX Coordinator of information about such conduct. Otherwise, it is the obligation of that employee to notify the reporting party of specific information on how to contact the Title IX Coordinator and how to make a complaint.

4.7.3.1 Confidential Employees

Confidential employees must identify themselves as not required to report information to the Title IX Coordinator and only notify the reporting party of specific information on how to contact the Title IX Coordinator and how to make a complaint. The reporting party may request that confidential employees make a report to the Title IX Coordinator if the reporting party provides written consent to share information directly with the Title IX Coordinator.

4.7.4 Duty to Report Abuse of Minors, Adults Aged 60+, and Persons with Disabilities

Persons under 18 may be students or may be engaged in activities sponsored by the University or by third parties utilizing University facilities. Where an employee has reasonable cause to believe that a child is suffering injury, neglect, or abuse, including from sexual abuse, on campus or on University-owned or controlled property, the employee and/or the University *may* be obligated to comply with the mandatory child abuse reporting requirements established at M.G.L. c. 119, §51A-E. In such cases, the employee must immediately report the matter to Campus Police or Public Safety, who, in consultation with other officials,

shall contact the Department of Children and Families (“DCF”) and/or outside law enforcement. In certain cases, employees may be obligated to make a report directly to DCF.

An employee may also directly contact law enforcement, DCF, or other relevant state agency in cases of suspected abuse or neglect. Massachusetts law also has mandatory reporting requirements for certain occupations where abuse or neglect of adults over 60, per M.G.L. c. 19A, §15, or persons with disabilities, per M.G.L. c. 19C, is suspected. For more information, please contact the Campus Police or Public Safety.

[CUSTOMIZE: Add reference and link to specific campus policy]

4.7.5 Duty to Report Violations of the Clery Act

Furthermore, Campus Security Authorities for the purposes of the Clery Act must act in accordance with their specific reporting obligations.

4.7.6 Duty to Inform Persons Reporting Pregnancy or Pregnancy-Related Conditions

When a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student’s pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee is required to promptly provide that person with the Title IX Coordinator’s contact information and inform the student or person who has a legal right to act on the student’s behalf that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student’s equal access to the University’s education program or activity.

4.7.7 Required Title IX and Campus Sexual Misconduct Employee Training

All employees, including all faculty, staff, librarians, contract employees, and student employees are required to participate within 45 days of hire, and annually thereafter, in training on: (i) the University’s obligation to address sex discrimination in its education program or activity; (ii) the scope of conduct that constitutes sex discrimination under Title IX and this Policy, including the definition of sex-based harassment; and (iii) all applicable notification and information requirements under Title IX and this Policy.

Furthermore, training at time of hire shall include but not be limited to: (i) an explanation of civil rights laws, their meaning, purpose, definition and applicability to all forms of sex-based and gender-based harm; (ii) the role drugs and alcohol play in changing behavior and affecting an individual’s ability to consent; (iii) information on options relating to the reporting of an incident of sexual misconduct, the effects of each option and the methods to report an incident of sexual misconduct, including confidential and anonymous disclosure; (iv) information on the University’s policies and procedures for resolving sexual misconduct complaints and the range of sanctions or penalties the University may impose on students and employees found responsible for a violation; (v) the name, contact information and role of the confidential resource provider; and (vi) strategies for bystander intervention and risk reduction; and (vii) information on opportunities for ongoing sexual misconduct prevention and awareness campaigns and programming.

Training completion will be tracked by the Title IX Coordinator at each campus. Employees working on multiple campuses are required to participate in training at each University.

Investigators, decisionmakers, and other persons who are responsible for implementing the University’s grievance procedures relative to sex discrimination or have the authority to modify or terminate supportive measures are required to participate in training relative to their duties and responsibilities under Title IX, including how to serve impartially, such as by avoiding prejudice of the facts at issue, conflicts of interest,

and bias, at the time of hire, at change of appointment that alters their duties under Title IX, and annually thereafter.

5 COMPLAINT INVESTIGATION AND RESOLUTION PROCEDURES

The University has adopted complaint investigation and resolution procedures (“Procedures”) that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its program or activity, or by the Title IX Coordinator or Equal Opportunity Officer. These Procedures provide a mechanism for investigation and resolution of any alleged conduct prohibited by the EO Plan and are available to all students, faculty, librarians, staff, visitors, contractors, applicants for employment or admission, and others having dealings with the University.

No community member may retaliate, harass, intimidate, threaten, coerce, or otherwise discriminate against any individual for filing a complaint under these Procedures or for otherwise exercising their rights or responsibilities under the EO Plan.

Specific elements of these Procedures are applicable only to complaints and reports of sex-based harassment and are explicitly designated as such. See Appendix 5 for a summary of rights for parties to complaints of sex-based harassment.

5.1 DEFINITIONS

5.1.1 Administrative Reviewer

The administrative reviewer, one or more trained persons, other than the investigator, who reviews the investigation report to assess if the investigation process was equitable, impartial, and thorough, and therefore, complete. The administrative reviewer may or may not be the EO Officer or Title IX Coordinator. The administrative reviewer is part of the decision-making body.

5.1.2 Complainant

A student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination; or

A person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination and who was participating or attempting to participate in the University’s program or activity at the time of the alleged discrimination.

5.1.3 Complaint

An oral or written request to the University that objectively can be understood as a request for the University to investigate and make a determination about alleged discrimination under the Policy of Nondiscrimination.

5.1.4 Decision-Making Body/Decisionmaker

The decision-making body, or decisionmaker, is comprised of the investigator and administrative reviewer assigned to a complaint. The decision-making body makes the determination as to whether prohibited conduct occurred based on the preponderance of the evidence and, where such prohibited conduct is found to have occurred, assigns any appropriate sanctions or remedies.

5.1.5 Disciplinary Sanctions

Consequences imposed on a respondent following a determination under these Procedures that the respondent violated the University’s Policy of Nondiscrimination.

5.1.6 Investigator

The investigator is one or more trained persons assigned to a complaint to gather evidence and interview parties and witnesses to make findings of fact regarding the allegations in the complaint. The investigator may or may not be the EO Officer or Title IX Coordinator. The investigator is part of the decision-making body.

5.1.7 Party

A complainant or respondent.

5.1.8 Relevant

Questions are relevant when they seek evidence that may aid in showing whether the alleged discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged discrimination occurred.

5.1.9 Remedies

Measures provided, as appropriate, to a complainant or any other person the University identifies as having had their equal access to the University's program or activity limited or denied by discrimination as defined by the Policy of Nondiscrimination. These measures are provided to restore or preserve that person's access to the University's program or activity after the University determines that discrimination occurred.

5.1.10 Report

A report is the first step in order for an individual to provide information, learn about options and resources, and consider supportive measures. A report puts the University on notice that prohibited conduct may have occurred and may or may not include a request for investigation of prohibited conduct. Many employees are obligated to share information reported to them about conduct prohibited under the Policy of Nondiscrimination with the Title IX Coordinator or EO Officer and, therefore, most reports result in outreach from the Title IX Coordinator or EO Officer to the impacted individual(s) to provide information and review options, including options to submit a complaint and request an investigation. A report can be submitted by an employee, student, community member, or other third party, and can be authored by someone impacted by behavior or someone with knowledge of it. A report may be considered a complaint where it includes a statement that can be objectively understood as a request for the University to investigate and make a determination about alleged discrimination under the Policy of Nondiscrimination.

5.1.11 Respondent

A person or persons who are alleged to have violated the University's Policy of Nondiscrimination.

5.2 SUPPORTIVE MEASURES

Supportive measures are individualized measures offered as appropriate and as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- A. Restore or preserve that party's access to the University's program or activity, including measures that are designed to protect the safety of the parties or the University's environment;
or
- B. Provide support during the University's complaint investigation and resolution procedures or during an informal resolution process.

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 prohibited 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.

A formal complaint is not required to request or access supportive measures. Supportive measures may be appealed under the same grounds as outlined in section 5.5.18 of this Plan. Appeals may be submitted to the Title IX Coordinator or EO Officer.

See Appendix 4 for state, local, and campus resources and other information to support persons who have experienced sex-based harassment.

5.3 AMNESTY

Students may be hesitant to report sex-based harassment, sexual assault, domestic or dating violence, stalking, or retaliation, out of concern that they, or witnesses, might be charged with violations of the University's drug/alcohol policies. While the University does not condone such behavior, it places a priority on the need to address sex-based harassment prohibited by this Plan. Accordingly, the University will not pursue discipline against a student who, in good faith, reports, witnesses, or participates in an investigation of sex-based harassment, sexual assault, domestic or dating violence, stalking, or retaliation.

5.4 FALSE COMPLAINTS

Filing a false charge of discrimination, discriminatory harassment, or retaliation is a serious offense. If an investigation reveals that a person knowingly filed false charges, the University shall take appropriate actions and issue sanctions, up to and including termination or expulsion, pursuant to other applicable University policies, including any applicable collective bargaining agreement. The imposition of such sanctions does not constitute retaliation under this Plan. The University will not discipline any party, witness, or others participating in the process for making a false statement based solely on the University's determination of whether prohibited conduct occurred.

5.5 COMPLAINTS

A complaint is one action that may be pursued based on a report of prohibited behavior under this Plan. Additional reporting and resolution options are described in sections 5.7 and 5.8 of this Plan. The formal complaint process includes an investigation process, determination of responsibility by a decisionmaker, and an appeal opportunity.

5.5.1 Right to Make a Formal Complaint

The following people have a right to make a complaint of prohibited discrimination, requesting that the University investigate and make a determination about alleged discrimination:

A "complainant," which includes:

- a student or employee of the University who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination; or
- a person other than a student or employee of the University who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination at a time when that individual was participating or attempting to participate in the University's program or activity.

University officials with oversight of this Plan:

- The University's Title IX Coordinator, consistent with the requirements of Title IX; or
- The University's Equal Opportunity Officer, consistent with the requirements of Title VI and Title VII.

Where a complaint is filed by the University's Title IX Coordinator or EO Officer, or a person authorized to act on behalf of the complainant, the complainant is still such person who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination. In such cases, neither the Title IX Coordinator, the Equal Opportunity Officer, nor the University, are the complainant.

5.5.2 Submission of Complaint

Individuals are encouraged to file complaints directly with the EO Officer or Title IX Coordinator, but complaints may also be filed with other offices, such as Student Conduct, Human Resources, Residence Life, or Campus Police. Any complaint that is initially filed with other offices will be reported to the EO Officer or Title IX Coordinator.

The complaint must be in the words of the complainant or the University official who received the complaint. Complaints should contain all known facts pertaining to the alleged violation, the names of any known witnesses and others with knowledge of the allegations, and an identification of any documents or other evidence.

Reports may be made in person, in writing, by mail, by telephone, or by electronic mail, using the contact information listed for the EO Officer or Title IX Coordinator, electronic form (if available), or by any other means that results in the EO Officer or Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during nonbusiness hours) by using the reporting options available at the time of the report.

[CUSTOMIZE: Contact Info]

5.5.3 Jurisdiction Determination

The EO Officer, Title IX Coordinator, or designee will determine if the complaint falls within the jurisdiction of these Procedures. At this point, the University will implement any necessary and/or appropriate supportive measures, where applicable, or monitor and/or revise any measures already in place. If the University determines that the complaint is not properly filed pursuant to these procedures, it will provide written notice to the complainant (or third party reporter).

Prohibited conduct occurring prior to the implementation of this EO Plan is subject to adjudication under the complaint and resolution procedures applicable at the time the alleged prohibited conduct occurred.

5.5.4 Consolidation

The University may consolidate complaints of discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

5.5.5 Concurrent Investigations

In some circumstances, the respondent's alleged conduct violating this Plan may constitute a potential violation of other University conduct policies such as those in 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 these Complaint Investigation and Resolution Procedures. Based on the findings of the concurrent investigation, the respondent may be subject to disciplinary action for violations of this Plan, the Student Code of Conduct, or other policy violations. If a formal complaint is dismissed in accordance with section 5.5.9 of this Plan, an investigation may continue under other University conduct policies and the procedures prescribed for alleged violations of those policies.

5.5.6 Concurrent Criminal or Civil Proceedings

University investigations may be conducted before, after, or simultaneously with civil or criminal proceedings, and University investigations are not subject to challenge on the grounds that civil or criminal charges involving the same conduct have been dismissed or reduced. When a person has been charged with a crime or a violation of civil law, the University will neither request nor agree to special consideration for the individual solely because of his/her student status. Persons subject to parallel criminal charges shall be instructed that their statements and/or other information supplied by them may be subject to subpoena. The University will not delay its investigation due to the criminal investigation, unless law enforcement requests to gather evidence. When law enforcement makes such a request, the University will typically resume its investigation within three to ten days.

5.5.7 Counterclaims

At times a respondent may assert a counterclaim against the complainant in which the respondent alleges that the complainant has engaged in conduct that violates the EO Plan. Such counterclaims are treated as separate complaints under the EO Plan. Under such circumstances, the Investigator will notify and/or provide a copy of the respondent's complaint to the complainant for their response in the same manner that the initial complaint is provided to the respondent. The University has the discretion to consolidate into one investigation all complaints between a complainant and a respondent (or among multiple parties), if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident(s). Any complaint by a respondent against a complainant that is frivolous, knowingly false, or asserted in bad faith will be considered retaliation against the complainant who filed the original complaint, and will become a separate violation of the EO Plan for which the Respondent may be subject to potential sanctions.

5.5.8 Patterned Offenses

Multiple complaints of discrimination can be charged as or combined as pattern offenses. A pattern may exist and be charged when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions, accordingly.

Violation of any other University policies may constitute discrimination or harassment when motivated by actual or perceived protected characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

5.5.9 Dismissal of a Complaint

The University may dismiss a complaint if:

- The University is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the University's program or activity and is not employed by the University;
- The University obtains the complainant's voluntary withdrawal in writing of any or all of the allegations, the Title IX Coordinator or Equal Opportunity Officer declines to initiate a complaint, and the University determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute discrimination under the Policy of Nondiscrimination even if proven; or
- The University determines the conduct alleged in the complaint, even if proven, would not constitute discrimination under the Policy of Nondiscrimination. Before dismissing the complaint, the University will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the University will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the University will notify the parties simultaneously in writing.

The University will notify the complainant that a dismissal may be appealed on the bases outlined in section 5.5.18 of this Plan. If dismissal occurs after the respondent has been notified of the allegations, then the University will also notify the respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, the University will follow the procedures outlined in section 5.5.18 of this Plan.

When a complaint alleging sex-based harassment is dismissed, the University will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that prohibited sex-based discrimination does not continue or recur within the University's program or activity.

5.5.10 Requirements of the Formal Complaint Process

5.5.10.1 *Advisor of Choice*

The University will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

- The University will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding.
- The University may establish restrictions regarding the extent to which the advisor may participate in these resolution procedures, as long as the restrictions apply equally to the parties.

Respondents who are unit members may elect to have a union representative (or other University employee) present during any meeting that the unit member reasonably believes may result in discipline pursuant to the unit member's Weingarten rights. A respondent unit member who invokes their Weingarten right to a union representative or other University employee is not also permitted an advisor.

5.5.10.2 *Equitable Treatment*

The University will treat complainants and respondents equitably. Furthermore, the University presumes that the respondent is not responsible for the alleged prohibited conduct until a determination is made at the conclusion of these Procedures.

5.5.10.3 *No Conflicts of Interest*

The University requires that any EO Officer, Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. As long as there is no conflict of interest or bias, a decisionmaker may be the same person as the EO Officer, Title IX Coordinator, or investigator.

5.5.10.4 *Presentation of Witnesses and Evidence*

The University will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible during the investigation process.

5.5.10.5 *Privacy and Confidentiality*

The University will take reasonable steps to protect the privacy of the parties and witnesses during its resolution procedures and to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through these complaint investigation and resolution procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the resolution procedures. The parties cannot engage in retaliation, including against witnesses.

5.5.10.6 *Standard of Proof*

The determination of responsibility for alleged violations of this Plan will be made based on a preponderance of evidence. Under this standard of proof, conclusions by the decisionmaker must be based on what "more likely than not" occurred, based on available information and evidence. Accordingly, the decisionmaker must determine whether it is more likely than not that the respondent violated the Policy of Nondiscrimination.

5.5.10.7 *Written Notice*

The University will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.

5.5.11 Timeframes for Formal Complaints

The University has established the following timeframes for the major stages of the formal complaint process. A “day” for the purposes of these procedures is a business day, that is, Monday through Friday, excluding University-recognized holidays.

Formal Complaint Process Steps and Milestones	Timeframe, where practicable
Complaint Received	n/a
Notification of Allegations sent to all Parties Simultaneously	Promptly after formal complaint received
Respondent’s Initial Written Response to Allegations	Due 5 days after delivery of notice of allegations
Investigation to Gather Evidence and Conduct Interviews	To be concluded, where practicable, within 60 days of notice of allegations
Draft Investigation Report	Issued to parties simultaneously at the conclusion of the investigation process
Party Review and Response to Draft Investigation Report	Parties have 10 days to view the draft report and submit written response to the investigator
Final Investigation Report to Administrative Reviewer	Delivered to Administrative Reviewer within 10 days of response due date
Decision-Making Body Conducts Questioning, if required or applicable	To be completed within 15 days of receipt of written responses to Final Investigation Report
Written Determination of Responsibility sent to Parties Simultaneously	Within 7 days of the Decision-Making Body reaching a determination
Appeal Submittal	Due within 5 days of delivery of written determination
Appeal Response	To be concluded, where practicable, within 30 days of receipt of written appeal

If, for good cause, any stage of these Procedures 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 unreasonably by refusing to attend or otherwise participate in the process.

5.5.12 Step 1: Written Notice of Allegations to Parties

Upon receipt of a formal complaint and initiation of the formal complaint process, the University will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- The University’s complaint investigation and resolution procedures and any informal resolution process, if determined appropriate;

- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute prohibited discrimination, and the date(s) and location(s) of the alleged incident(s), if known;
- Retaliation is prohibited;
- The respondent is presumed not responsible for the alleged discrimination until a determination is made at the conclusion of the resolution procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.
- The University prohibits knowingly making false statements or knowingly submitting false information during the complaint resolution and resolution procedures.

If, in the course of an investigation, the University decides to investigate additional allegations of discrimination by the respondent toward the complainant that are not included in the written notice or that are included in a consolidated or patterned complaint, it will provide written notice of the additional allegations to the parties.

The respondent may provide an initial written response to the allegations within five (5) days of delivery of the Notice of Allegations.

5.5.13 Step 2: Investigation

The investigation is a process by which the investigator assigned to a formal complaint gathers evidence and interviews parties and witnesses to make findings of fact regarding the allegations in the complaint. Through the investigation interviews, the investigator provides parties with opportunities to present evidence and fact witnesses.

The investigation shall include, but is not limited to: review and consideration of all relevant and not otherwise impermissible evidence, including written statements and other materials presented by the parties; interviews of the parties and other individuals and/or witnesses; reviewing certain documents or materials in the possession of either party that the investigator has deemed relevant; and an analysis of the allegations and defenses presented using the preponderance of the evidence standard. The investigator may also review any available campus police investigation reports or the investigation reports of local law enforcement authorities.

The investigator will objectively evaluate all evidence that is deemed relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the University to determine whether one of the exceptions listed below applies, will not be disclosed, and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the

party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in its resolution procedures; and

- In regards to complaints of sex-based harassment, evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

5.5.13.1 ***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 Complaint Investigation and Resolution Procedures. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Investigator, reviewing or appellate body, and 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.

5.5.13.2 ***Investigation Report***

Following the gathering and review of evidence and conclusion of investigative interviews, a Draft Investigation Report will be produced which shall include:

- summaries of the investigation interviews;
- all evidence, or descriptions and summaries thereof, that is relevant to the allegations of discrimination and not otherwise impermissible;
- the investigator's findings of fact based on the preponderance of the evidence; and
- the investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

The investigator will provide each party and the party's advisor, if any, with 10 days to view and respond in writing to the Draft Investigation Report.

The investigator will consider the responses to the Draft Investigation Report, make any changes deemed appropriate by the investigator, and provide a Final Investigation Report to the administrative reviewer, along with any evidence that was deemed not relevant or otherwise impermissible.

Should material changes be made to the Investigation Report due to the responses received to the Draft Investigation Report, the parties will be provided an additional opportunity to view the revised report and provide additional response to new substantive evidence. Each party will have 5 days to view and respond to the revised Investigation Report.

The Investigation Report does not include a determination. The determination and any applicable sanctions are communicated through the Notice of Outcome.

5.5.14 Step 3: Administrative Review

5.5.14.1 *Assessment that Investigation is Complete*

For all complaints, upon receipt of the Final Investigation Report, the administrative reviewer will review the Investigative Report to assess if the investigation process was equitable, impartial, and thorough, and therefore, complete. The administrative reviewer will review all available evidence to confirm that any evidence deemed irrelevant or impermissible has been appropriately excluded from consideration. The administrative reviewer may consult directly with the investigator to make such determinations. If deficiencies are found, the administrative reviewer may remand the matter to the investigator for additional investigation.

The University provides the parties with an equal opportunity to be heard and to access the relevant and not otherwise impermissible evidence during the investigation process and through the Draft Investigation Report. If additional evidence is determined to be relevant and permissible during the Administrative Review process, the parties will be provided with an equal opportunity to access this evidence. Parties may also access relevant and permissible evidence upon the request of the party.

5.5.14.2 *Credibility Assessment*

If the administrative reviewer is satisfied that the investigation process was equitable, impartial, and thorough, the administrative reviewer and investigator, comprising the decision-making body, will make a credibility determination for each party. To the extent credibility is both in dispute and relevant to evaluating one or more allegations of discrimination, the decision-making body may direct follow-up questions to parties and witnesses to adequately assess a party's or witness's credibility. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. Such a credibility determination will be addressed in the final Investigation Report.

5.5.14.3 *Follow-Up Questions*

The investigator and administrative reviewer, as the decision-making body, further reserve the right to collaborate in conducting additional individual meetings with any parties and witnesses to ask follow-up questions.

5.5.15 Step 4: Special Considerations Applicable Only to Complaints of Sex-Based Harassment

In complaints alleging sex-based harassment, parties may propose to the decision-making body relevant and not otherwise impermissible questions and follow-up questions to ask of other parties and witnesses, including questions challenging credibility.

Such questioning will take place following the administrative review process and through one of two mechanisms: (1) a live hearing, or (2) shuttle-questioning in individual follow-up meetings.

The decision-making body, in consultation with the Title IX Coordinator, except where the Title IX Coordinator conducted the investigation or administrative review, will determine if such questioning will take place through a live hearing or individual follow-up meetings. The Title IX Coordinator may consider the following principles in making such determination:

- Severity of alleged allegations;
- Severity of alleged harm resulting from alleged conduct;
- Imbalances of power between parties;
- Care, concern, and risk factors for the parties; or

- Whether all parties demonstrate capacity.

5.5.15.1 *Procedures for a Live Hearing, if offered*

In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed that a live hearing will be conducted for the purpose of questioning parties and witnesses, the University will conduct the live hearing with the parties and their advisors, if any, physically present in separate locations with technology enabling the decisionmaker and parties to simultaneously see and hear the party or witness while that person is speaking. At the University's discretion, the University may conduct the live hearing with the parties physically present in the same geographic location.

The University will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review but not for additional response.

5.5.15.2 *Procedures for Shuttle-Questioning through Individual Follow-Up Meetings*

In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed shuttle-questioning will take place through individual follow-up meetings for the purpose of questioning parties and witnesses, the decision-making body will solicit follow-up questions from parties following review of the investigation report. The decision-making body will conduct follow-up meetings with each party and any witnesses, as appropriate. The decision-making body will then provide each party with an audio or audiovisual recording or transcript of the questioning with enough time for the party to have a reasonable opportunity to propose additional follow-up questions. The decision-making body will again conduct follow-up meetings with each party and any witnesses, as appropriate, after which the questioning process is considered complete.

5.5.15.3 *Procedures for the Decisionmaker to Evaluate the Questions and Limitations on Questions*

Regardless of the format for follow-up questioning, the decision-making body is the only process participant who may ask direct questions of the parties and witnesses during the follow-up question process. Direct cross examination by the parties or their advisors is prohibited.

Parties will present their questions to the decision-making body for prescreening. The decision-making body will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The decision-making body will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked by the decision-making body.

5.5.15.4 *Refusal to Respond to Questions*

The decision-making body may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decision-making body will not draw an inference about whether discrimination occurred based solely on a party's or witness's refusal to respond to such questions.

5.5.16 Step 5: Determination of Whether Prohibited Discrimination Occurred

Following an investigation of a formal complaint, evaluation of all relevant and not otherwise impermissible evidence, and assessment of credibility, the decision-making body will:

- Use the preponderance of evidence standard of proof to determine whether prohibited conduct occurred. If the decision-making body is not persuaded under the preponderance of evidence standard that prohibited conduct occurred, whatever the quantity of the evidence is, the decision-making body will not determine that prohibited conduct occurred.
- Not impose discipline on a respondent for conduct prohibited by this Plan unless there is a determination at the conclusion of the complaint and resolution procedures that the respondent engaged in prohibited conduct.
- If there is a determination that prohibited conduct occurred, as appropriate, the EO Officer or Title IX Coordinator will:
 - Coordinate the provision and implementation of remedies to a complainant and other people the University identifies as having had equal access to the University's program or activity limited or denied by the prohibited conduct;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including, when appropriate, notification to the complainant of any such disciplinary sanctions;
 - Take other appropriate prompt and effective steps to ensure that the prohibited conduct does not continue or recur within the University's program or activity;
 - Comply with the complaint and resolution procedures before the imposition of any disciplinary sanctions against a respondent; and
 - Not discipline a party, witness, or others participating in the complaint and resolution procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether prohibited conduct occurred.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

5.5.17 Step 6: Notice of Outcome, Disciplinary Sanctions, and Remedies

A written Notice of Outcome will be issued to all parties simultaneously promptly and not more than seven (7) days following the determination by the decision-making body.

The Notice of Outcome shall include the following:

1. A description of the alleged prohibited conduct;
2. Information about the policies and procedures that the University used to evaluate the allegations;
3. The factual findings of the investigation based on the decision-making body's evaluation of the relevant and not otherwise impermissible evidence;
4. The determination as to whether prohibited conduct occurred and the rationale for the determination;
5. When the decision-making body finds that prohibited sex-based harassment occurred, any disciplinary sanctions the University will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the University to the complainant, and, to the extent appropriate, others identified by the University to be experiencing the effects of the prohibited conduct;
6. The sanctions that directly relate to the complaining party that arise from an allegation of any other form of prohibited discrimination; and

7. The University's procedures and permissible bases for the complainant and respondent to appeal.

For the purpose of recordkeeping, the Notice of Outcome shall be affixed to the Final Investigation Report. Parties may request a copy of the Final Investigation Report by contacting the Equal Opportunity Officer and/or Title IX Coordinator.

5.5.17.1 *Sanctions*

Following a determination that prohibited conduct occurred, the University will notify a party found responsible of all sanctions imposed. If the sanctions imposed include a separation from the residence halls or the University, and, in the opinion of the decision-making body, the party poses a continued threat to the safety of one or more members of the campus community, the sanctions may take effect immediately, and while an appeal is pending.

For 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 Plan.

Where removal of tenure is recommended by the decision making body, the procedures set forth in Article IX of the collective bargaining agreement between the MSCA and the BHE will be followed. In the event that tenure is not removed, the matter will be remanded to the decision making body to assign appropriate sanctions.

For student respondents, a student who has been found to have violated the EO Plan 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(s) imposed pursuant to this Plan. Depending on the nature of the violation, such discipline may be imposed pursuant to the provisions of this Plan or pursuant to the applicable provision of the Student Code of Conduct.

5.5.17.2 *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, restorative justice, and/or revisiting its policies and procedures.

5.5.18 Step 7: Appeals

Appeals must be submitted to the EO Officer or, for complaints of sex-based discrimination, to the Title IX Coordinator, and be received by the fifth day following delivery of the Notice of Outcome or Notice of Complaint Dismissal.

The University will offer an appeal from a dismissal or determination whether prohibited conduct occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The EO Officer, Title IX Coordinator, investigator, or decisionmaker involved in the process had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If a party appeals a dismissal or determination whether prohibited conduct occurred, the University will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the policy and, for sex-based discrimination complaints, with Title IX regulations;
- Communicate to the parties in writing that the University will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

5.6 INFORMAL RESOLUTION

In lieu of resolving a complaint through the University's formal complaint investigation procedures, the parties may instead request to participate in an informal resolution process by making a request to the EO Officer or Title IX Coordinator.

The University will inform the parties in writing of any informal resolution process it offers and determines appropriate, if any. Participation in informal resolution is voluntary. This resolution option is only available where all parties explicitly agree to utilize an informal resolution process.

The University will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. The EO Officer and/or Title IX Coordinator, in conference with others as necessary, will assess the request for informal resolution against the severity of allegations and the potential risk of a hostile environment or safety concern for other campus community members. Informal resolution is not available when the complainant is an employee of the University. In addition to the aforementioned considerations, the University may also consider these additional factors:

- Likelihood of potential resolution, considering any power dynamics between the parties
- Civility, emotional investment, and capability of the parties
- Respondent's disciplinary history
- Complaint complexity
- Goals of the parties
- Adequate resources to invest in informal resolution (e.g., time, staff, etc.)

If an informal resolution is appropriate, the EO Officer or Title IX Coordinator will notify the parties. The University will not ask a complainant to resolve a problem with a respondent without the involvement of the EO Officer, Title IX Coordinator, or designee.

Before the initiation of an informal resolution process, the University will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to decline to participate in the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume complaint investigation and resolution procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume complaint investigation procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the University will maintain and whether and how the University could disclose such information for use in complaint and resolution procedures if such procedures are initiated or resumed.

The EO Officer, Title IX Coordinator, or designee will facilitate a dialogue with the parties in an attempt to reach a resolution. At no time prior to the resolution of the matter shall either party question or confront the other, or engage a third party to do so, outside the presence of the EO Officer, Title IX Coordinator, or designee.

Every attempt will be made to conclude the Informal Resolution Process within sixty (60) days of the date of the request for informal resolution. A complainant is not required to use the Informal Resolution Procedure before initiating the complaint investigation procedures. A party may withdraw from the Informal Resolution Procedure and initiate the complaint investigation procedures at any time.

The informal resolution process will be deemed complete 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.

5.7 OTHER REPORTING OPTIONS

5.7.1 Law Enforcement

Complainants are never required to report an incident to Campus Police/Public Safety or local law enforcement. The EO Officer or Title IX Coordinator will assist complainants in notifying law enforcement, if requested by the complainant.

Where complainants allege prohibited conduct that may also violate the law, 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 EO Officer or Title IX Coordinator, Campus Police/Public Safety will help in filing a report with local law enforcement, should the complainant request assistance.

If a complainant elects not to make a criminal report, the University will respect that decision; however, the University 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 physical assault, sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

5.7.2 Confidential Reports

5.7.2.1 *Employees with Confidential Privilege*

Persons who have experienced prohibited conduct under this Plan 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 the following positions, only when acting in their professional capacity for which confidential privilege has been afforded:

- licensed mental health counselors;
- licensed health care personnel; or
- pastoral counselors or clergy who work for the University.

See also, section 4.7.3.1

5.7.2.2 ***Confidential Resource Provider for Sex-Based Harassment***

The University has designated at least one Confidential Resource Provider to assist individuals with concerns of sex-based harassment including sexual assault, domestic violence, dating violence, and stalking.

The confidential resource provider receives training in the awareness and prevention of sex-based harassment and in trauma-informed response and coordinates with any on-campus or off-campus sexual assault crisis service center or domestic violence program and, if directed by the reporting party, campus or local law enforcement agencies, assists the student or employee in contacting or reporting to campus or local law enforcement agencies. If requested by the reporting party, the confidential resource provider, using only the reporting party's identifying information, shall coordinate with the appropriate institutional personnel to arrange possible interim school-based supportive measures to allow the reporting party to change academic, living, campus transportation or working arrangements in response to the alleged sexual misconduct. A confidential resource provider shall not provide services to adverse parties in an incident of sexual misconduct and shall ensure confidentiality is maintained.

The confidential resource provider is not required to report an incident to the institution or a law enforcement agency unless otherwise required to do so by state or federal law and shall provide confidential services to students and employees. A request for a possible interim school-based supportive measure made by a confidential resource provider on behalf of a reporting party to change an academic, living, campus transportation, or working situation in response to alleged sex-based harassment shall not require the reporting party to file a formal complaint. A confidential resource provider may attend University's investigation and resolution proceedings as the advisor of the student's or employee's choice.

Upon the request of the reporting party or responding party, the confidential resource provider shall provide information on:

- the parties' rights;
- the University's responsibilities regarding a protection order, no contact order, and any other lawful orders issued by the institution or by a criminal, civil or tribal court;
- reporting options and the effects of each option;
- counseling services available on campus and through a local, community-based rape crisis center or domestic violence program;
- medical and health services available on campus and off campus;
- available school-based supportive measures related to academic and residence life;
- the disciplinary process of the institution; and
- the legal process carried out through local law enforcement agencies.

See also, section 4.7.3.1

The University's Confidential Resource Provider is:

[CUSTOMIZE: name and contact info]

5.8 ANONYMOUS REPORTS OF SEX-BASED HARASSMENT

The University provides an anonymous reporting option for sex-based harassment. Limited actions and interventions are available in response to anonymous reports. Anonymous reports are not accepted as formal complaints under this Plan. In some cases, the University will be able to use information from anonymous reports to identify patterns, investigate prohibited conduct, structure appropriate and available interventions to address prohibited conduct, issue timely warnings, follow up with impacted parties, or address problematic behavior directly. However, information received anonymously will be used primarily for data and trend tracking.

Anonymous reports may be made online at:

[CUSTOMIZE: LINK] or [CUSTOMIZE: ADD OTHER OPTIONS].

APPENDIX 1: PRIMARY RESPONSIBILITIES - EO OFFICER

The Equal Opportunity Officer (“EO Officer”) provides campus-wide leadership to promote equal opportunity and nondiscrimination on campus. The EO Officer works closely with the President, Vice Presidents, Department Chairs, Program Coordinators and Directors in the implementation, monitoring and evaluation of the Universities’ Equal Opportunity, Nondiscrimination, and Title IX Plan. The EO Officer is the ombudsman for all issues of discrimination, other than sex-based discrimination, and retaliation.

The EO Officer may also serve as the Title II/Section 504 Coordinator. Similarly, the EO Officer may be the primary Title IX Coordinator for each University, although the University may designate one or more additional Deputy Coordinators to assist with Title IX compliance.

This position typically reports directly to the President or a senior cabinet member and may provide supervisory oversight to professional and non-professional staff.

Typical duties include:

- Provides leadership in planning and organizing events and programs to increase the awareness of diversity on campus.
- Develops plans and policies to recruit and employ members of protected classes through equal employment opportunity programs.
- Responsible for monitoring, implementing and evaluating recruitment to insure a policy of non-discrimination, equal employment/educational opportunity, and diversity.
- Serves as an ex-officio member of faculty hiring committees.
- Works closely with the Vice Presidents, Directors, Program Coordinators and Department Heads to develop and implement program initiatives designed to increase diversity among faculty, staff and students.
- Plans and develops policies and procedures regarding the implementation of the ADA and the Rehabilitation Act.
- Oversees investigations of all complaints of discrimination, other than sex-based discrimination, and retaliation filed pursuant to the University’s EO Plan Complaint Investigation and Resolution Procedures. Responsible for communicating all relevant information to appropriate persons on campus regarding the investigation process.
- May act as a representative of the University on claims presented to state/federal agencies.
- Reviews University policies for potential discriminatory impact.
- Communicates information on laws, regulations and policies on equal opportunity to members of the University community.

Typical experience, knowledge, and credentials that prepare someone for this role may include:

1. Master’s Degree and/or Juris Doctor degree
2. Demonstrated knowledge of and ability to interpret federal and state discrimination, harassment and equal opportunity laws.
3. Exceptional communication, organizational and interpersonal skills.
4. Demonstrated ability to maintain a high level of collegiality with different campus constituencies.
5. Experience with sexual misconduct prevention programming and training.
6. Experience designing and implementing training for different campus constituencies.
7. Experience with reporting software and databases.

8. Prior experience conducting investigations in higher education.
9. Experience participating in administrative hearings and proceedings.
10. Experience with and understanding of mental health/counseling issues in higher education.

This description of primary responsibilities is illustrative and not necessarily exhaustive.

APPENDIX 2: PRIMARY RESPONSIBILITIES - TITLE IX COORDINATOR

The Title IX Coordinator has primary responsibility for managing the day-to-day responsibilities associated with the University's compliance obligations pursuant to Title IX and the Massachusetts Campus Sexual Violence Law of 2021, and the related policies of the University. The Title IX Coordinator works closely with the President, Vice Presidents, Department Chairs, Program Coordinators and Directors in the implementation, monitoring and evaluation of the Universities' Equal Opportunity, Nondiscrimination, and Title IX Plan as it pertains to sex-based discrimination and Title IX compliance.

The Title IX Coordinator may also serve as the EO Officer and/or the Title II/Section 504 Coordinator. Additionally, the individual Universities may designate one or more additional Deputy Coordinators to assist the lead Title IX Coordinator with Title IX and MA Campus Sexual Violence Law compliance.

This position typically reports directly to the President or a senior cabinet member and may provide supervisory oversight to professional and non-professional staff.

Typical duties include:

- Serving as the University's central resource on issues related to sexual misconduct, sex--based discrimination and harassment, domestic and dating violence, stalking and retaliation.
- Implementing and managing the University's prohibitions against sex-based discrimination.
- Monitor the University's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination and take steps reasonably calculated to address such barriers
- Ensuring that community members know their options and resources concerning the reporting of sexual misconduct, sex -based discrimination and harassment, domestic and dating violence, stalking and retaliation.
- Coordinating the training of students and employees, within 45 days of their matriculation or employment: (i) mandatory sexual misconduct primary prevention programming as enumerated in MA law; and (ii) information on opportunities for ongoing sexual misconduct prevention and awareness campaigns and programming.
- Evaluating and implementing of requests for accommodations or supportive measures.
- Overseeing the receipt, investigation and resolution of complaints of sexual misconduct, sex -based discrimination and harassment, domestic and dating violence, stalking and retaliation by employees, students and others protected under state/federal laws/regulations and/or the University EO Plan. Where appropriate, conducting complaint investigations.
- Maintaining investigation files; maintaining a University-wide reporting system for complaints and investigation findings, and identifying patterns, and making recommendations.
- Developing and implementing long-term goals for programming, services, education and assessment of Title IX compliance efforts, including but not limited to sexual misconduct, sex -based discrimination and harassment, domestic and dating violence, stalking and retaliation.
- Providing leadership for University-wide initiatives to increase gender equity on campus.
- Overseeing education, training, and outreach programming concerning awareness and prevention of sexual misconduct, sex -based discrimination and harassment, domestic and dating violence, stalking and retaliation.
- Providing or recommending training to Deputy Title IX Coordinators, complaint Mediators and Administrative Investigators, and other campus officials with Title IX responsibilities.
- Maintaining current knowledge of the laws, policies, procedures and best practices with regard to sexual misconduct, sex -based discrimination and harassment, domestic and dating violence, stalking and

retaliation; attending trainings, workshops, conferences to augment knowledge. Acting as the University's representative when attending conferences and communicating with government compliance or investigation officers, and processing inquiries from third parties.

Typical experience, knowledge, and credentials that prepare someone for this role may include:

1. Master's Degree and/or Juris Doctor degree
2. Demonstrated knowledge of and ability to interpret federal and state discrimination, harassment and equal opportunity laws, including Title IX, Title VII, VAWA, and Clery.
3. Exceptional communication, organizational and interpersonal skills.
4. Demonstrated ability to maintain a high level of collegiality with different campus constituencies.
5. Experience with sexual misconduct prevention programming and training.
6. Experience designing and implementing training for different campus constituencies.
7. Experience with reporting software and databases.
8. Prior experience conducting Title IX investigations in higher education.
9. Experience participating in administrative hearings and proceedings.
10. Experience with and understanding of mental health/counseling issues in higher education.

This description of primary responsibilities is illustrative and not necessarily exhaustive.

APPENDIX 3: PRIMARY RESPONSIBILITIES - EQUAL OPPORTUNITY/TITLE IX INVESTIGATOR

The EO/Title IX Investigator is responsible for investigating alleged incidents of discrimination, harassment, retaliation, as defined in the University's Equal Opportunity, Nondiscrimination, and Title IX Plan ("EO Plan"). The Investigator is responsible for gathering, preserving and analyzing evidence/information to inform the outcome of the investigation and recommended corrective action and/or resolution.

This position typically reports to the EO Officer or the Title IX Coordinator and may provide supervisory oversight to assigned professional and non-professional staff.

Typical duties include:

- Conduct investigations of complaints of discrimination, harassment, retaliation in a timely, equitable, impartial, and thorough manner.
- Prepare comprehensive investigation reports, including factual findings and analysis.
- Serve as the contact for all parties to an investigation and manage communications regarding the investigation process.
- Assist the EO Officer and/or Title IX Coordinator in the evaluation and implementation of requests for accommodations or supportive measures.
- Assist the EO Officer and/or Title IX Coordinator in the development of training programs for faculty, staff and students on equal opportunity, discrimination, harassment, retaliation, Title IX, and other related topics.
- Provide information to the campus community regarding the EO Plan and the Complaint Investigation and Resolution Procedures.
- Remain abreast of University, state, and federal policies, statutes, regulations and guidance documents in the areas of discrimination, harassment, and retaliation.
- Participate in professional forums, conferences, training and/or seminars. Continuously identify and integrate best practices in the equal opportunity investigation field into knowledge base and practice.
- Identify systemic problems in the investigation process and make recommendations to the EO Officer and/or Title IX Coordinator concerning appropriate changes to the EO Plan and/or the Complaint Investigation and Resolution Procedures.

Typical experience, knowledge, and credentials that prepare someone for this role may include: Bachelor's or Master's degrees in psychology, counseling, social work, and criminal justice, or Juris Doctor; or combination of relevant education and experience.

1. Experience investigating complaints and/or grievance investigation and resolution.
2. Knowledge of state and federal laws regarding discrimination, harassment, retaliation and equal opportunity.
3. Exceptional communication and organizational skills.
4. Demonstrated ability and to project neutrality and to appropriately handle confidential and sensitive information.
5. Demonstrated ability to maintain a high level of collegiality with different campus constituencies. Experience in higher education.
6. Experience and training in HR, student conduct, civil rights and/or diversity programming.
7. Knowledge and understanding of equal opportunity laws and regulations

This description of primary responsibilities is illustrative and not necessarily exhaustive.

APPENDIX 4: RESOURCES FOR SEX-BASED HARASSMENT

The safety, health, and well-being of the campus community is of paramount importance. 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 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.

IMMEDIATE NEEDS

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.

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.

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.

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").

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>.

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.

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.

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.

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)

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.

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

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>

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. Most employees and other resources at the University are not confidential. While the following resources are not bound by confidentiality, they will seek to keep information as private 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

APPENDIX 5: WRITTEN NOTIFICATION OF RIGHTS FOR COMPLAINANTS AND RESPONDENTS OF SEX-BASED HARASSMENT

Parties, that is, complainants or respondents, to claims of sex-based harassment are notified of the following rights to:

- 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);
- referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- know, in advance, the names of all persons known to be involved;
- request that the University impose no contact/no communication orders or other supportive measures;
- an advisor of their choice who can be present at any time during the complaint resolution proceedings. 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, who will serve as the advisor of choice;
- reasonable accommodations for a documented disability during the process;
- be present at certain meetings and inspect, review, and respond to evidence;
- present relevant and not otherwise impermissible evidence;
- provide witnesses;
- submit questions to be asked of parties and witnesses;
- not have irrelevant sexual history discussed;
- know the status of the case at any point during the investigation and resolution process;
- receive a determination of responsibility at the conclusion of the investigation and resolution process;
- 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.

Furthermore, complainants are advised of the following rights to:

- an explanation of the options available;
- 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 a police report and/or take legal action separate from and/or in addition to the University discipline process;
- not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the University;

- be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- seek and enforce a harassment prevention order, restraining, or similar protective court order; and
- inform the University that a protective order has been issued under federal or state law and be informed of the University's responsibilities upon receipt of such notice.

And respondents are advised of the following rights to:

- receive a copy of the complaint filed against them;
- an explanation of the allegation(s) against them; and
- be presumed not in violation of University Policy until such time a determination is made at the conclusion of the investigation and resolution process.

WORCESTER STATE UNIVERSITY
BOARD OF TRUSTEES
FINANCE & FACILITIES MEETING
Tuesday, October 22, 2024
3:00 P.M.
Wellness Center, Room 204

Meeting Called By: Lawrence Sasso (Chair)

Minutes: Nikki Kapurch

Board Members: Lawrence Sasso(Chair); Dina Nichols; Amy Peterson; Marina Taylor (Vice Chair)

WSU Staff: Barry Maloney; Ashlynn Allain; Kathy Eichelroth; Carl Herrin; Nikki Kapurch; Lois Wims

All documents considered to be **drafts** until discussed and/or approved by the Board

AGENDA		
ITEM	RESPONSIBLE	ACTI ON
1. <i>Administrative Business</i> A. Call to Order B. Approval of Minutes: June 11, 2024*	Dr. Lawrence Sasso	B. vote required
2. <i>Finance & Facilities Committee Report</i> A. FY2024 Draft Financial Statements Audit*	Dr. Lawrence Sasso Kathy Eichelroth	A. Informational and vote required
3. <i>Administrative Updates</i> A. Other Business	Dr. Lawrence Sasso	
4. <i>Adjournment</i>	Dr. Lawrence Sasso	4. vote required

*Attachments

WORCESTER STATE UNIVERSITY
BOARD OF TRUSTEES
Finance & Facilities Committee Meeting
Meeting Minutes

CHAIR: Lisa Colombo (Chair) DATE: June 11, 2024

LOCATION: Wellness Center, Room 204 MINUTES BY: Nikki Kapurch

TIME: 3:00 PM

COMMITTEE MEMBERS PRESENT: Lisa Colombo (Chair); Amy Peterson; Dina Nichols; Lawrence Sasso (Vice Chair)

BOARD MEMBERS PRESENT: Marina Taylor

WSU STAFF: Lois Wims; Ashlynn Allain; Kathy Eichelroth; Carl Herrin; Nikki Kapurch; Julie Kazarian; Stacey Luster; Ryan Forsythe; Sathi Mitra; Tom McNamara; Maureen Stokes

The provision of General Laws, Chapter 30A having been complied with and a quorum present, a meeting of the Finance and Facilities Committee was held on Tuesday, June 11, 2024, in room 204, located in the Wellness Center. Chair Colombo called the meeting to order at 3:00 p.m.

Administrative Business

APPROVAL OF THE MINUTES - April 9, 2024

Upon a motion made by Trustee Sasso, and seconded by Trustee Peterson, it was unanimously

VOTED: to approve the April 9, 2024, minutes of the Finance and Facilities Committee meeting as presented.

FINANCE & FACILITIES COMMITTEE REPORT

FY 2025 Comprehensive University Budget

- Trustee Colombo mentioned that at the April 9th Finance and Facilities committee meeting, the committee members spent a lot of time discussing the budget. We discussed the legislative landscape surrounding the development of the Commonwealth's budget for FY 2025.
- At that time, Governor Healey had released her spending plan for FY 2025, which has annualized all FY 2024 state funding into an FY 2025 base funding line for each state university.
- The Governor did not propose resources in FY 2025 for performance funding or the internship and endowment incentive programs. The Council of Presidents continues to advocate for the restoration of these funds in the FY 2025 budget.
- Trustee Colombo asked VP Kathy Eichelroth to walk the trustees through the FY 2025 Comprehensive

University Budget memo included in the packet.

- VP Eichelroth gave the Fiscal Year 2025 Budget overview.
- Notable changes in the operating revenue. State resources have increased over the past three years due to an increase in the fringe benefit Rate provided to us by the state Comptroller's Office.
- The state appropriations figure increased in FY 2025 over FY 2024 due to collective bargaining funds and formula funding received in FY 2024 that are rolled into the base going forward. The rate increase from FY 2024 to FY 2025 is estimated at 1.1 million.
- General Trust Fund resources trended down during FY 2024 compared to the budget. The FY 2025 budget reflects this trend.
- WSU continues to experience the impact of post-Covid labor challenges, with approximately 8% of approved positions vacant.
- As a resource strategy in FY 2025, various vacant positions will be suspended from the search process and deferred to a later date.
- The savings calculated include the annual pay and related benefits and payroll tax costs and have been programmed as a one-time cost reduction in the FY 2025 budget.
- Numerous budget categories will be increased by 6% in an effort to counteract the reduction in purchasing power brought on by increased inflation in recent years.
- We have a \$9,491,900 revenue gap. VP Eichelroth reviewed the resources available to backfill the gap: general fee increase, DGCE tuition fee increase, formula funds, and deferred vacancies. The remaining budget gap will be filled with an anticipated \$2,702,204 draw from unrestricted General Fund reserves.
- FY26 will include the formula funding that will carry forward forever.
- Trustee Colombo asked what tools we have other than increasing retention and enrollment. She stated without margin, there is no mission. VP Eicheleroth, we have direct labor costs and contracting.
- VP Eichelroth discussed the collaborative budget process that was initiated to gather requests for new funding in a prioritized manner by division. Appendix D of the budget packet provides more specific information regarding the process and includes the itemized list of priority requests brought forward by each division.
- Due to the growing revenue gap and projected revenue decline for the upcoming year, we are unable to fund all the top 10 items, which have an estimated cost of \$1,663,363. Two top priorities that will be supported are:
 - EAB 360 is an innovative approach to inquiry generation aimed at increasing undergraduate applications and new student enrollment.
 - The one overarching priority identified by all divisions is the desire for a professional development program.
- VP Eichelroth went through the individual trust funds. Residence Life Trust Fund is at 87% capacity and has a revenue gap of \$1,312,649 that will be filled with reserves.
- Other trust funds are generating revenue.
- The board has asked for feedback on these priorities, including whether we achieved the results we wanted from the priorities we are funding.

WSU Board of Trustees
June 11, 2024

Upon a motion made by Trustee Nichols and seconded by Trustee Peterson, it was unanimously

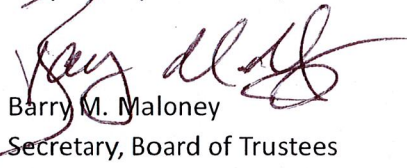
VOTE: to recommend to the full board the approval of the WSU FY 2025 Comprehensive University Budget, including the Academic Year 2024/2025 Tuition and Fees Schedule (Appendix B)

With there being no further business, the WSU Board of Trustees Finance & Facilities Committee meeting was adjourned.

Upon a motion made by Trustee Colombo and seconded by Trustee Nichols, it was unanimously

VOTED: to adjourn the meeting at 3:45 p.m.

Respectfully submitted,



Barry M. Maloney
Secretary, Board of Trustees

WORCESTER STATE UNIVERSITY
(AN AGENCY OF THE COMMONWEALTH OF
MASSACHUSETTS)

FINANCIAL STATEMENTS
AND MANAGEMENT'S DISCUSSION AND ANALYSIS
WITH SUPPLEMENTARY INFORMATION, STATISTICAL
INFORMATION AND OTHER REPORTS

YEARS ENDED JUNE 30, 2024 AND 2023

AND

INDEPENDENT AUDITOR'S REPORT

DISCUSSION DRAFT 10/15/24

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

FINANCIAL STATEMENTS
AND MANAGEMENT'S DISCUSSION AND ANALYSIS WITH SUPPLEMENTARY
INFORMATION, STATISTICAL INFORMATION AND OTHER REPORTS

YEARS ENDED JUNE 30, 2024 AND 2023

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INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees
Worcester State University

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the business-type activities and the discretely presented component unit of Worcester State University (an agency of the Commonwealth of Massachusetts) (the "University"), as of and for the years ended June 30, 2024 and 2023 and the related notes to the financial statements, which collectively comprise the University's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities and discretely presented component unit of Worcester State University, as of June 30, 2024 and 2023, and the respective changes in financial position, and, where applicable, cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the University and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the University's ability to continue as a going concern for 12 months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

INDEPENDENT AUDITOR'S REPORT

(Continued)

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the University's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 4 through 14 and certain information pertaining to liabilities recorded in accordance with Government Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions* and GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other than Pensions* on pages 47 through 55 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

INDEPENDENT AUDITOR'S REPORT

(Continued)

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the University's basic financial statements. The supplementary information on pages 56 through 60 is presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the statistical information on pages 61 through 66. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated _____, 2024, on our consideration of the University's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the University's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the University's internal control over financial reporting and compliance.

Worcester, Massachusetts
_____, 2024

DISCUSSION DRAFT 10/15/24

MANAGEMENT'S DISCUSSION AND ANALYSIS
(UNAUDITED)

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of Worcester State University, we offer readers of Worcester State University's financial statements this narrative overview and analysis of the financial activities of Worcester State University for the fiscal year ended June 30, 2024. This discussion is provided by management and should be read in conjunction with the financial statements and notes thereto.

Worcester State University was founded in 1871 and is one of nine comprehensive public colleges/universities in the Commonwealth of Massachusetts. The University affirms the principles of liberal learning as the foundation for all advanced programs of study and offers programs in the traditional liberal arts and science disciplines, while maintaining its historical focus on teacher education. The University offers 59 undergraduate majors and minors, 29 graduate programs, 82 study abroad programs, and a student-to-faculty ratio of 17:1. The University currently has 4,734 full and part-time undergraduate students and 877 full and part-time graduate and professional students.

Financial Highlights

- The assets and deferred outflows of resources of Worcester State University exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$78,434,477 inclusive of year end accruals related to the Commonwealth of Massachusetts Pension and Other Postemployment Benefits (OPEB) (net position) of \$22,300,193.
- The University's total net position increased by \$8,881,910. Pension and insurance expense decreased by \$7,435,204, as a result of recording the University's portion of the Commonwealth's postretirement obligations. When the Commonwealth's postretirement obligation adjustments are removed from the University's operating expenses, "Pension and insurance" costs as reported on Schedule 6 of the accompanying supplementary information, increases to \$20,314,141 in FY 2024, and \$17,107,964 in FY 2023. In addition, the University's total change in net position at June 30, 2024 is reduced to \$1,446,706, and at June 30, 2023 is reduced to \$1,463,668.
- The University's Net Position as June 30, 2024 was \$78,434,477. Unrestricted Net Position from Operations as of June 30, 2024 was \$69,347,687. The healthy operational reserves is offset by the University's allocation of the Commonwealth's accumulated Net Retirement Obligations of \$14,186,711 related to Pensions and \$27,553,212 related to OPEB, resulting in Net Unrestricted Reserves of \$27,607,764.
- Residence Life and Housing experienced a \$3,190,947 reduction in Net Position in FY 2024. The adoption of GASB Statement No. 87, *Leases* (GASB 87), requires the reclassification of remitted MSCBA annual assessments to interest expense and a reduction of the accumulated outstanding lease liability for contracted use of the facilities. In addition, the value of the leased facilities are reported as assets on the Statement of Net Position and require an annual posting to amortize those assets. The value of the assets at June 30, 2024 is \$74,229,627 and the outstanding lease obligations related to the assets as of June 30, 2024 is \$89,522,294.
- Residence Life and Housing Net position as of June 30, 2024 was (\$11,290,865). Further analysis of Net Position identifies the value of designated net future lease payments of (\$15,292,667) and accumulated operating reserves of \$4,001,802, at June 30, 2024.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to Worcester State University's basic financial statements. Worcester State University's basic financial statements comprise two components: 1) the financial statements and 2) the notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

The Financial Statements are designed to provide readers with a broad overview of Worcester State University's finances in a manner similar to a private sector college. The Statement of Net Position presents information on all of the University's assets and deferred outflows of resources, as well as liabilities and deferred inflows of resources, with the difference between these reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the University is improving or deteriorating.

The Statement of Revenues, Expenses and Changes in Net Position presents information showing how the University's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g. the accrual for compensated absences).

The Statement of Cash Flows is reported on the direct method. The direct method of cash flow reporting portrays net cash flows from operations as major classes of operating receipts (e.g. tuition and fees) and disbursements (e.g. cash paid to employees for services). The Government Accounting Standards Board (GASB) Statements 34 and 35 require this method to be used.

The financial statements and related footnotes are presented separately from this Management Discussion and Analysis.

The University reports its activity as a business-type activity using the full accrual measurement focus and basis of accounting. The University is a component unit of the Commonwealth of Massachusetts. Therefore, the results of the University's operations, its net position and cash flows are also summarized in the Commonwealth's Comprehensive Annual Financial Report in its government-wide financial statements.

Notes to the financial statements: The notes provide additional information that is essential to a full understanding of the data provided in the financial statements and are presented separately.

Other information: In addition to the financial statements and accompanying notes, this report also contains certain required supplementary information concerning Worcester State University.

Financial Analysis

As noted earlier, net position may serve over time as a useful indication of Worcester State University's financial position. In the case of Worcester State University, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$78,434,477 at the close of Fiscal Year 2024.

By far the largest portion of the Worcester State University's net position reflects its investment in capital assets (e.g. land, buildings, machinery, and equipment), less any related debt used to acquire those assets that are still outstanding, including capital leases. Worcester State University uses these capital assets to provide services to students, faculty and administration; consequently, these assets are not available for future spending. Worcester State University's investment in its capital assets is reported net of related debt and lease obligations.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)
MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

**Worcester State University's Net Position as of
June 30, 2024, with comparative data as of June 30, 2023**

	<u>2024</u>	<u>2023</u>
Current and other assets	\$ 92,339,555	\$ 84,629,883
Capital assets	170,577,248	183,248,329
Total assets	<u>262,916,803</u>	<u>267,878,212</u>
Deferred outflows of resources	4,194,610	5,960,532
Non-current outstanding liabilities	141,463,390	157,436,480
Other liabilities	20,738,703	18,739,853
Total liabilities	<u>162,202,093</u>	<u>176,176,333</u>
Deferred inflows of resources	26,474,843	28,109,845
Net position		
Invested in capital assets, net of related debt	49,253,033	55,204,772
Restricted	1,573,680	1,386,348
Unrestricted	<u>27,607,764</u>	<u>12,961,447</u>
Total net position	<u>\$ 78,434,477</u>	<u>\$ 69,552,567</u>

The following schedule presents an analysis of Worcester State University's net position as of June 30, 2024 and 2023, respectively:

	<u>2024</u>	<u>2023</u>
Invested in capital assets, net	\$ 49,253,033	\$ 55,204,772
Restricted reserves, expendable for:		
Other	1,661,870	1,481,912
Capital projects	(88,190)	(95,564)
Total restricted reserves, expendable	<u>1,573,680</u>	<u>1,386,348</u>
Unrestricted net position		
Unrestricted reserves from operations	69,347,687	62,136,575
Accumulated Commonwealth of Massachusetts retirement obligations - Pension	(14,186,711)	(16,306,275)
Accumulated Commonwealth of Massachusetts retirement obligations - OPEB	<u>(27,553,212)</u>	<u>(32,868,853)</u>
Total net unrestricted reserves	<u>27,607,764</u>	<u>12,961,447</u>
Total net position	<u>\$ 78,434,477</u>	<u>\$ 69,552,567</u>

WORCESTER STATE UNIVERSITY
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MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

A portion of the Worcester State University's net position (2.41%) as of June 30, 2024, represent funds that are subject to external restrictions on how they must be used. Unrestricted net reserves from operations of \$69,347,687 at June 30, 2024 may be used to meet the University's ongoing obligations to its stakeholders. The University's net position increased by \$8,881,910 during the year ended June 30, 2024. At the end of the current fiscal year, Worcester State University reports a positive balance in restricted reserves, a positive balance in unrestricted reserves from operations and accumulated net negative obligations for the allocated share of the Commonwealth of Massachusetts pension and OPEB plans.

The University's primary reserve ratio, calculated as expendable net position divided by total expenses, is 56.23% and 53.04%, respectively, for the years ended June 30, 2024 and June 30, 2023. This ratio provides a snapshot of financial strength and flexibility by indicating the percent of operating expenses that could be funded by expendable reserves without relying on additional net position generated by operations.

The implementation of GASB 68 and GASB 75 requires the annual accrual of the University's allocation of the Commonwealth's Net Pension and OPEB Liability. The University had a reduction of \$7,435,204 in accrual of pension and insurance expense in FY 2024 and a reduction of \$4,824,389 in FY 2023 to reflect the University's allocation of the Commonwealth's accrued obligation of Pension and OPEB liabilities.

The application of GASB 68 and GASB 75 requires certain reporting and disclosures with regard to the Massachusetts State Employees' Retirement System (MSERS) and the Commonwealth of Massachusetts Other Post-Employment Benefit (OPEB) Plan. The authority for establishing and amending these provisions rests with the Massachusetts Legislature, Chapter 32A of the General Laws of the Commonwealth of Massachusetts. The allocation provided to the University from the Commonwealth of Massachusetts Comptroller's Office reflects the University's proportionate share of the net pension and OPEB liability related to its participation in MSERS and OPEB. The University's participation in MSERS and OPEB is directly related to the share of annual payroll subject to retirement assessment that is funded from campus-based resources in contrast to payroll expended from annual operating appropriations allocated to the University from Commonwealth resources. In FY 2024 annual payroll subject to retirement assessment that was funded from campus-based resources was \$6,936,263; total payroll costs subject to retirement assessment for FY 2024 was \$44,622,922.

The University's return on net position ratio, calculated as the change in total net position divided by total net position – beginning of the year, is 12.81% and 9.94%, respectively, for the years ended June 30, 2024 and June 30, 2023. This ratio measures total economic return including capital investment and positive operating results. An improving trend indicates increasing net position which provides for increased financial flexibility. The positive return for the year ended June 30, 2024, is better than was expected given that the FY 2024 operating budget relied on a draw from reserves to balance operational costs that were expected to exceed budgeted revenue. Annual fluctuations in the Commonwealth's pension and OPEB accruals can significantly impact the return on net position ratio. In FY 2024 the pension and OPEB accruals decreased by \$7,435,204 contributing to the \$8,881,910 increase in net position. An adjusted calculation of the return on net position ratio, excluding pension and OPEB adjustments, reflects a ratios of 2.09% and 2.31% respectively, for the years ended June 30, 2024 and June 30, 2023.

The net operating revenue ratio is 1.91% and (1.07)%, respectively, for the years ended June 30, 2024 and June 30, 2023. The ratio measures whether an institution is living within its available resources, however the calculation as defined does not include capital appropriations as an available operating resource. Capital appropriations in FY 2024 and FY 2023 provided the resources for expenses reported in the Operations and Maintenance of Plant expenditure category. The revised ratios, inclusive of capital appropriations, are 6.91% and 5.32%, respectively, for the year ended June 30, 2024 and June 30, 2023. Worcester State University strives to achieve an annual operating surplus as measured by this ratio as part of its long-term plan to improve its primary reserve ratio and maintain a healthy annual return on net position.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

Worcester State University's Statement of Revenues, Expenses and Changes in Net Position for the year ended June 30, 2024 with comparative data for the year ended June 30, 2023.

	2024	2023
Operating Revenues		
Tuition and fees, net of scholarships discounts and allowances	\$ 45,774,418	\$ 48,160,282
Operating grants and contributions	25,369,972	16,863,012
Sales and services of auxiliary enterprises and other sources	608,397	1,022,708
Total operating revenues	71,752,787	66,046,002
Operating Expenses		
Instruction	44,244,040	40,587,936
Academic support	6,622,501	7,073,963
Student service	11,459,354	10,885,870
Institutional support	14,858,730	13,788,705
Operations and maintenance of plant	19,566,291	21,764,889
Scholarships	5,417,650	2,824,887
Depreciation	7,906,221	5,591,358
Debt service	587,539	1,889,568
Auxiliary enterprises	15,475,270	15,360,035
Total operating expense	126,137,596	119,767,211
Net operating loss	(54,384,809)	(53,721,209)
Non-operating revenues		
State appropriation, including fringe benefits provided to employees by the Commonwealth, net of tuition remitted to the Commonwealth	55,212,761	48,616,049
Federal Assistance	-	3,973,643
Investment income	1,565,922	(42,068)
Other and transfers	64,265	(114,122)
Total non-operating revenues	56,842,948	52,433,502
Loss before other revenues, expenses, gains or losses	2,458,139	(1,287,707)
Capital appropriations	6,423,771	7,575,764
Change in net position	8,881,910	6,288,057
Net position - July 1	69,552,567	63,264,510
Net position - June 30	\$ 78,434,477	\$ 69,552,567

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT’S DISCUSSION AND ANALYSIS
(Continued)

During FY 2024 the University received its final installment of COVID related state ARPA funds of \$1,366,275. The funds were received as a state operating grant and were programed as an offset to operating expenditures in the FY 2024 budget. in anticipation of sustained curtailment of revenue generating opportunities across University programs due to lasting effects of the pandemic. In FY2023 the remainder of the federal COVID relief funds were expended by the University.

Capital appropriations in FY 2024 included funding for the first year of the second five-year allotment of critical repair funds from the Commonwealth, in addition to DCAMM direct funding for the multiyear project to relocate underground electrical infrastructure. The University also received one-time funding of environmental sustainability projects. The nature of the majority of the work was for repair and rehabilitation of existing infrastructure and did not increase the value of those assets.

State appropriations are reported net of the amount of in-state day school tuition collected by the University on behalf of the Commonwealth. The in-state day tuition collected is remitted back to the Commonwealth as dictated by Massachusetts General Law. Included in State appropriations are the fringe benefit costs for University employees paid by the Commonwealth. Capital appropriations are funded by Massachusetts General Obligation Bonds which are issued to fund Commonwealth infrastructure improvements. The funds are provided to the campus in the form of a capital grant and as such the University is not responsible for repayment of the funds.

The following schedule details the Commonwealth appropriations received by the University for the years ending June 30, 2024 and 2023, respectively.

	<u>2024</u>	<u>2023</u>
State Appropriations	\$ 38,924,137	\$ 34,859,139
Appropriations to cover fringe benefits provided to employees of the Commonwealth	16,668,157	14,121,017
Tuition remitted back to the State	<u>(379,533)</u>	<u>(364,107)</u>
Net appropriations	55,212,761	48,616,049
Additional State capital appropriations	<u>6,423,771</u>	<u>7,575,764</u>
Total appropriations	<u><u>\$ 61,636,532</u></u>	<u><u>\$ 56,191,813</u></u>

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

Loss from Operations

State appropriations are a significant source of funding for the University. Under GASB 35, appropriations are considered non-operating revenue. As such, the University incurs a loss from operations. The Commonwealth's Board of Higher Education sets tuition for the day division. The University's Board of Trustees sets all fees and tuition of the Division of Graduate and Continuing Education. The University's Board of Trustees approves the annual budget with the intention of mitigating losses after consideration of Commonwealth appropriations while balancing educational and operational needs. The following schedule presents Worcester State University's incurred losses from operations for the fiscal years ended June 30, 2024 and 2023, respectively.

	2024	2023	Change
Net Tuition and Fee Revenue	\$ 45,774,418	\$ 48,160,282	\$ (2,385,864)
Other Revenue, net of Student Financial Aid	25,978,369	17,885,720	8,092,649
Operational Expenses	<u>(126,137,596)</u>	<u>(119,767,211)</u>	<u>(6,370,385)</u>
Operating loss	(54,384,809)	(53,721,209)	(663,600)
Direct State appropriations, fringe benefits for employees on the Commonwealth's payroll, net of remitted tuition to the Commonwealth	55,212,761	48,616,049	6,596,712
Federal assistance	-	3,973,643	(3,973,643)
Investment and non-operating income	1,630,187	(156,190)	1,786,377
Capital appropriations	<u>6,423,771</u>	<u>7,575,764</u>	<u>(1,151,993)</u>
Change in net position	<u>\$ 8,881,910</u>	<u>\$ 6,288,057</u>	<u>\$ 2,593,853</u>

Capital Assets and Debts of the University

Capital Assets: Worcester State University's investment in capital assets as of June 30, 2024 amounts to \$170,577,248 net of accumulated depreciation, compared to \$183,248,329 net of accumulated depreciation and amortization as of June 30, 2023. The University's investment in capital assets includes, land (including improvements), building (including improvements,) furnishings and equipment, and books, in addition to capital leases and subscription based IT arrangements.

Capital assets are defined by the University and the Commonwealth of Massachusetts as assets with an initial, individual cost of \$50,000 or greater. Information about Worcester State University's capital assets can be found in the notes to the financial statements.

In FY 2024 the University capitalized equipment leases at a cost of \$608,934 and capitalized direct purchases of equipment at a cost of \$380,520. New subscription based IT arrangements valued at \$1,643,487 were brought on as assets, while \$769,701 worth of subscriptions have been removed as fully depreciated.

Long-Term Debt

Compensated Absences

The accrual for compensated absences consists of the long-term portion of sick and vacation pay relating to employees on the University's payroll and is anticipated to be funded by future state appropriations.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

MHEFA Financing

On December 4, 2002, the University entered into a financing agreement with MHEFA to receive \$14,000,000 for renovations to the Sullivan and Administration Buildings. A call provision became available on this bond issue in December 2012. As a result, the issue was refunded on December 18, 2012, with \$10,585,000 MDFA Revenue Bonds, Worcester State University Series 2012. There is no debt service reserve related to this issue. Annual principal payments range from \$665,000 to \$875,000 through November of 2032.

Massachusetts State College Building Authority (MSCBA) WSU Student Life Project

MSCBA issued revenue bonds for various projects on December 20, 2012. Included in the issue was a component to provide \$15,000,000 of debt financing to Worcester State University's Wellness Center in accordance with the Memorandum of Agreement between the Commonwealth, MSCBA and the University. The proceeds from the bond issue, combined with funds earmarked by the University and General Obligation bond funds earmarked by the Commonwealth, provided the resources for construction of a new Wellness Center at WSU. The Wellness Center is an asset of the Commonwealth and recorded as a fixed asset on the University's financial records. On July 1, 2020, MSCBA closed on a restructuring of outstanding debt from a multiple series of bonds including those issued to finance the Wellness Center. The restructuring provided for debt service relief in FY 2023 with interest only payments during the year and a 50% reduction in principal payment in FY 2023. On February 15, 2023, MSCBA initiated another restructuring of outstanding debt, including the last series of bonds issued to finance the Wellness Center. This final piece of debt restructuring for the Wellness Center defers future principal payments to May of 2025. In addition, the previously held Debt Service Reserve Funds of \$249,214, were released to facilitate funding of the debt restructuring. The project debt remains on schedule to be extinguished in May 2042 with annual principal payments ranging from \$342,496 to \$742,778. Campus trust funds provide the revenue source for the annual debt service.

Right of Use Assets

GASB Statement #87 Leases is effective July 1, 2021. The statement requires leases previously recorded as operating leases to be recognized as a right-to-use lease asset and related lease liability for the term of the lease in accordance with the payment terms of the contract. GASB Summary – Statement 87 states “A lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset (the underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction.”

This change in presentation has a significant impact on the University's financial statements when recording the long-term lease agreements with the MSCBA. The University has long-term lease agreements with the MSCBA for use of all of its residence halls; Chandler Village, Dowden Hall, Wasylean Hall and Sheehan Hall, in addition to the parking garage on lower campus.

The University has other leases also affected by this change in presentation. Other leased assets requiring a change in presentation include various information technology devices.

GASB Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITA)*, effective for periods after June 15, 2023. The objective of this Statement is to provide accounting and financial reporting guidance for transactions in which a governmental entity contracts with another party for the right to use their software. This Statement established requirements for subscription-based information technology agreements based on the GASB Statement No. 87 lease accounting standard, based on the foundational principle that IT subscription arrangements are financings of the underlying asset. The adoption of this statement requires the University to recognize right to use subscription assets as capital assets and related subscription liabilities on the Statement of Net Position as of June 30, 2024 and 2023. Previously, these agreements were expensed through the Statement of Revenues, Expenses and Changes in Net Position.

WORCESTER STATE UNIVERSITY
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MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

Economic Factors that will affect the Future

Financial Resources

Operations

FY 2024 operating budget of \$99,598,790 was build on the FY 2023 base budget plus \$4,865,343 of additional costs mostly attributed to an increase in labor costs and fringe benefits. The forecasted increase in costs was offset by cumulative cost savings of \$3,009,139 achieved through the execution of cost saving strategies and initiatives. Budgeted revenue from operations of \$91,826,717 was supplemented with an increase of the General Fee providing \$1,656,000 in new revenue in addition to the final allocation of state ARPA funds of \$1,366,275 and a budgeted draw from reserve of \$4,749,798 to fill the gap.

As in recent years, despite relying on reserve draws to balance the operating budget, FY 2024 will be closed without experiencing a draw on reserves to fund an operating deficit. Reconciling the increase in net assets of \$9,061,950 as reported in the Statement of Changes in Net assets, to remove the effects of various GASB June 30, 2024 accruals, results in a significantly reduced increase in net assets. The results of FY2024 operations are further demonstrated in the Net Position Analysis on Schedule 5. The need to draw on reserve for operations during the year was mitigated by the continued vacancy factor in full time positions with realized savings being compounded by savings in the fringe benefit lines.

The FY 2025 budget as approved by the Board of Trustees in June reflects an increase in resources partly due to an increase in the Fringe Benefit Rate provided to us by the State Comptroller's Office. The rate increase from FY 2024 to FY 2025 is estimated at \$1.1M. The State Appropriations figure has increased in FY 2025 over FY 2024 as a result of collective bargaining funds and formula funding received in FY 2024 that are rolled in to the base going forward. Total campus generated revenue, identified as General Trust Fund resources, have trended down during FY 2024 in comparison with budget. Adjustments have been made to the revenue budget for FY 2025 to reflect this trend. The General Fee increase authorized by the board at the April meeting will increase General Trust Fund resources by \$1,636,000. Total resources budgeted for FY 2025 stands at \$95,970,451, an increase of 2.7% over the prior year.

FY 2025 budgeted expenditures begin with the FY24 base. This figure has been adjusted to add the annual adjustment for assessed fringe and payroll tax, in addition to projected increases to direct labor costs associated with rulings from the US Department of Labor, and a scheduled increase in annual debt service related to the 2002 Bonds that funded the Sullivan Academic Center. Furthermore, the base funding of numerous budget categories will be increased by 6% in an effort to counteract the reduction in purchasing power brought on by increased inflation in recent years. Reductions to expenditures include the savings associated with the closing of underperforming programs, the final few months of budgeted off campus parking and shuttle costs, a reduction in the cost of convenience fees and some initial savings in instruction costs realized through the course scheduling demonstration project under the Operational Excellence initiative, to arrive at budgeted operating expenditures of \$105,462,351 for FY 2024, a 5.9% increase over the prior year.

WORCESTER STATE UNIVERSITY
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MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

The operating budget gap identified for FY 2025 was \$9,491,900. Resources to fill the gap include the performance based formula funds from FY 2024 that have been added to the base appropriation, in addition to an increase in the General Fee for all undergraduate day courses and an increase to tuition/fees for courses offered through the Department of Graduate and Continuing Education. Budgeted resources include a \$500 annual increase to the General Fee that is assessed to all undergraduate students on a per credit basis. This is a 5% increase in mandatory undergraduate student fees bringing the total annual cost to \$10,816, which is expected to be less than the mandatory student fees at five of the other state universities in Massachusetts. The Division of Graduate and Continuing Education has requested a 12% increase in tuition and fees to offset an anticipated increase in contract faculty costs in the coming year and alleviate financial constraints. Increases will be put in place for the fall 2024 semester, and subsequent terms, for classes offered in the evening, winter and summer sessions, in addition to graduate courses and online degree programs.

WSU continues to experience the impact of post-Covid labor challenges. Approximately 8% of approved positions are vacant, some of which have been intentionally deferred while others have been posted but not filled due to challenges in gathering a qualified applicant pool. Various positions critical to operations have been filled with temporary staffing in order to ensure continuity of operations. Savings have been realized in the direct labor costs over the past several years which has allowed us to avoid drawing from reserves to fund operations. As a resource strategy in FY 2025 we have identified various vacant positions that will be suspended from the search process and deferred to a later date. The savings calculated include the annual pay and related costs of benefits and payroll tax and will be programed as a one-time cost reduction in the FY 2025 budget.

During FY 2024 the state distributed the campus allotted formula fund resources late in the budget cycle. Instead of amending the budget to reduce the FY 2024 budgeted reserve draw the additional resources were received into the university and fell to the operational bottom line by reducing the need to draw from reserves to fund operations. The FY 2024 allotment will be programed as a resource for FY 2025 as an appropriation from FY 2024 surplus. The remaining budget gap will be filled with an anticipated \$2,702,204 draw from unrestricted General Fund reserves. While the most recent budgets have relied on draws from budgeted reserves, realized savings in direct labor costs due to unfilled vacancies have resulted in closing the fiscal years with expenditures less than budget deferring the need to use reserves for operations.

The FY 2025 budget for the Residence Halls anticipates average room occupancy at 87% of capacity. The occupancy rate is similar to the capacity used for FY 24 and reflects actual fall occupancy during FY 2024. FY 2025 expenditures have increased over the prior year due to an increase in direct labor costs associated with collective bargaining increases and increase in the fringe rate, in addition to the resumption of the full cost of annual lease obligation payments to MSCBA subsequent to the savings realized from an MSCBA bond refunding in FY 2024. Room rental rates for FY 2025 are increasing between 2-4%, however the resources provided are not sufficient to fully fund operating costs. While the FY 2025 budget has been right sized to reflect reduced capacity there is a revenue gap of \$1,312,649 that will be filled with reserves. At June 30, 2024, the Residence Hall Trust Fund reported an accumulated operating reserve of \$4,032,130 and accumulated net future lease payments of \$15,292,667, resulting in a net negative position of \$11,260,537.

Over the past two years approximately \$5M in savings have been derived from the initial work of the FSTF task force, and more recently, our focus on Operational Excellence (OpEx). The OpEx team, led by the University's institutional risk & compliance officer, continues to cultivate ideas from across the campus community while evaluating the 70 plus recommendations that came out of FSTF. A website has been established and a dashboard to track results in real time is being developed. In the coming year the OpEx Team is focusing on establishing a methodology to quantify savings achieved and expand its communication strategy to include education and training for internal constituents and networking with other institutions across the country that are actively engaging their campuses in lean higher education programs and other efficiency and risk mitigation programs.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)

Campus Infrastructure

In June of 2018 the Commonwealth announced a plan to address the backlog of infrastructure repairs on Massachusetts Higher Education campuses. The Governor's Capital Investment Plan includes \$250 million over a five year period (FY19-23) to address Critical Repairs. Critical Repairs projects are smaller scale, building-specific, and involve renewal, repair and replacement of equipment and systems. Critical Repairs projects are managed directly by the individual campuses. The five-year allocation represents a new approach that provides predictable discretionary funds, allows more autonomy in campus prioritization over five years, and addresses the highest priority needs as identified through an independent facility condition assessment. Worcester State University will have received \$12.4 million of critical repairs funds through 2023. When combined with projected local funding of 5% capital adaptation and renewal funds, the University is on track to invest \$32.4 million in campus infrastructure repairs and improvements through 2024.

In June of 2022 the Commonwealth announced a second, five year-round of Critical Repair funds for the Massachusetts Higher Education Campuses. An additional \$250 million is being provided over a second five-year period (FY24 to FY 28). Worcester State University will receive \$12.1 million of the second round of critical repair funds through 2028. When combined with the campus funded match, resources dedicated to infrastructure repair for FY 2024 through FY 2028 will be \$20.8 million. Projects accomplished during FY 2024 included completion of the Sullivan Auditorium renovations, Learning Resource Center Roof replacement, boiler replacements and other crucial projects. Approximately \$6.4M of work was accomplished during the year. Projects anticipated in FY 2025 include roof and roof top unit replacements which will be accomplished during the summer months.

This financial report is designed to provide a general overview of Worcester State University's finances for all those with an interest in the University's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Office of the Vice President of Administration and Finance, 486 Chandler Street, Worcester, MA 01602-2597.

DISCUSSION DRAFT 10/15/24

FINANCIAL STATEMENTS

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF NET POSITION

JUNE 30, 2024 AND 2023

	Worcester State University		Component Unit Worcester State Foundation	
	2024	2023	2024	2023
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 34,902,397	\$ 34,136,997	\$ 4,775,905	\$ 4,265,111
Cash held by State Treasurer	9,047,320	5,153,872	-	-
Accounts receivable, net	4,486,610	2,523,229	90,000	255,210
Current portion of loans receivable	14,000	75,000	-	-
Current portion of contributions receivable	-	-	1,333,553	654,675
Inventories	169,644	216,155	113,798	90,421
Prepaid expenses and other current assets	161,518	98,753	31,050	10,622
Total current assets	<u>48,781,489</u>	<u>42,204,006</u>	<u>6,344,306</u>	<u>5,276,039</u>
Non-current assets:				
Investments	37,036,643	35,735,341	43,404,669	38,591,211
Loans receivable, less current portion	256,825	210,129	-	-
Contributions receivable, less current portion	-	-	3,614,996	3,808,171
Other non-current assets	6,264,598	6,480,408	150,533	72,516
Capital assets, net of accumulated depreciation	<u>170,577,248</u>	<u>183,248,329</u>	<u>3,811,414</u>	<u>3,847,582</u>
Total non-current assets	<u>214,135,314</u>	<u>225,674,207</u>	<u>50,981,612</u>	<u>46,319,480</u>
Total assets	<u>262,916,803</u>	<u>267,878,213</u>	<u>57,325,918</u>	<u>51,595,519</u>
DEFERRED OUTFLOWS OF RESOURCES				
Resources related to pension and OPEB obligations	3,868,705	5,609,260	-	-
Loss on refunding of bonds payable	<u>325,905</u>	<u>351,272</u>	<u>-</u>	<u>-</u>
Total deferred outflows of resources	<u>4,194,610</u>	<u>5,960,532</u>	<u>-</u>	<u>-</u>

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF NET POSITION

JUNE 30, 2024 AND 2023
(Continued)

	Worcester State University		Component Unit Worcester State Foundation	
	2024	2023	2024	2023
LIABILITIES				
Current liabilities:				
Current portion of bonds payable	\$ 1,037,496	\$ 665,000	\$ 22,595	\$ 21,618
Current portion of lease obligations	4,382,533	3,533,165	-	-
Current portion of subscription-based IT arrangements	1,063,775	670,150	-	-
Accounts payable	2,143,345	3,401,514	865,824	173,759
Accrued payroll and fringe benefits	4,807,102	4,698,690	-	-
Accrued interest and other liabilities	88,910	95,564	111,850	54,791
Funds held for others	-	-	5,509	5,509
Student deposits and unearned revenue	3,238,840	2,152,646	126,372	107,399
Current portion of split-interest agreements	-	-	20,223	7,493
Current portion of accrued workers' compensation	204,543	171,574	-	-
Current portion of accrued compensated absences	3,772,159	3,351,550	-	-
Total current liabilities	20,738,703	18,739,853	1,152,373	370,569
Non-current liabilities:				
Bonds payable, less current portion	18,052,584	19,471,679	383,700	408,153
Lease obligations, less current portion	94,770,472	101,812,376	-	-
Subscription-based IT arrangements, less current portion	1,869,537	1,703,579	-	-
Split-interest agreements, less current portion	-	-	32,002	64,568
Accrued workers' compensation, less current portion	1,474,684	1,324,957	-	-
Accrued compensated absences, less current portion	2,689,275	2,505,978	-	-
Accrued pension and OPEB obligations	22,300,193	30,311,227	-	-
Refundable grant - federal financial assistance program	306,645	306,684	-	-
Total liabilities	162,202,093	176,176,333	1,568,075	843,290
DEFERRED INFLOWS OF RESOURCES				
Resources related to pension and OPEB obligations	23,308,436	24,473,160	-	-
Deferred service concession arrangements	2,781,594	3,193,369	-	-
Gain on refunding of bonds payable	384,813	443,316	-	-
Total deferred inflows of resources	26,474,843	28,109,845	-	-
NET POSITION				
Invested in capital assets, net	49,253,033	55,204,772	-	-
Restricted - non-expendable	-	-	25,642,341	24,032,999
Restricted - expendable	1,573,680	1,386,348	22,184,063	19,378,657
Unrestricted	27,607,764	12,961,447	7,931,439	7,340,573
Total net position	\$ 78,434,477	\$ 69,552,567	\$ 55,757,843	\$ 50,752,229

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

YEARS ENDED JUNE 30, 2024 AND 2023

	Worcester State University		Component Unit Worcester State Foundation	
	2024	2023	2024	2023
REVENUES				
Operating revenues:				
Student tuition and fees	\$ 47,092,996	\$ 43,977,503	\$ 611,879	\$ 500,896
Auxiliary enterprises, student housing	12,177,425	11,814,895	-	-
Less: Scholarship discounts and allowance	13,496,003	7,632,116	-	-
Net student tuition and fees	45,774,418	48,160,282	611,879	500,896
Contributions	-	-	1,749,764	6,635,973
Federal grants and contracts	8,921,497	7,792,094	-	-
State and local grants and contracts	11,153,952	5,516,957	-	-
Nongovernmental grants and contracts	3,998,879	2,713,297	-	-
Auxiliary enterprises, other	608,397	1,022,708	223,476	236,699
Other operating revenues	1,295,644	840,664	420,065	291,159
Total operating revenues	71,752,787	66,046,002	3,005,184	7,664,727
EXPENSES				
Operating expenses:				
Instruction	44,244,040	40,587,936	-	-
Academic support	6,622,501	7,073,963	-	-
Student services	11,459,354	10,885,870	-	-
Institutional support	14,858,730	13,788,705	1,309,546	1,409,594
Operation and maintenance of plant	19,566,291	21,764,889	138,050	150,717
Scholarship	5,417,650	2,824,887	1,059,135	823,392
Depreciation	7,906,221	5,591,358	188,966	175,662
Debt service	587,539	1,889,568	40,854	80,619
Auxiliary enterprises	15,475,270	15,360,035	-	-
Total operating expenses	126,137,596	119,767,211	2,736,551	2,639,984
Operating income (loss)	(54,384,809)	(53,721,209)	268,633	5,024,743

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

YEARS ENDED JUNE 30, 2024 AND 2023
(Continued)

	Worcester State University		Component Unit Worcester State Foundation	
	2024	2023	2024	2023
	NON-OPERATING REVENUES (EXPENSES)			
State appropriations	55,212,761	48,616,049	-	-
Federal assistance	-	3,973,643	-	-
Interest and investment income (loss)	1,565,922	(42,068)	5,037,397	3,560,057
Other payments to Worcester State University	-	-	(1,641,957)	(1,004,837)
Other non-operating income (losses)	64,265	(114,122)	-	(24,000)
Net non-operating revenues (expenses)	<u>56,842,948</u>	<u>52,433,502</u>	<u>3,395,440</u>	<u>2,531,220</u>
Income (loss) before other revenues, expenses, gains, or losses	2,458,139	(1,287,707)	3,664,073	7,555,963
Capital appropriations	6,423,771	7,575,764	-	-
Additions to permanent endowments	-	-	1,341,541	2,843,884
Change in net position	8,881,910	6,288,057	5,005,614	10,399,847
NET POSITION				
Beginning of year	<u>69,552,567</u>	<u>63,264,510</u>	<u>50,752,229</u>	<u>40,352,382</u>
End of year	<u>\$ 78,434,477</u>	<u>\$ 69,552,567</u>	<u>\$ 55,757,843</u>	<u>\$ 50,752,229</u>

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF CASH FLOWS

YEARS ENDED JUNE 30, 2024 AND 2023

	Primary Government	
	2024	2023
Cash flows from operating activities:		
Student tuition, fees and charges	\$ 41,192,347	\$ 45,239,189
Federal grants and contracts	8,921,497	7,792,094
State and local grants and contracts	11,153,952	5,516,957
Nongovernmental grants and contracts	3,998,879	2,713,297
Auxiliary enterprise charges	608,397	1,022,708
Employee compensation and fringe benefit payments	(76,065,120)	(70,057,683)
Payments to suppliers	(38,480,788)	(38,527,755)
Interest paid	(1,008,929)	(1,148,628)
Loans repaid by students	14,304	19,543
Other receipts (payments)	(820,173)	1,408,686
Net cash used in operating activities	<u>(50,485,634)</u>	<u>(46,021,592)</u>
Cash flows from noncapital financing activities:		
State appropriations	55,212,761	48,616,049
Federal assistance	-	3,973,643
Net deposits	(8,723)	15,934
Net cash provided by noncapital financing activities	<u>55,204,038</u>	<u>52,605,626</u>
Cash flows from capital and related financing activities:		
Capital appropriations	6,423,771	7,575,764
Purchases of capital assets	(1,801,420)	(2,549,157)
Principal payments of bonds payable	(665,000)	(340,622)
Principal payments on lease obligations	(3,199,084)	(3,395,530)
Principal payments on subscription-based IT arrangements	(1,083,904)	(1,051,626)
Perkins loan program, net funds paid	(39)	(39,367)
Other activities	64,265	(114,122)
Net cash provided by (used in) capital and related financing activities	<u>(261,411)</u>	<u>85,340</u>
Cash flows from investing activities:		
Proceeds from sales and maturities of investments	48,593,794	9,353,305
Purchases of investments	(49,370,227)	(24,884,356)
Interest and investment income	978,288	432,610
Net cash provided by (used in) investing activities	<u>201,855</u>	<u>(15,098,441)</u>
Net change in cash and cash equivalents	4,658,848	(8,429,067)
Cash and cash equivalents, beginning of year	<u>39,290,869</u>	<u>47,719,936</u>
Cash and cash equivalents, end of year	<u>\$ 43,949,717</u>	<u>\$ 39,290,869</u>

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

STATEMENTS OF CASH FLOWS

YEARS ENDED JUNE 30, 2024 AND 2023

(Continued)

	Primary Government	
	2024	2023
Reconciliation of operating loss to net cash used in operating activities:		
Operating loss	\$ (54,384,809)	\$ (53,721,209)
Adjustments to reconcile operating loss to net cash used in operating activities:		
Depreciation expense	6,084,475	5,591,358
Amortization of leased assets	5,960,905	6,162,606
Amortization on subscription-based IT arrangements	1,077,156	1,067,264
Amortization of other assets	215,810	215,810
Accretion of deferred service concession arrangements	(411,775)	(411,775)
Decrease in deferred loss on refunding of bonds payable	25,367	25,368
Decrease in deferred gain on refunding of bonds payable	(58,503)	(24,629)
Decrease in bond premium	(381,599)	-
(Increase) decrease in operating assets and deferred outflows:		
Accounts receivable, net	(1,963,381)	848,869
Loans receivable	14,304	19,543
Inventories	46,511	(26,354)
Prepaid expenses and other assets	-	73,757
Resources related to pension and OPEB obligations	1,740,555	3,576,153
Increase (decrease) in operating liabilities and deferred inflows:		
Accounts payable	(1,258,169)	(422,422)
Accrued payroll and fringe benefits	108,412	(698,110)
Accrued interest and other liabilities	(6,654)	(4,389)
Accrued workers' compensation	182,696	(59,607)
Student deposits and unearned revenue	1,094,917	34,721
Accrued compensated absences	603,906	131,996
Accrued pension and OPEB obligations	(8,011,034)	(883,724)
Resources related to pension and OPEB obligations	(1,164,724)	(7,516,818)
	<u>\$ (50,485,634)</u>	<u>\$ (46,021,592)</u>

See accompanying independent auditor's report and notes to financial statements.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO FINANCIAL STATEMENTS

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

Worcester State University (the “University”) is a public, state-supported University, located in Worcester, Massachusetts. The University is governed by a local Board of Trustees under the discretion of the Massachusetts Department of Higher Education. As one of nine four-year, state-supported colleges and universities, the University is empowered to award baccalaureate and masters’ degrees in education and in the arts and sciences, as well as programs of continuing education.

The University is an agency of the Commonwealth of Massachusetts (the “State”, the “Commonwealth”). Accordingly, the accompanying financial statements may not necessarily be indicative of the conditions that would have existed if the University had been operated as an independent institution.

Component units

Worcester State Foundation, Inc. (the “Foundation”) is a legally separate, tax-exempt component unit of the University. The Foundation’s primary role is to prudently manage and steward privately contributed resources meant to supplement the resources that are available to the University in support of its programs. The board of the Foundation is self-perpetuating and consists of graduates and friends of the University. Although the University does not control the timing or amount of receipts from the Foundation, the majority of resources, or income thereon, that the Foundation holds and invests are restricted to the activities of the University by the donors. Because these restricted resources held by the Foundation can only be used by, or for the benefit of, the University, the Foundation is considered a component unit of the University and is discretely presented in the University’s financial statements.

During the years ended June 30, 2024 and 2023, the Foundation distributed \$2,701,092 and \$1,828,229, respectively, to the University for both restricted and unrestricted purposes. Complete financial statements for the Foundation can be obtained from the Worcester State University Business Office at 486 Chandler Street, Worcester, MA 01602.

Basis of presentation

The accompanying financial statements have been prepared using the economic resources measurement focus and the accrual basis of accounting in accordance with U.S. generally accepted accounting principles (U.S. GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing U.S. GAAP for state and local governments through its pronouncements (Statements and Interpretations).

The University has determined that it functions as a business-type activity, as defined by GASB. The effect of interfund activity has been eliminated from these financial statements. The basic financial statements for general purpose governments consist of management’s discussion and analysis, basic financial statements including the University’s discretely presented component unit, and required supplementary information. The University presents statements of net position, revenues, expenses, and changes in net position and cash flows on a University-wide basis.

Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements have been met. The accompanying statement of revenues, expenses, and changes in net position demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable within a specific function. Program revenues primarily include charges to students or others who enroll or directly benefit from services that are provided by a particular function. Items not meeting the definition of program revenues are instead reported as general revenue.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO FINANCIAL STATEMENTS
(Continued)

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of presentation (continued)

The University's policies for defining operating activities in the Statement of Revenues, Expenses and Changes in Net Position are those that generally result from exchange transactions such as the payment received for services and payment made for the purchase of goods and services. Certain other transactions are reported as non-operating activities in accordance with GASB accounting standards. These non-operating activities include the University's operating and capital appropriations from the Commonwealth of Massachusetts, and net investment income.

Net position

GASB establishes accounting and financial reporting standards for public colleges and universities. These standards require that, for accounting and reporting purposes, resources be classified into four net position categories, described as follows:

Invested in capital assets, net of related debt - Includes all capital assets, net of accumulated depreciation and the principal balances of any outstanding debt or other obligations used to construct, acquire or improve the assets.

Restricted net position - These resources are further differentiated between those that are nonexpendable and expendable.

Nonexpendable resources are those that are subject to externally imposed constraints that they be maintained permanently.

Expendable resources are those whose use is subject to externally imposed constraints that can be satisfied by specific actions or by the passage of time.

Unrestricted - These resources are not subject to any externally imposed constraints. Such net position may be designated for specific purposes by action of the governing Board.

Accounting estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses. Actual results could differ from those estimates.

Subsequent events

The University has evaluated the financial statement impact of subsequent events occurring through _____, 2024, the date that the financial statements were available to be issued.

Cash, temporary investments, and investments

The University considers its cash on hand, cash held by both the State Treasurer and Worcester State Foundation, Inc. for the benefit of the University and all debt securities with a maturity of three months or less to be cash equivalents.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO FINANCIAL STATEMENTS
(Continued)

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash, temporary investments, and investments (continued)

The University's investments are recorded at fair value. Realized and unrealized gains and losses are included in non-operating revenues. Realized gains and losses are determined based on the specific identification of the securities sold. Investment income is recognized when earned. The method of allocated interest earned on pooled cash and investments among fund types provides that, unless otherwise restricted, all interest is recorded in the unrestricted current fund. All gains and losses arising from the sale, maturity, or other disposition of investments are accounted for in the trust fund which owns the related asset. Ordinary income derived from investments is accounted for in the trust fund owning such assets.

The Governmental Accounting Standards Board requires government entities to categorize investments to give an indication of the level of credit risk assumed by the University at year end. Category 1 includes investments that are insured or registered, or for which securities are held by the University or its agent in the name of the University. Category 2 includes uninsured and unregistered investments for which securities are held by a trust department in the name of the University. Category 3 includes uninsured and unregistered investments for which the securities are held by a trust department but not in the University's name.

Fair value measurements

The University follows the provisions of GASB Statement No. 72, *Fair Value Measurement and Application* (GASB 72). This Statement defines fair value, establishes a framework for measuring fair value in accordance with generally accepted accounting principles, and expands disclosures about fair value measurements.

The University uses fair value measurements to record fair value adjustments to certain assets and liabilities and to determine fair value disclosures. In accordance with GASB 72, the fair value of a financial instrument is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value is best determined based on quoted market prices. However, in many instances, there may be no quoted market prices for the University's various financial instruments. In cases where quoted market prices are not available, fair values are based on estimates using present value or other valuation techniques. Those techniques are significantly affected by the assumptions used, including the discount rate and estimates of future cash flows. Accordingly, the fair value estimates may not be realized in an immediate settlement of the instrument.

In accordance with GASB 72, the University groups its financial assets and financial liabilities generally measured at fair value in three levels, based on the markets in which the assets and liabilities are traded and the reliability of the assumptions used to determine fair value.

Level 1: Valuation is based on quoted prices in active markets for identical assets or liabilities that the reporting entity has the ability to access at the measurement date.

Level 2: Valuation is based on observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities.

Level 3: Valuation is based on unobservable inputs that are supported by little or no market activity and that are significant to the fair value of the assets or liabilities. Level 3 assets and liabilities include financial instruments whose value is determined using pricing models, discounted cash flow methodologies, or similar techniques, as well as instruments for which the determination of fair value requires significant management judgment or estimation.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO FINANCIAL STATEMENTS
(Continued)

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fair value measurements (continued)

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs. The University's component unit utilizes a similar market approach which uses prices and other relevant information generated by market transactions involving identical or comparable assets, liabilities or a group of assets and liabilities.

Allowance for doubtful accounts

Accounts receivable are reported at the amount management expects to collect in the future on balances outstanding at year end. Management estimates allowances for losses based on the history of collections and the knowledge acquired about specific items. Adjustments to the allowance are charged to bad debt expense. Interest is not charged on accounts receivable. Uncollectible amounts are written off against the reserve when deemed uncollectible; recoveries are recorded when received. An amount is considered uncollectible when reasonable efforts to collect the account have been exhausted.

Inventories

The University's inventories consist primarily of operating supplies which are valued at the lower of cost or market. Cost is determined by the first-in, first-out (FIFO) method.

Loans receivable and payable

Loans receivable consist of the Federal Perkins Loan Program ("Perkins"). The federal government provides 90% of the funds to support this program. The 90% portion of the Perkins Loan Program provided by the federal government is refundable back to the federal government upon the termination of the University's participation in the program.

The prescribed practices for the Perkins program do not provide for accrual of interest on student loans receivable or for the provision of an allowance for doubtful loans. Accordingly, interest on loans is recorded as received and loan balances are reduced subsequent to the determination of their uncollectibility and have been accepted (assigned) by the Department of Education.

Capital assets

Capital assets are controlled, but not owned by the University. The University is not able to sell or otherwise encumber these assets since they are owned by the Commonwealth. All capital assets acquired prior to June 30, 1990 are stated at cost or estimated historical cost. Capital assets acquired subsequent to June 30, 1990 are stated at cost. All additions of individual capital assets greater than or equal to \$50,000 are capitalized, in accordance with the Commonwealth's capitalization policy. Donated capital assets are recorded at the estimated fair value at the date of the donation.

Capital assets, with the exception of land, are depreciated using the straight-line method over the estimated useful life of the asset, which range from 3 to 40 years.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Student deposits and unearned revenue

Deposits and advance payments received for tuition and fees related to the University's Summer Session II program are deferred and are recorded as unrestricted current funds unearned revenue.

Bond premiums

Bond premiums are being amortized on a straight-line basis, which approximates the effective interest method, over the terms of the related debt agreements.

Funds held for others

Funds held for others are agency funds consisting of resources held by the University as custodian or fiscal agent of student organizations, the State Treasurer and others. Transactions are recorded to assets and liability accounts.

State appropriations

The University's unrestricted State appropriations amounted to \$55,592,294 and \$48,980,156 for the years ended June 30, 2024 and 2023, respectively. State supported tuition, in the amounts of \$379,532 and \$364,107 for the years ended June 30, 2024 and 2023, respectively, were remitted to the State and have been offset against these appropriations. State supported tuition receipts and transfers have been recorded in an agency fund during the year with a net amount due from the Commonwealth of \$51,891 and \$18,953 as of June 30, 2024 and 2023, respectively.

Pension plan

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Massachusetts State Employee's Retirement System (MSERS) and additions to/deductions from MSERS's fiduciary net position have been determined on the same basis as they are reported by MSERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other postemployment benefits plan (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the Commonwealth of Massachusetts Postemployment Benefits Other Than Pensions Plan and additions to/deductions from this plan's fiduciary net position have been determined on the same basis as they are reported by the Commonwealth of Massachusetts. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Compensated absences

Employees earn the right to be compensated during absences for vacation leave and sick leave. Accrued vacation leave is the amount earned by all eligible employees through June 30, 2024. Pursuant to statewide experience on sick pay buy-back agreements applicable to state employees, the University accrues sick leave to a level representing 20% of amounts earned by those University employees with ten or more years of State service at the end of the fiscal year. Upon retirement, these employees are entitled to receive payment for this accrued balance.

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NOTES TO FINANCIAL STATEMENTS
(Continued)

1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fringe benefits

The University participates in the Commonwealth's fringe benefit programs, including health insurance, pension and workers' compensation benefits. Health insurance, pension and administrative costs are billed through a fringe benefit rate charged to the University. The University's workers' compensation program is administered by the Commonwealth's Division of Public Employee Retirement Administration. Workers' compensation costs are assessed separately based on the University's actual experience.

Trust funds

The University's operations are accounted for in different trust funds. All of these trust funds have been consolidated and are included in these financial statements.

Tax status

The University is an agency of the Commonwealth of Massachusetts and is therefore exempt from federal and state income taxes under Code Section 115 of the Internal Revenue Code. The Foundation is exempt from income taxes under the provisions of section 501(c)(3) of the Internal Revenue Code.

New government accounting pronouncements

GASB Statement No. 101, *Compensated Absences* is effective for reporting periods beginning after December 15, 2023. The objective of this Statement is to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences, aligning such guidance under a unified model and by amending certain previously required disclosures. Management has not completed its review of the requirements of this Standard and its applicability.

GASB Statement No. 102, *Certain Risk Disclosures* is effective for reporting periods beginning after June 15, 2024. The objective of this Statement is to provide users of GASB financial statements with essential information about risks related to vulnerabilities due to certain concentrations or constraints. Management has not completed its review of the requirements of this Standard and its applicability.

GASB Statement No. 103, *Financial Reporting Model Improvements* is effective for reporting periods beginning after June 15, 2025. The objective of this Statement is to improve key components of the GASB financial reporting model to enhance its effectiveness in providing information that is essential for decision making and assessing accountability. Management has not completed its review of the requirements of this Standard and its applicability.

2 - CASH AND CASH EQUIVALENTS

The University's cash and temporary investments are as follows as of June 30, 2024 and 2023:

	2024	2023
Carrying amount	\$ 34,902,397	\$ 34,136,997
Bank balance	\$ 36,272,588	\$ 35,619,053
Less amounts		
Covered by depository insurance	820,280	1,517,619
Collateralized repurchase agreements	32,687,748	29,433,566
Remaining bank balance	\$ 2,764,560	\$ 4,667,868

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

2 - CASH AND CASH EQUIVALENTS (Continued)

The differences between the carrying amounts and the bank balances are attributable to deposits-in-transit and outstanding checks. While the remaining bank balance is uninsured and uncollateralized, the University has lowered its risk of loss by maintaining these funds in high quality financial institutions. Further, as of June 30, 2024 and 2023, the University held \$158,304 and \$64,155, respectively, in money market funds maintained by its investment custodian.

As of June 30, 2024 and 2023, the University was party to a repurchase agreement with a bank. The value of this agreement was \$32,687,748 and \$29,433,566 as of June 30, 2024 and 2023, respectively.

The money market mutual funds constitute a Category 2 investment and the repurchase agreements constitute a Category 3 investment, as defined under GASB accounting standards.

3 - CASH HELD BY STATE TREASURER

The University has recorded cash held for the benefit of the University by the State Treasurer in the amounts of \$1,932,782 and \$1,967,941 as of June 30, 2024 and 2023, respectively. In addition, the State Treasurer held cash for certain University trust funds in the amounts of \$7,114,538 and \$3,185,931 as of June 30, 2024 and 2023, respectively. None of these cash balances are insured or collateralized.

4 - INVESTMENTS

The University maintains pooled investments in long-term U.S. Treasury and Agency Securities. The fair value of these investments as of June 30, 2024 are as follows:

	Investment Maturities (in years)			
	Fair Value	Less Than 1	1 to 5	Greater than 5
<u>June 30, 2024</u>				
Investment type				
U.S. Treasuries	\$ 33,729,238	\$ 16,665,252	\$ 10,204,636	\$ 6,859,350
U.S. Agencies	3,307,405	2,526,929	780,476	-
Total	<u>\$ 37,036,643</u>	<u>\$ 19,192,181</u>	<u>\$ 10,985,112</u>	<u>\$ 6,859,350</u>

The University maintains pooled investments in long-term U.S. Treasury and Agency Securities. The fair value of these investments as of June 30, 2023 are as follows:

	Investment Maturities (in years)			
	Fair Value	Less Than 1	1 to 5	Greater than 5
<u>June 30, 2023</u>				
Investment type				
U.S. Treasuries	\$ 33,194,938	\$ 15,090,807	\$ 13,081,800	\$ 5,022,331
U.S. Agencies	2,540,403	90,000	2,450,403	-
Total	<u>\$ 35,735,341</u>	<u>\$ 15,180,807</u>	<u>\$ 15,532,203</u>	<u>\$ 5,022,331</u>

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

4 - INVESTMENTS (Continued)

Interest Rate Risk

The University does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The weighted average life of the maturities is evaluated regularly with the weighted average life of the portfolio being limited to five years or less, whenever possible. The weighted average life of the portfolio as of June 30, 2024 was 2.4 years.

Credit Risk

The University manages its exposure to credit risk by investing solely in U.S. Treasury and U.S. Agency securities.

Concentration of Credit Risk

The University places no limit on the amount that may be invested in one issuer, maintaining its cash in bank deposit accounts which, at times, may exceed federally insured limits.

Custodial Credit Risk

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the University will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The University controls this risk by placing its securities in a trust account with a safekeeping agent other than the counterparty.

The components of investment income are as follows:

	2024	2023
Interest	\$ 1,133,819	\$ 441,198
Realized gain (loss) on investments	83,914	(137,749)
Unrealized gain (loss) on investments	348,189	(345,517)
	\$ 1,565,922	\$ (42,068)

Component Unit

Investments of the component unit are stated at fair value and are composed of the following:

	2024		2023	
	Carrying Value	Fair Value	Carrying Value	Fair Value
Money market funds	\$ 122,390	\$ 122,390	\$ 402,113	\$ 402,113
Mutual funds	34,125,493	42,091,811	33,719,179	37,491,957
Limited partnership interest	812,500	1,190,468	475,000	697,141
	\$ 35,060,383	\$ 43,404,669	\$ 34,596,292	\$ 38,591,211

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NOTES TO FINANCIAL STATEMENTS
(Continued)

5 - FAIR VALUE MEASUREMENTS

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used as of June 30, 2024 and 2023.

U.S. treasury securities and U.S. agency securities: Valued at the closing price reported in the market in which the individual securities are traded. Fair value hierarchy for each is based on the level of active trading within the respective markets for each asset or liability.

The preceding methods described may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although the University believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

The University's financial assets that are measured at fair value on a recurring basis were recorded using the fair value hierarchy as of June 30, 2024 as follows:

	Level 1	Level 2	Level 3	Total
Investments				
U.S. Treasuries	\$ -	\$ 33,729,238	\$ -	\$ 33,729,238
U.S. Agencies	-	3,307,405	-	3,307,405
Total investments, at fair value	\$ -	\$ 37,036,643	\$ -	\$ 37,036,643

The University's financial assets that are measured at fair value on a recurring basis were recorded using the fair value hierarchy as of June 30, 2023 as follows:

	Level 1	Level 2	Level 3	Total
Investments				
U.S. Treasuries	\$ -	\$ 33,194,938	\$ -	\$ 33,194,938
U.S. Agencies	-	2,540,403	-	2,540,403
Total investments, at fair value	\$ -	\$ 35,735,341	\$ -	\$ 35,735,341

The University does not measure any liabilities at fair value on a recurring or non-recurring basis on the statement of net position.

6 - ACCOUNTS RECEIVABLE

Accounts receivable consist of the following as of June 30, 2024 and 2023:

	2024	2023
Students	\$ 1,644,317	\$ 1,371,794
Other	3,352,165	1,648,122
	4,996,482	3,019,916
Less: Allowance for uncollectible accounts	509,872	496,687
	\$ 4,486,610	\$ 2,523,229

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

7 - CONTRIBUTIONS RECEIVABLE - COMPONENT UNIT

Contributions receivable are unconditional promises to give that are recognized as contributions when the promise is received. Contributions receivable that are expected to be collected in less than one year are reported at net realizable value. Contributions receivable that are expected to be collected in more than one year are recorded at fair value at the date of promise. That fair value is computed using a present value technique applied to anticipated cash flows. Amortization of the resulting discount is recognized as additional contribution revenue.

Payments of contributions receivable as of June 30, 2024 are expected to be received as follows:

2025	\$ 1,333,553
2026	293,143
2027	163,196
2028	816,000
2029	802,000
Thereafter	<u>2,401,000</u>
	5,808,892
Less: Discount on contributions receivable	<u>860,343</u>
	<u>\$ 4,948,549</u>

8 - LOANS RECEIVABLE

The University participates in the Federal Perkins Loan Program. This program is funded through a combination of Federal and institutional resources. The portion of this program that has been funded with Federal funds is ultimately refundable to the U.S. government upon the termination of the University's participation in the program. The loans receivable balance of \$270,825 and \$285,129 as of June 30, 2024 and 2023, respectively, represents student loans issued through the Perkins Loans program and consists of the following as of June 30, 2024 and 2023:

	2024	2023
Enrolled students	\$ 4,325	\$ 6,560
Repayment on schedule	4,383	7,542
In default	<u>262,117</u>	<u>271,027</u>
	<u>\$ 270,825</u>	<u>\$ 285,129</u>

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NOTES TO FINANCIAL STATEMENTS
(Continued)

9 - CAPITAL ASSETS

Capital assets activity for the year ended June 30, 2024 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated				
Land	\$ 188,650	\$ -	\$ -	\$ 188,650
Construction in process	7,074,942	1,420,900	-	8,495,842
Capital assets, being depreciated				
Land improvements	9,965,277	-	-	9,965,277
Buildings, including improvements	155,173,706	-	-	155,173,706
Furnishings and equipment	14,570,926	380,521	-	14,951,447
Leased buildings	109,250,877	-	3,602,386	105,648,491
Leased furnishings and equipment	3,256,459	608,934	-	3,865,393
Subscription-based IT arrangements	3,848,732	1,643,487	769,701	4,722,518
Total capital assets	<u>303,329,569</u>	<u>4,053,842</u>	<u>4,372,087</u>	<u>303,011,324</u>
Less accumulated depreciation for				
Land improvements	6,494,388	516,706	-	7,011,094
Buildings, including improvements	77,945,982	4,201,788	-	82,147,770
Furnishings and equipment	13,923,912	217,047	-	14,140,959
Less accumulated amortization for				
Leased assets	20,221,217	7,109,840	-	27,331,057
Subscription-based IT arrangements	1,495,741	1,077,156	769,701	1,803,196
Total accumulated depreciation and amortization	<u>120,081,240</u>	<u>13,122,537</u>	<u>769,701</u>	<u>132,434,076</u>
Capital assets, net	<u>\$183,248,329</u>	<u>\$ (9,068,695)</u>	<u>\$ 3,602,386</u>	<u>\$170,577,248</u>

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

9 - CAPITAL ASSETS (Continued)

Capital assets activity for the year ended June 30, 2023 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated				
Land	\$ 188,650	\$ -	\$ -	\$ 188,650
Construction in process	5,006,978	2,067,964		7,074,942
Capital assets, being depreciated				
Land improvements	9,965,277	-	-	9,965,277
Buildings, including improvements	155,173,706	-	-	155,173,706
Furnishings and equipment	14,089,733	481,193	-	14,570,926
Leased buildings	109,250,877	-	-	109,250,877
Leased furnishings and equipment	2,082,326	1,174,133	-	3,256,459
Subscription-based IT arrangements	944,206	2,904,526	-	3,848,732
Total capital assets	<u>296,701,753</u>	<u>6,627,816</u>	<u>-</u>	<u>303,329,569</u>
Less accumulated depreciation for				
Land improvements	5,940,681	553,707	-	6,494,388
Buildings, including improvements	73,775,163	4,170,819	-	77,945,982
Furnishings and equipment	13,523,801	400,111	-	13,923,912
Less accumulated amortization for				
Leased assets	13,591,890	6,629,327	-	20,221,217
Subscription-based IT arrangements	428,477	1,067,264	-	1,495,741
Total accumulated depreciation and amortization	<u>107,260,012</u>	<u>12,821,228</u>	<u>-</u>	<u>120,081,240</u>
Capital assets, net	<u>\$189,441,741</u>	<u>\$ (6,193,412)</u>	<u>\$ -</u>	<u>\$183,248,329</u>

10 - MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY

The land on which the dormitory residence halls are located is leased by the Massachusetts State College Building Authority (MSCBA) from the Commonwealth of Massachusetts. The Commonwealth of Massachusetts also executed a lease with MSCBA for land on which a parking garage is located. MSCBA owns the residence halls and parking garage and has entered into long-term lease agreements with the University to occupy and operate the facilities.

The University, under the terms of a management and service agreement between MSCBA and the Commonwealth, is charged a semi-annual revenue assessment which is based on the certified occupancy report, the current rent schedule, and the design capacity for each of the residence halls. This revenue assessment is used by MSCBA to pay principal and interest due on its long-term debt obligations. These obligations are guaranteed by the Commonwealth. The assessments charged for the years ended June 30, 2024 and 2023, in the amounts of \$1,865,188 and \$1,516,159, respectively, and have been recorded as auxiliary enterprise expenditures.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

11 - DEFERRED SERVICE CONCESSION ARRANGEMENTS

Deferred service concession arrangements as of June 30, 2024 and 2023 in the amounts of \$2,781,594 and \$3,193,369, respectively, consist of the unamortized balances of multiple food service agreements with an outside party. This outside party contributed multiple payments since 2004 totaling \$8,788,017, to upgrade the food service facilities. The contributions are being amortized over various periods ranging from 12 to 18 years. Amortization of these contributions was \$411,775 for the years ended June 30, 2024 and 2023.

12 - LONG-TERM LIABILITIES

Long-term liabilities of the University as of June 30, 2024 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Current Portion
Bonds payable	\$ 20,136,679	\$ -	\$ 1,046,599	\$ 19,090,080	\$ 1,037,496
Lease obligations	105,345,541	608,934	6,801,470	99,153,005	4,382,533
Subscription-based IT arrangements	2,373,729	1,643,487	1,083,904	2,933,312	1,063,775
Accrued workers' compensation	1,496,531	182,696	-	1,679,227	204,543
Accrued compensated absences	5,857,528	603,906	-	6,461,434	3,772,159
Accrued pension and OPEB obligations	30,311,227	-	8,011,034	22,300,193	-
Refundable grant	306,684	-	39	306,645	-
	<u>\$165,827,919</u>	<u>\$ 3,039,023</u>	<u>\$ 16,943,046</u>	<u>\$151,923,896</u>	<u>\$ 10,460,506</u>

Long-term liabilities of the University as of June 30, 2023 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Current Portion
Bonds payable	\$ 20,477,301	\$ -	\$ 340,622	\$ 20,136,679	\$ 665,000
Lease obligations	107,566,938	1,174,133	3,395,530	105,345,541	3,533,165
Subscription-based IT arrangements	520,829	2,904,526	1,051,626	2,373,729	670,150
Accrued workers' compensation	1,556,138	-	59,607	1,496,531	171,574
Accrued compensated absences	5,725,532	131,996	-	5,857,528	3,351,550
Accrued pension and OPEB obligations	31,194,951	-	883,724	30,311,227	-
Refundable grant	346,051	-	39,367	306,684	-
	<u>\$167,387,740</u>	<u>\$ 4,210,655</u>	<u>\$ 5,770,476</u>	<u>\$165,827,919</u>	<u>\$ 8,391,439</u>

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NOTES TO FINANCIAL STATEMENTS
(Continued)

13 - BONDS PAYABLE

- (A) On December 4, 2002, the University signed a financing agreement used for the renovation of the Sullivan and Administration Buildings, which was completed in 2009. A call provision became available on this bond issue and the issue was refunded on December 18, 2012, with \$10,585,000 of Massachusetts Development Financing Agency (MDFA) Revenue Bonds. The obligation is being repaid solely by the University through revenues. Interest on the MDFA bonds is due in semi-annual installments at varying rates ranging from 2.00% to 4.00%. Annual principal installments ranging from \$255,000 to \$875,000 are due through November 2032. The refunding of the MHEFA bonds resulted in a loss, which is included in deferred outflows of resources and will be amortized over the term of the bond. Amortization of this loss for the year ended June 30, 2024, was \$5,848. The remaining loss to be amortized as June 30, 2024 is \$52,626.
- (B) On July 1, 2020, the University signed a financing agreement to receive \$681,052 from the MSCBA 2020 Series revenue bond in a partial refunding of the 2012 Series revenue bond. Interest on the bonds is due in semi-annual installments at varying rates ranging from 1.044% to 3.072%. Annual principal installments ranging from \$69,460 to \$117,000 are due May 2032 through May 2039. The refunding of the MSCBA 2012 Series bonds resulted in a loss, which is included in deferred outflows of resources and will be amortized over the term of the bond. Amortization of this loss for the year ended June 30, 2024, was \$19,520. The remaining loss to be amortized as June 30, 2024 is \$273,279.
- (C) On February 15, 2022, the University signed a financing agreement to receive \$9,509,327 from the MSCBA 2022 Series revenue bond in a partial refunding of the 2012 Series revenue bond. Interest on the bonds is due in semi-annual installments at varying rates ranging from 4.00% to 5.00%. Annual principal installments ranging from \$342,496 to \$742,778 are due May 2025 through May 2042. The refunding of the MSCBA 2012 Series bonds resulted in a gain, which is included in deferred inflows of resources and will be amortized over the term of the bond. Amortization of this gain for the year ended June 30, 2024, was \$58,503. The remaining gain to be amortized as June 30, 2024 is \$384,813.

The composition of the University's Bonds payable for the year ended June 30, 2024 is as follows:

	2024	2023
(A) Bond payable, MDFA 2012 Series	\$ 7,205,605	\$ 7,886,229
(B) Bond payable, MSCBA 2020 Series	681,052	681,052
(C) Bond payable, MSCBA 2022 Series	11,203,423	11,569,398
	19,090,080	20,136,679
Less: Current maturities	1,037,496	665,000
	\$ 18,052,584	\$ 19,471,679

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

13 - BONDS PAYABLE (Continued)

Debt service requirements as of June 30, 2024 are as follows:

Year Ended June 30	<u>Principal</u>	<u>Interest</u>
2025	\$ 1,037,496	\$ 648,543
2026	1,080,221	606,081
2027	1,117,432	566,458
2028	1,161,604	526,892
2029	1,196,284	484,843
2030 - 2034	6,086,896	1,725,850
2035 - 2039	3,430,554	844,946
2040 - 2042	<u>2,144,892</u>	<u>173,877</u>
	17,255,379	5,577,490
Unamortized premium	<u>1,834,701</u>	<u>-</u>
	<u>\$ 19,090,080</u>	<u>\$ 5,577,490</u>

14 - LEASE OBLIGATIONS

The University leases its residence halls and parking garage from MSCBA, as well as other furnishings and equipment under various lease agreements.

Future minimum lease payments as of June 30, 2024 are as follows:

Year Ended June 30	<u>Principal</u>	<u>Interest</u>
2025	\$ 4,382,533	\$ 4,065,069
2026	4,378,064	3,880,915
2027	4,356,148	3,717,515
2028	4,282,472	3,741,109
2029	4,692,586	3,020,798
2030 - 2034	27,176,534	12,249,527
2035 - 2039	32,891,720	6,908,399
2040 - 2043	<u>16,992,948</u>	<u>1,613,614</u>
	<u>\$ 99,153,005</u>	<u>\$ 39,196,946</u>

15 - SUBSCRIPTION-BASED IT ARRANGEMENTS

The University licenses various software under various subscription-based IT agreements.

Future minimum payments on these arrangements as of June 30, 2024 are as follows:

Year Ended June 30	<u>Principal</u>	<u>Interest</u>
2025	\$ 1,063,775	\$ 56,998
2026	891,227	37,391
2027	742,779	19,565
2028	<u>235,531</u>	<u>4,835</u>
	<u>\$ 2,933,312</u>	<u>\$ 118,789</u>

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NOTES TO FINANCIAL STATEMENTS
(Continued)

16 - NET POSITION

Unrestricted net position from operations is not subject to externally imposed stipulations; however, it may be subject to internal restrictions. For example, unrestricted net position from operations may be designated for specific purposes by action of management or the Board of Trustees or may otherwise be limited by contractual agreements with outside parties. As of June 30, 2024 and 2023, unrestricted net position from operations of \$32,145,916 and \$30,589,057, respectively, has been internally designated by the University for future capital investments. The remaining undesignated unrestricted net position from operations was \$37,201,771 and \$31,547,518 as of June 30, 2024 and 2023, respectively.

The University is the recipient of funds that are subject to various external constraints upon their use, either as to purpose or time. These funds are comprised of the following as of June 30:

	2024	2023
Restricted - expendable		
Capital projects	\$ (88,910)	\$ (95,564)
Scholarships and other grants	1,662,590	1,481,912
	\$ 1,573,680	\$ 1,386,348

The component unit's restricted - expendable net position consists of funds whose income is mainly used for scholarships and grants. The component unit's restricted - nonexpendable net position consists of investments to be held in perpetuity and the income is restricted for the purpose of providing scholarships and other activities that benefit the University.

17 - FACULTY COMPENSATION

Contracts for full-time faculty begin on September 1, and end May 31 of any given academic year. The Commonwealth of Massachusetts and the University pay all faculty members over the twelve-month period of September 1 through August 31. Consequently, on June 30 of each year there is a balance due on each faculty contract which is to be paid from the subsequent year's appropriation. The balance due as of June 30, 2024 and 2023 of \$2,402,748 and \$2,228,855 respectively, has been included in accrued payroll and fringe benefits in the statement of net position.

18 - ACCRUED WORKERS' COMPENSATION

Independent actuarial reviews of the outstanding loss reserve requirements for the Commonwealth of Massachusetts' self-insured Workers' Compensation program were conducted as of June 30, 2024 and 2023. Based upon the Commonwealth's analyses, accrued workers' compensation in the amount of \$1,679,227 and \$1,496,531 as of June 30, 2024 and 2023, respectively, have been recorded in the unrestricted current fund. Workers' compensation expense charged to operations was \$514,280 and \$204,540 in 2024 and 2023, respectively. The actual workers' compensation paid by the University was \$331,584 and \$264,147 in 2024 and 2023, respectively.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO FINANCIAL STATEMENTS
(Continued)

19 - ACCRUED COMPENSATED ABSENCES

Included in accrued compensated absences are \$3,218,466 for accrued vacation time and \$3,242,968 for accrued sick time as of June 30, 2024 and \$3,012,084 for accrued vacation time and \$2,845,444 for accrued sick time as of June 30, 2023. Of these balances, \$508,587 and \$540,881 for June 30, 2024 and 2023, respectively, represent obligations due to employees funded through sources other than State appropriations, and \$5,952,847 and \$5,316,647 as of June 30, 2024 and 2023, respectively, represent obligations to employees funded through State appropriations. The University anticipates that the obligations due to employees funded by State appropriations will be discharged through future State appropriations.

20 - FRINGE BENEFIT CHARGES

Certain fringe benefit costs associated with University staff, compensated through State appropriations, are paid out of non-University State budget line items. The University is required to reimburse the State for such costs for employees funded from other than State appropriations, based on a percentage of payroll. For 2024, the University reimbursed the State a total of \$4,342,525 (\$2,506,071 for pensions and \$1,836,454 for health care premiums). For 2023, the University reimbursed the State a total of \$3,166,267 (\$1,439,702 for pensions and \$1,726,565 for health care premiums).

21 - RETIREMENT PLAN

The University reports a liability, deferred outflows and inflows of resources, and expense as a result of its statutory requirement to contribute to the Massachusetts State Employee's Retirement System (MSERS). The following information is about MSERS:

Plan Description

The Massachusetts State Employees' Retirement System (MSERS) is a public employee retirement system (PERS), covering substantially all of the University's non-student full-time employees. It is a cost-sharing multiple-employer defined benefit pension plan administered by the Massachusetts State Retirement Board. Under the cost-sharing plan, pension obligations for employees of all employers are pooled and plan assets are available to pay the benefits through the plan, regardless of the status of the employers' payment of its pension obligations to the plan.

Benefit Provisions

MSERS provides retirement, disability, survivor and death benefits to plan members and their beneficiaries. Massachusetts General Laws (MGL) establishes uniform benefit and contribution requirements for all contributory PERS. These requirements provide for superannuation retirement allowance benefits up to a maximum of 80% of a member's highest three-year average annual rate of regular compensation. For employees hired after April 1, 2012, retirement allowances are calculated on the basis of the last five years or any five consecutive years, whichever is greater in terms of compensation. Benefit payments are based upon a member's age, length of creditable service, group creditable service and group classification. The authority for establishing and amending these provisions rests with the Massachusetts Legislature, Chapter 32A of the General Laws of the Commonwealth of Massachusetts.

Members become vested after ten years of creditable service. A superannuation retirement allowance may be received upon the completion of twenty years of credible service or upon reaching the age of 55 with ten years of service. Normal retirement for most employees occurs at age 65; for certain hazardous duty and public safety positions, normal retirement is at age 55. Most employees who joined the system after April 1, 2012 are not eligible for retirement prior to age 60.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

21 - RETIREMENT PLAN (Continued)

Contributions

The MSERS's funding policies have been established by Chapter 32 of the MGL. The Legislature has the authority to amend these policies. The annuity portion of the MSERS retirement allowance is funded by employees, who contribute a percentage of their regular compensation. Costs of administering the plan are funded out of plan assets.

Member contributions for MSERS vary depending on the most recent date of membership:

<u>Hire Date</u>	<u>Percentage of Compensation</u>
Prior to 1975	5% of regular compensation
1975 to 1983	7% of regular compensation
1984 to June 30, 1996	8% of regular compensation
July 1, 1996 to present	9% of regular compensation
July 1, 2001 to present	11% of regular compensation (for teacher hired after July 1, 2001 and those accepting provisions of Chapter 114 of the Acts of 2000)
1979 to present	An additional 2% of regular compensation in excess of \$30,000 except for teachers subject to Chapter 114 of the Acts of 2000

In addition, members of Group 1 who join the system after April 2, 2021 will have their withholding rate reduced to 6% after achieving 30 years of creditable service.

The University is not required to contribute from its appropriation allocation or other University funds to MSERS for employees compensated from State appropriations. For University employees covered by MSERS but compensated from a trust fund or other source, the University is required to contribute an amount determined as a percentage of compensation in accordance with a fringe benefit rate determined by the State. The rate was 16.69% and 16.70% of annual covered payroll for the fiscal years ended June 30, 2024 and June 30, 2023, respectively. The University contributed \$1,090,146 and \$1,087,817 for the fiscal years ended June 30, 2024 and June 30, 2023, equal to 100% of the required contributions for the year.

Pension Liabilities, Pension Expense, and Deferred Outflows and Inflows of Resources

As of June 30, 2024 and 2023, the University reported a net pension liability of \$10,806,543 and \$13,421,011, respectively, for its proportionate share of the net pension liability related to its participation in MSERS. The net pension liability was measured as of June 30, 2023, the measurement date, as determined by an actuarial valuation. The University's proportion of the net pension liability was based on its share of the Commonwealth of Massachusetts' collective pension amounts allocated on the basis of actual fringe benefit charges assessed the University for the fiscal years 2023 and 2022. The Commonwealth's proportionate share was based on actual employer contributions to the MSERS for fiscal years 2023 and 2022 relative to total contributions of all participating employers for each respective fiscal year. As of June 30, 2023 and 2022, the University's proportion was 0.08% and 0.11%, respectively. For the years ended June 30, 2024 and 2023, the University recognized pension benefit of \$1,029,413 and \$279,641, respectively.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

21 - RETIREMENT PLAN (Continued)

Pension Liabilities, Pension Expense, and Deferred Outflows and Inflows of Resources (continued)

As of June 30, 2024 and 2023, the University reported in the statement of net position deferred outflows and deferred inflows of resources related to pensions from the following sources:

	2024	2023
Deferred outflows of resources:		
Change in plan actuarial assumptions	\$ 181,622	\$ 369,502
Differences between expected and actual experience	383,880	333,854
Differences between projected and actual earnings on plan investments	290,836	-
Changes in proportion from Commonwealth due to internal allocation	82,532	248,799
Contributions subsequent to the measurement date	1,090,146	1,087,817
	\$ 2,029,016	\$ 2,039,972
Deferred inflows of resources:		
Differences between expected and actual experience	\$ 267,029	\$ 523,826
Differences between projected and actual earnings on plan investments	-	71,549
Changes in proportion from Commonwealth due to internal allocation	5,142,155	4,329,860
	\$ 5,409,184	\$ 4,925,235

Contributions of \$1,090,146 and \$1,087,817, respectively, are reported as deferred outflows of resources related to pensions resulting from the University contributions in fiscal years 2024 and 2023 subsequent to the measurement date, which will be recognized as a reduction of the net pension liability for the years ended June 30, 2025 and 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as an addition to (reduction in) pension expense as follows:

2025	\$ (1,706,110)
2026	(2,279,155)
2027	(1,337)
2028	(483,712)
	\$ (4,470,314)

Actuarial Assumptions

The total pension liability at the measurement dates was determined using the following actuarial assumptions, applied to all periods included in the measurement:

	2023	2022
Cost of living increases (on the first \$13,000 per year for 2023 and 2022)	3.00%	3.00%
Salary increases	4.00 to 9.00%	4.00 to 9.00%
Investment rate of return	7.00%	7.00%
Interest rate credit to the annuity savings fund	3.50%	3.50%
Inflation rate	2.50%	2.50%

Pre-retirement mortality rates reflect the RP-2014 Blue Collar Employees Table, projected generationally with Scale MP-2021 and set forward one year for females. Post-retirement mortality rates reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2021 and set forward one year for females. Mortality rates for disability reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2021 and set forward one year.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

21 - RETIREMENT PLAN (Continued)

Actuarial Assumptions (continued)

Experience studies were performed as of February 27, 2014, encompassing the period January 1, 2006 to December 31, 2011, updated to reflect actual experience from 2012 through 2020 for post-retirement mortality.

Investment assets of MSERS are with the Pension Reserves Investment Trust (PRIT) Fund. The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future rates of return by the target asset allocation percentage. Best estimates of geometric rates of return for each major asset class included in the PRIT Fund's target assets allocation as of June 30, 2023 and 2022 are summarized in the following table:

Asset Class	Target Allocation		Long-Term Expected Real Rate of Return	
	2023	2022	2023	2022
Global equity	37%	38%	4.90%	4.20%
Core fixed income	15%	15%	1.90%	0.50%
Private equity	16%	15%	7.40%	7.00%
Real estate	10%	10%	3.00%	3.30%
Value added fixed income	8%	8%	5.10%	3.70%
Portfolio completion strategies	10%	10%	3.80%	2.70%
Timber/natural resources	4%	4%	4.30%	3.90%
Total	100%	100%		

Discount Rate

The discount rate used to measure the total pension liability was 7.00% for 2023 and 2022. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rates and the Commonwealth's contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rates. Based on those assumptions, the net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity Analysis

The following illustrates the sensitivity of the net pension liability to changes in the discount rate as of June 30, 2023 and 2022. In particular, the table presents the MSERS collective net pension liability assuming it was calculated using a single discount rate that is one-percentage-point lower or one percentage-point higher than the current discount rate:

	2023	2022
1% decrease to 6.00% for 2023 and 2022	\$ 14,852,136	\$ 18,510,630
Current discount rate 7.00% for 2023 and 2022	10,806,543	13,421,011
1% increase to 8.00% for 2023 and 2022	7,382,908	9,114,454

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

22 - POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS

The University reports a liability, deferred outflows and inflows of resources, and expense as a result of its statutory requirement to contribute to the Commonwealth of Massachusetts Postemployment Benefits Other than Pensions (OPEB) Plan. The following information is about the OPEB Plan:

Plan Description

The Commonwealth of Massachusetts Postemployment Benefits Other than Pensions (OPEB) Plan covers substantially all of the University's non-student full-time employees. It's a single-employer defined benefit pension plan administered by the Commonwealth of Massachusetts. Under the cost-sharing plan, certain benefits for retired employees of all employers are pooled and plan assets are available to pay the benefits through the plan, regardless of the status of the employers' payment of its obligations to the plan. The plan provides health care and life insurance to plan members and beneficiaries.

Benefit Provisions

Chapter 32A of the General Laws of the Commonwealth (MGL), requires the Commonwealth of Massachusetts to provide certain health care and life insurance benefits for retired employees. Substantially all of the Commonwealth's employees may become eligible for these benefits if they reach retirement age while working for the Commonwealth. Eligible retirees are required to contribute a specified percentage of the health care/benefit costs, which are compatible to contributions required from employees.

Contributions

Employer and employee contribution rates are set in MGL. The Commonwealth recognizes its share of the costs on an actuarial basis. As of June 30, 2023 and 2022 and as of the valuation date (January 1, 2023), Commonwealth participants contributed 10% to 20% of premium costs, depending on the date of hire and whether the participant is active, retiree, or survivor status.

OPEB Liabilities, OPEB Expense, and Deferred Outflows and Inflows of Resources

As of June 30, 2024 and 2023, the University reported a net OPEB liability of \$11,493,650 and \$16,890,216, respectively, for its proportionate share of the net OPEB liability related to its participation in the OPEB Plan. The net OPEB liability was measured as of June 30, 2023, the measurement date, as determined by an actuarial valuation. The University's proportion of the net OPEB liability was based on its share of the Commonwealth of Massachusetts' collective OPEB amounts allocated on the basis of actual fringe benefit charges assessed the University for the fiscal years 2023 and 2022. The Commonwealth's proportionate share was based on actual employer contributions to the OPEB Plan for fiscal year 2023 relative to total contributions of all participating employers for each respective fiscal year. As of June 30, 2023 and 2022, the University's proportion was 0.09% and 0.13%, respectively. For the years ended June 30, 2023 and 2022, the University recognized OPEB benefit of \$4,746,472 and \$2,781,658, respectively.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

22 - POSTEMPLOYMENT BENEFITS OTHER THAN PENSION (Continued)

OPEB Liabilities, OPEB Expense, and Deferred Outflows and Inflows of Resources (continued)

As of June 30, 2024 and 2023, the University reported in the statement of net position deferred outflows and deferred inflows of resources related to postemployment benefits other than pensions from the following sources:

	2024	2023
Deferred outflows of resources:		
Changes in proportion from Commonwealth due to internal allocation	\$ 318,320	\$ 1,514,605
Changes in plan actuarial assumption	504,922	1,244,020
Differences between expected and actual experience	467,479	310,927
Differences between projected and actual earnings on plan investments	37,568	25,675
Contributions subsequent to the measurement date	511,401	474,061
	\$ 1,839,690	\$ 3,569,288
Deferred inflows of resources:		
Changes in proportion from Commonwealth due to internal allocation	\$ 13,643,603	\$ 10,638,640
Change in plan actuarial assumptions	2,964,626	6,112,927
Differences between expected and actual experience	1,291,023	2,796,358
	\$ 17,899,252	\$ 19,547,925

Contributions of \$511,041 and \$474,061, respectively are reported as deferred outflows of resources related to OPEB resulting from the University contributions in fiscal years 2024 and 2023 subsequent to the measurement date, which will be recognized as a reduction of the net OPEB liability for the years ended June 30, 2025 and 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as a reduction in OPEB expense as follows:

2025	\$ (6,468,061)
2026	(4,733,678)
2027	(3,122,579)
2028	(1,588,862)
2029	(657,783)
	\$ (16,570,963)

Actuarial Assumptions

The total OPEB liability for the June 30, 2023 measurement date was determined by an actuarial valuation as of January 1, 2023 rolled forward to June 30, 2023. The total OPEB liability for the June 30, 2022 measurement date was determined by an actuarial valuation as of January 1, 2022 rolled forward to June 30, 2022. This valuation used the following assumptions:

- For 2023, the annual healthcare cost trend rates were developed based on the Getzen trend rate model, version 2023_1f. The healthcare cost trend rate changed from 5.00% in 2022 to 5.79% for Medicare benefits and from 7.60% to 7.50% for non-Medicare benefits, then increasing in 2024 before decreasing in 2025, 2026 and 2027 to a blended rate of 4.77% in 2032 and additional decrease in 2042, 2052, 2062, 2072, and 2075.

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

22 - POSTEMPLOYMENT BENEFITS OTHER THAN PENSION (Continued)

Actuarial Assumptions (continued)

2. For 2022, the annual healthcare cost trend rates were developed based on the Getzen trend rate model, version 2022_f4. The healthcare cost trend rate changed from 4.40% in 2021 to 5.00% for Medicare benefits and 7.60% for non-Medicare benefits, then increasing in 2023 and 2024 before decreasing in 2025 and 2026 to a blended rate of 4.97% in 2031 and additional decrease in 2041, 2051, 2061, 2071, and 2075. The Getzen trend rate model also assumes inflation of 2.5%, real GDP growth of 1.4% and excess medical growth of 1.0%.
3. For 2023, the mortality rate was in accordance with RP 2014 Blue Collar Mortality Table projected with scale MP-2021, with females set forward one year.
4. For 2022, the mortality rate was in accordance with RP 2014 Blue Collar Mortality Table projected with scale MP-2020, with females set forward one year.
5. Participation rates, for 2023 and 2022:
 - a. 100% of employees currently electing health care coverage are assumed to elect coverage at retirement.
 - b. 35% of employees currently opting out of active employee health coverage are assumed to elect to enroll in retiree coverage.
 - c. 85% of current and future vested terminated participants will elect health care benefits at age 55, or if later, the participant's current age.
 - d. Retirees who currently elect to waive their coverage are assumed to remain uncovered in the future.
 - e. 100% of spouses are assumed to elect to continue coverage after the retiree's death.
 - f. For 2023, current non-Medicare eligible retirees and spouses (if covered) under age 65 who are in a POS/PPO plan are assumed to move to a Medicare Supplement plan if they are Medicare eligible at 65. For 2022, current non-Medicare eligible retirees and spouses (if covered) under age 65 who are in a POS/PPO plan are assumed to move to an Indemnity plan if they are Medicare eligible at 65. All others are assumed to remain in their currently elected product type.
 - g. Future retirees are assumed to enroll in the existing plans in the same proportion as the current retiree mix, as shown in the table below. These proportions are established separately for non-Medicare and Medicare coverage for each product type and reflect the migration of members to new plans.

	2023		2022	
	Retirement Age		Retirement Age	
	Under 65	Age 65+	Under 65	Age 65+
Indemnity	27%	0%	28%	96%
POS/PPO	63%	0%	62%	0%
HMO	10%	0%	10%	4%
Medicare Supplement	0%	96%	0%	0%
Medicare Advantage	0%	4%	0%	0%

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

22 - POSTEMPLOYMENT BENEFITS OTHER THAN PENSION (Continued)

Actuarial Assumptions (continued)

Investment assets of the Plan are with the Pension Reserves Investment Trust (PRIT) Fund. The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future rates of return by the target asset allocation percentage. Best estimates of geometric rates of return for each major asset class included in the PRIT Fund's target asset allocation as of June 30, 2023 and 2022 are summarized in the following table:

Asset Class	Target Allocation		Long-Term Expected Real Rate of Return	
	2023	2022	2023	2022
Global equity	37%	38%	4.90%	4.20%
Portfolio completion strategies	10%	10%	3.80%	2.70%
Core fixed income	15%	15%	1.90%	0.50%
Private equity	16%	15%	7.40%	7.30%
Value added fixed income	8%	8%	5.10%	3.70%
Real estate	10%	10%	3.00%	3.30%
Timber/natural resources	4%	4%	4.30%	3.90%
Total	100%	100%		

Discount Rate

The discount rates used to measure the OPEB liability as of June 30, 2023 and 2022 was 4.34% and 4.30%, respectively. This rate was based on a blend of the Bond Buyer Index rates of 3.65% and 3.54% as of the measurement date of June 30, 2023 and 2022, respectively, and the expected rates of return. The plan's fiduciary net position was not projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on plan investments of 7.00% per annum was not applied to all periods of projected benefit payments to determine the total OPEB liability as of June 30, 2023 and 2022, respectively.

Sensitivity Analysis

The following presents the net OPEB liability of the University calculated the discount rate we as what the net OPEB liability would be if it were calculated using a discount rate that is one-percentage-point lower or one percentage-point higher than the current discount rate:

	2023	2022
1% decrease to 3.34% for 2023 and 3.30% for 2022	\$ 13,429,202	\$ 19,938,993
Current discount rate 4.34% for 2023 and 4.30% for 2022	11,493,650	16,890,216
1% increase to 5.34% for 2023 and 5.30% for 2022	9,905,419	14,752,358

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

22 - POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Sensitivity Analysis (continued)

The following presents the net OPEB liability of the University, as well as what the net OPEB liability would be if it were calculated using a healthcare cost trend rate that is one-percentage-point lower or one-percentage-point higher than the current healthcare cost trend rate:

	2022	2021
1% decrease for Medical and EGWP and Administrative costs	\$ 9,630,806	\$ 14,327,507
Current cost trend rate as described on page 43	11,493,650	16,890,216
1% increase for Medical and EGWP and Administrative costs	13,850,033	20,590,215

23 - STATE CONTROLLED ACCOUNTS

Certain significant costs and benefits associated with the operations of the University are appropriated, expended, controlled and reported by the State through non-University line items in the State's budget. Under accounting principles generally accepted in the United States of America such transactions must be recorded in the financial statements of the University. These transactions include payments by the State for the employer's share of funding the Massachusetts State Employee's Retirement System and for the employer's share of health care premiums. The estimated amounts of funding attributable for the State retirement system contribution and the employer's share of health care premiums for 2024 were \$9,619,196 and \$7,048,966, respectively. The estimated amounts of funding attributable for the State retirement system contribution and the employer's share of health care premiums for 2023 were \$6,420,826 and \$7,700,191, respectively.

24 - MANAGEMENT ACCOUNTING AND REPORTING SYSTEM - (UNAUDITED)

Section 15C of Chapter 15A of the Massachusetts General Law requires Commonwealth colleges and universities report activity of campus-based funds to the Comptroller of the Commonwealth's Statewide Accounting System, Massachusetts Management Accounting and Reporting System (MMARS) using the statutory basis of accounting. The statutory basis of accounting is a modified accrual basis of accounting and differs from the information included in these financial statements. The amounts reported on MMARS meet the guidelines of the Comptroller's Guide for Higher Education Audited Financial Statements.

The University's State appropriations are composed of the following for the years ended June 30:

	2024	2023
Direct unrestricted appropriations	\$ 38,924,137	\$ 34,859,139
Fringe benefits for benefitted employees on state payroll	16,668,157	14,121,017
Tuition remitted	(379,533)	(364,107)
Total appropriations	\$ 55,212,761	\$ 48,616,049

A reconciliation between the University and MMARS fund 901 activity as of June 30, 2024 is as follows:

Revenue per MMARS	\$ 86,458,736
Revenue per University	86,461,711
Net reporting classification and differences	\$ (2,975)

WORCESTER STATE UNIVERSITY
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NOTES TO FINANCIAL STATEMENTS
(Continued)

25 - RELATED PARTY TRANSACTIONS

The University provided, at no cost, office space and certain personnel services to the Worcester State Foundation, Inc. (the "Foundation"). The value of this support is estimated to be \$210,262 and \$236,447 for the years ended June 30, 2024 and 2023, respectively.

Worcester State Foundation, Inc. acts as an agent for the University by periodically accepting grants on its behalf. The proceeds of the grants are recorded as an asset of the Foundation until remitted to the University.

The University and the Foundation have entered into an affiliation agreement with the Worcester Center for Crafts, Inc. to collaboratively offer venues for teaching and learning in the arts, exhibition space, safe, well-equipped studios for community-based programs as well as undergraduate visual and performing art classes. As part of the agreement, the University provides various forms of support to the Crafts Center including annual service fees for allowing the University to use the facilities. Service agreement fees were \$250,000 for the years ended June 30, 2024 and 2023. In addition, the University provided support including personnel, equipment, repairs and maintenance and other operating expenses in 2023. The value of this support is estimated to be \$321,847 for the year ended June 30, 2023.

The University provides certain operating costs for WSF Real Estate, Inc. in exchange for the use property adjacent to the University campus for various purposes. WSF Real Estate, Inc. is under the control and holds property on behalf of the Foundation. Operating costs provided by the University were \$85,497 and \$83,156 during the years ended June 30, 2024 and 2023, respectively.

26 - AUXILIARY ENTERPRISES

The University's auxiliary enterprises consist of residence life and housing and health services. The related revenues and expenses for the years ended June 30, 2024 and 2023 are as follows:

	2024		2023	
	Residence Life and Housing	Health Services	Residence Life and Housing	Health Services
Total revenue	\$ 11,792,367	\$ 993,455	\$ 11,838,847	\$ 998,756
Total expenses	14,983,314	491,956	14,811,008	549,027
Increase (decrease) in net position before transfers	\$ (3,190,947)	\$ 501,499	\$ (2,972,161)	\$ 449,729

27 - COMMITMENTS AND CONTINGENCIES

Litigation

Pending or threatened lawsuits against governmental agencies arise in the ordinary course of operations. In the opinion of the University's administration, the ultimate resolution of any pending legal actions involving the University will not have a material adverse effect on the financial position of the University.

Grants and entitlements

The University receives financial assistance from federal and state agencies in the form of grants and entitlements. Expenditures of funds under these programs require compliance with the grant agreements and are subject to audit by the granting agency. Any disallowed expenditures resulting from such audits become a liability of the University. In the opinion of the University's administration, the outcome of any findings with respect to disallowed expenditures will not have a material adverse effect on the financial position of the University.

DISCUSSION DRAFT 10/15/24

SUPPLEMENTARY INFORMATION

WORCESTER STATE UNIVERSITY
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SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
Massachusetts State Employees' Retirement Plan

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2015 through 2023)

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
University's proportion of the net pension liability	0.81%	0.11%	0.15%	0.15%	0.14%
University's proportion of the net pension liability	\$ 10,806,543	\$ 13,421,011	\$ 11,319,876	\$ 23,033,837	\$ 19,332,813
University's covered-employee payroll	\$ 6,936,263	\$ 8,039,088	\$ 9,176,617	\$ 10,458,847	\$ 12,561,991
University's proportionate share of the net pension liability as a percentage of its covered employee payroll	155.80%	166.95%	123.36%	220.23%	153.90%
Plan fiduciary net position as a percentage of the total pension liability	70.71%	71.05%	77.54%	62.48%	66.28%
	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
University's proportion of the net pension liability	0.17%	0.15%	0.15%	0.18%	0.14%
University's proportion of the net pension liability	\$ 20,564,468	\$ 18,014,320	\$ 18,674,184	\$ 18,901,770	\$ 9,357,928
University's covered-employee payroll	\$ 12,922,066	\$ 11,336,488	\$ 11,331,835	\$ 11,013,323	\$ 10,245,240
University's proportionate share of the net pension liability as a percentage of its covered employee payroll	159.14%	158.91%	164.79%	171.63%	91.34%
Plan fiduciary net position as a percentage of the total pension liability	67.91%	67.21%	63.48%	67.87%	76.32%

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

SCHEDULE OF UNIVERSITY PENSION CONTRIBUTIONS
Massachusetts State Employees' Retirement Plan

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2015 through 2023)

	2024	2023	2022	2021	2020
Statutorily required contribution*	\$ 1,090,146	\$ 1,290,957	\$ 1,290,289	\$ 1,450,748	\$ 1,315,547
Contributions in relation to the statutorily required contribution*	1,090,146	1,290,957	1,290,289	1,450,748	1,315,547
Annual contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -
University's covered-employee payroll	\$ 6,936,263	\$ 8,039,088	\$ 9,176,617	\$ 10,458,847	\$ 12,561,991
Contributions as a percentage of covered-employee payroll	15.72%	16.06%	14.06%	13.87%	10.47%
	2019	2018	2017	2016	2015
Statutorily required contribution*	\$ 1,421,424	\$ 1,098,173	\$ 972,477	\$ 1,039,592	\$ 741,444
Contributions in relation to the statutorily required contribution*	1,421,424	1,098,173	972,477	1,039,592	741,444
Annual contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -
University's covered-employee payroll	\$ 12,922,066	\$ 11,336,488	\$ 11,331,835	\$ 11,013,323	\$ 10,245,240
Contributions as a percentage of covered-employee payroll	11.00%	9.69%	8.58%	9.44%	7.24%

*Annual contribution are reported one year in arrears
as required by GASB 68

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE
NET PENSION LIABILITY AND SCHEDULE OF UNIVERSITY CONTRIBUTIONS

JUNE 30, 2015 THROUGH 2024

1 - CHANGES IN ACTUARIAL ASSUMPTIONS

The actuarial assumptions used as of the June 30, 2023 measurement date included a change in mortality rates. As of this date, pre-retirement mortality rates reflect the RP-2014 Blue Collar Employees Table, projected generationally with Scale MP-2021 and set forward one year for females. Post-retirement mortality rates reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2021 and set forward one year for females. Mortality rates for disability reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2021 and set forward one year.

The actuarial assumptions used as of the June 30, 2022 measurement date included a change in the inflation rate from 0.00% in 2021 to 2.50% for 2022.

The actuarial assumptions used as of the June 30, 2021 measurement date included a change in mortality rates. As of this date, pre-retirement mortality rates reflect the RP-2014 Blue Collar Employees Table, projected generationally with Scale MP-2020 and set forward one year for females. Post-retirement mortality rates reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2020 and set forward one year for females. Mortality rates for disability reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2020 and set forward one year.

The actuarial assumptions used as of the June 30, 2021 measurement date included a change in the investment rate of return from 7.15% in 2020 to 7.00% for 2021.

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in the investment rate of return from 7.25% in 2019 to 7.15% for 2020.

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in the investment rate of return from 7.35% in 2018 to 7.25% for 2019.

The actuarial assumptions used as of the June 30, 2018 measurement date included a change in mortality rates for disability. As of this date, mortality rates for disability reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2016 and set forward one year.

The actuarial assumptions used as of the June 30, 2017 measurement date included a change cost of living increases whereby such increases are on only the first \$13,000 per year.

The actuarial assumptions used as of the June 30, 2017 measurement date included a change in mortality rates. As of this date, pre-retirement mortality rates reflect the RP-2014 Blue Collar Employees Table, projected generationally with Scale MP-2016 and set forward one year for females. Post-retirement mortality rates reflect the RP-2014 Blue Collar Healthy Annuitant Table projected generationally with Scale MP-2016 and set forward one year for females. Mortality rates for disability were assumed to be in accordance with the RP-2000 Healthy Annuitant Table projected generationally with Scale BB and a base year of 2015 (gender distinct).

The actuarial assumptions used as of the June 30, 2016 measurement date included a change in the range of assumed salary increases from 3.5% to 9.0% in 2015 to 4.0% to 9.0%.

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE
NET PENSION LIABILITY AND SCHEDULE OF UNIVERSITY CONTRIBUTIONS

JUNE 30, 2015 THROUGH 2024
(Continued)

1 - CHANGES IN ACTUARIAL ASSUMPTIONS (Continued)

Chapter 176 of the Acts of 2011 created a one-time election for eligible members of the Optional Retirement Plan (ORP) to transfer to the State Employees' Retirement System (SERB) and purchase service for the period while members of the ORP. As a result, the total pension liability of SERB has increased by approximately \$400 million as of June 30, 2016.

The actuarial assumptions used as of the June 30, 2015 measurement date included a change in the investment rate of return and discount rate from 8.0% to 7.5%. The projection of cash flows used to determine the investment rate of return and discount rate assumed that plan member contributions will be made at the current contributions rates and the members rates.

In May 2015, an early retirement incentive (ERI) was created for certain members MSERS who upon election of the ERI retired effective June 30, 2015. As a result, the total pension liability of MSERS has increased by approximately \$230 million as of the June 30, 2015 measurement date.

The Actuarial assumptions used as of the June 30, 2015 measurement date included a change in mortality rates. As of this date, pre-retirement mortality rates reflect the RP-2000 Employees table projected generationally with Scale BB and a base year of 2009 (gender distinct). Post-retirement mortality rates reflect the RP-2000 Healthy Annuitant table projected generationally with Scan BB (gender distinct). Disability rates were assumed to be in accordance with the RP-2000 Healthy Annuitant table projected generationally with Scale BB and a base year of 2015 (gender distinct).

Mortality rates included as of the June 30, 2014 measurement date included pre-retirement mortality rates reflecting the RP-2000 Employees table projected 20 years with Scale AA (gender distinct). Post-retirement mortality rates reflect the RP-2000 Healthy Annuitant table projected 15 years with Scan AA (gender distinct). Disability rates were assumed to be in accordance with the RP-2000 table projected 5 years with Scale AA (gender distinct) set forward 3 years for males.

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE NET OPEB LIABILITY
Commonwealth of Massachusetts Postemployment Benefits Other Than Pensions (OPEB) Plan

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2017 through 2023)

	2024	2023	2022	2021	2020
University's proportion of the net OPEB liability	0.09%	0.13%	0.13%	0.15%	0.21%
University's proportion of the net OPEB liability	\$ 11,493,650	\$ 16,890,216	\$ 19,875,075	\$ 29,639,150	\$ 36,445,632
University's covered-employee payroll	\$ 6,936,263	\$ 8,039,088	\$ 9,176,617	\$ 10,458,847	\$ 12,561,991
University's proportionate share of the net OPEB liability as a percentage of its covered employee payroll	165.70%	210.10%	216.58%	283.39%	290.13%
Plan fiduciary net position as a percentage of the total OPEB liability	13.80%	13.00%	10.70%	6.40%	6.96%
	2019	2018	2017		
University's proportion of the net OPEB liability	0.25%	0.21%	0.18%		
University's proportion of the net OPEB liability	\$ 44,998,975	\$ 35,037,942	\$ 33,225,679		
University's covered-employee payroll	\$ 12,922,066	\$ 11,336,488	\$ 11,331,835		
University's proportionate share of the net OPEB liability as a percentage of its covered employee payroll	348.23%	309.07%	293.21%		
Plan fiduciary net position as a percentage of the total OPEB liability	7.38%	5.39%	4.37%		

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

SCHEDULE OF UNIVERSITY OPEB CONTRIBUTIONS
Commonwealth of Massachusetts Postemployment Benefits Other Than Pensions (OPEB) Plan

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2017 through 2023)

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Statutorily required contribution*	\$ 474,061	\$ 644,941	\$ 677,546	\$ 751,524	\$ 959,290
Contributions in relation to the statutorily required contribution*	<u>474,061</u>	<u>644,941</u>	<u>677,546</u>	<u>751,524</u>	<u>959,290</u>
Annual contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
University's covered-employee payroll	\$ 6,936,263	\$ 8,039,088	\$ 9,176,617	\$ 10,458,847	\$ 12,561,991
Contributions as a percentage of covered-employee payroll	6.83%	8.02%	7.38%	7.19%	7.64%
	<u>2019</u>	<u>2018</u>	<u>2017</u>		
Statutorily required contribution*	\$ 1,076,188	\$ 882,031	\$ 745,202		
Contributions in relation to the statutorily required contribution*	<u>1,076,188</u>	<u>882,031</u>	<u>745,202</u>		
Annual contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		
University's covered-employee payroll	\$ 12,922,066	\$ 11,336,488	\$ 11,331,835		
Contributions as a percentage of covered-employee payroll	8.33%	7.78%	6.58%		

*Annual contributions are reported one year in arrears
as required by GASB 75

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE
NET OPEB LIABILITY AND SCHEDULE OF UNIVERSITY OPEB CONTRIBUTIONS

JUNE 30, 2017 THROUGH 2024

1 - CHANGES IN ACTUARIAL ASSUMPTIONS

The actuarial assumptions used as of the June 30, 2023 measurement date included a change in the annual healthcare cost trend rates used to measure the OPEB liability, developing such rates based on the Getzen trend rate model, version 2023_1f. The healthcare cost trend rate changed from 5.00% in 2022 to 5.79% in 2023 for Medicare benefits and from 7.60% in 2022 to 7.50% in 2023 for non-Medicare benefits, then increasing in 2024 before decreasing in 2025, 2026 and 2027 to a blended rate of 4.77% in 2032 and additional decrease in 2042, 2052, 2062, 2072, and 2075.

The actuarial assumptions used as of the June 30, 2023 measurement date included a change in mortality rates. As of this date, mortality rates reflect the RP-2014 Blue Collar Employees Table, projected generationally with Scale MP-2021 and set forward one year for females.

The actuarial assumptions used as of the June 30, 2023 measurement date included a change in participant rates whereby in 2022 actives under age 65 taking coverage were assumed to have indemnity (28%), POS/PPO (62%) or HMO (10%) have been adjusted in 2023 to indemnity (27%), POS/PPO (63%) or HMO (10%).

The actuarial assumptions used as of the June 30, 2023 measurement date included a change in participant rates whereby in 2022 actives over age 65 taking coverage were assumed to have indemnity (96%) or HMO (4%) have been adjusted in 2023 to Medicare Supplement (96%) or Medicare Advantage (4%).

The actuarial assumptions used as of the June 30, 2022 measurement date included a change in the annual healthcare cost trend rates used to measure the OPEB liability, developing such rates based on the Getzen trend rate model, version 2022_f4. The healthcare cost trend rate changed from 4.40% in 2021 to 5.00% in 2022 for Medicare benefits and from 7.3% in 2021 to 7.60% in 2022 for non-Medicare benefits, then increasing in 2023 and 2024 before decreasing in 2025 and 2026 to a blended rate of 4.97% in 2031 and additional decrease in 2041, 2051, 2061, 2071, and 2075. The Getzen trend rate model also assumes inflation of 2.5%, real GDP growth of 1.4% and excess medical growth of 1.1%.

The actuarial assumptions used as of the June 30, 2022 measurement date included a change in participant rates whereby in 2021 actives under age 65 taking coverage were assumed to have indemnity (28%), POS/PPO (60%) or HMO (12%) have been adjusted in 2022 to indemnity (28%), POS/PPO (62%) or HMO (10%).

The actuarial assumptions used as of the June 30, 2021 measurement date included a change in the annual healthcare cost trend rates used to measure the OPEB liability, developing such rates based on the Getzen trend rate model, version 2021_b. The healthcare cost trend rate changed from 4.9% in 2020 to 4.4% for Medicare benefits and from 6.7% in 2020 to 7.3% in 2021 for non-Medicare benefits, then decreasing 0.24% each year to a blended rate of 5.18% in 2030 and additional decrease in 2060, 2070, and 2075. The Getzen trend rate model also assumes inflation of 2.5%, real GDP growth of 1.5% and excess medical growth of 1.1%.

The actuarial assumptions used as of the June 30, 2021 measurement date included a change in discount rate used to measure the OPEB liability. The discount rates used to measure the OPEB liability as of June 30, 2021 and 2020 was 2.77% and 2.28%, respectively. This rate was based on a blend of the Bond Buyer Index rates of 2.16% and 2.21% as of the measurement date of June 30, 2021 and 2020, respectively and the expected rates of return.

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE
NET OPEB LIABILITY AND SCHEDULE OF UNIVERSITY OPEB CONTRIBUTIONS

JUNE 30, 2017 THROUGH 2024
(Continued)

1 - CHANGES IN ACTUARIAL ASSUMPTIONS (Continued)

The actuarial assumptions used as of the June 30, 2021 measurement date included a change in the long-term expected rate of return on plan investments from 7.15% to 7.15%.

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in the annual healthcare cost trend rates used to measure the OPEB liability, developing such rates based on the Getzen trend rate model, version 2021_b. The healthcare cost trend rate changed from 7.5% in 2019 to 4.9% for Medicare benefits and 6.7% for non-Medicare benefits, then decreasing 0.1% each year to a blended rate of 5.18% in 2030 and additional decrease in 2060, 2070, and 2075. The Getzen trend rate model also assumes inflation of 2.5%, real GDP growth of 1.5% and excess medical growth of 1.1%.

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in participant rates whereby 35% of employees currently opting out of active employee health coverage are assumed to enroll in retiree coverage. Also, 100% of spouses are assumed to elect to continue coverage after the retiree's death.

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in participant rates whereby in 2019 actives under age 65 taking coverage were assumed to have indemnity (25%), POS/PPO (60%) or HMO (15%) have been adjusted in 2020 to indemnity (28%), POS/PPO (60%) or HMO (12%).

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in participant rates whereby in 2019 actives over age 65 taking coverage were assumed to have indemnity (85%), POS/PPO (0%) or HMO (15%) have been adjusted in 2020 to indemnity (96%), POS/PPO (0%) or HMO (4%).

The actuarial assumptions used as of the June 30, 2020 measurement date included a change in the long-term expected rate of return on plan investments from 7.35% to 7.15%.

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in the annual healthcare cost trend rates used to measure the OPEB liability decreasing from 8.0% in 2018 to 7.5% in 2019, then decreasing 0.5% each year to an ultimate rate of 4.5% in 2026 for medical and (2) 4.5% for administration costs. Healthcare costs are offset by reimbursements for Employer Group Waiver Plans (EGWP), which are assumed to increase 5.0% per year until 2025, then decrease to 4.5% in 2026.

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in participant rates whereby 80% of current and future contingent eligible participants will elect health care benefits at age 65, or current age if later was increased to 85% in 2019.

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in participant rates whereby in 2018 actives under age 65 taking coverage were assumed to have indemnity (40%), POS/PPO (50%) or HMO (10%) have been adjusted in 2019 to indemnity (25%), POS/PPO (60%) or HMO (15%).

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in the long-term expected rate of return on plan investments from 7.35% to 7.25%.

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

NOTES TO SCHEDULE OF THE UNIVERSITY'S PROPORTIONATE SHARE OF THE
NET OPEB LIABILITY AND SCHEDULE OF UNIVERSITY OPEB CONTRIBUTIONS

JUNE 30, 2017 THROUGH 2024
(Continued)

1 - CHANGES IN ACTUARIAL ASSUMPTIONS (Continued)

The actuarial assumptions used as of the June 30, 2019 measurement date included a change in the discount rates used to measure the OPEB liability from 3.92% to 3.63%. This rate was based on a blend of the Bond Buyer Index rates of 3.51% and 3.87% as of the measurement date of June 30, 2019 and 2018, respectively and the expected rates of return.

The actuarial assumptions used as of the June 30, 2018 measurement date included a change in the discount rates used to measure the OPEB liability from 3.65% to 3.92%. This rate was based on a blend of the Bond Buyer Index rates of 3.87% and 3.58% as of the measurement date of June 30, 2019 and 2018, respectively and the expected rates of return.

The actuarial assumptions used as of the June 30, 2018 measurement date included a change in the long-term expected rate of return on plan investments from 7.50% to 7.35%.

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

UNIVERSITY NET POSITION ANALYSIS

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2020 through 2023)

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Invested in Capital Assets, Net	\$ 49,253,033	\$ 55,204,772	\$ 60,685,415	\$ 64,602,986	\$ 75,835,001
Restricted - Expendable for					
Other	1,662,590	1,481,912	1,866,205	902,011	653,958
Capital Projects	<u>(88,910)</u>	<u>(95,564)</u>	<u>(99,953)</u>	<u>144,330</u>	<u>139,434</u>
Total expendable	<u>1,573,680</u>	<u>1,386,348</u>	<u>1,766,252</u>	<u>1,046,341</u>	<u>793,392</u>
Unrestricted					
Unrestricted from operations	69,347,687	62,136,575	54,812,359	48,514,956	39,197,848
Accumulated Commonwealth pension obligations	(14,186,711)	(16,306,275)	(17,673,734)	(19,435,051)	(17,767,478)
Accumulated Commonwealth OPEB obligations	<u>(27,553,212)</u>	<u>(32,868,853)</u>	<u>(36,325,782)</u>	<u>(38,809,888)</u>	<u>(39,218,355)</u>
Total unrestricted	<u>27,607,764</u>	<u>12,961,447</u>	<u>812,843</u>	<u>(9,729,983)</u>	<u>(17,787,985)</u>
Total Net Position	<u>\$ 78,434,477</u>	<u>\$ 69,552,567</u>	<u>\$ 63,264,510</u>	<u>\$ 55,919,344</u>	<u>\$ 58,840,408</u>

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

FUNCTIONAL EXPENSES

YEAR ENDED JUNE 30, 2024
(With Comparative Totals for 2023)

	Instruction	Academic Support	Student Services	Institutional Support	Operation and Maintenance of Plant	Totals	
						2024	2023
Regular employee compensation	\$ 23,518,466	\$ 3,921,223	\$ 5,788,616	\$ 8,345,226	\$ 3,863,902	\$ 45,437,433	\$ 41,389,905
Special employee contracted services	9,345,363	344,945	1,027,079	473,253	17,921	11,208,561	10,934,092
Pension and insurance	5,941,635	873,644	1,538,077	1,953,776	2,571,805	12,878,937	12,283,575
Total payroll and employee benefits	38,805,464	5,139,812	8,353,772	10,772,255	6,453,628	69,524,931	64,607,572
Regular employee related expenses	242,206	115,358	77,086	151,215	70,154	656,019	641,581
Administrative	1,007,453	912,246	675,896	1,353,045	412,439	4,361,079	5,649,045
Facility operations support and related expenses	515,570	229,640	946,868	446,926	78,339	2,217,343	2,039,842
Energy and space rental	216,660	4,356	210,956	9,772	1,629,491	2,071,235	3,322,011
Professional services	1,792,850	85,155	159,903	1,028,387	992,336	4,058,631	3,364,385
Operational services	1,015,294	54,783	624,371	862,793	100,022	2,657,263	2,106,738
Equipment purchases	425,439	45,207	75,941	71,432	73,312	691,331	1,030,938
Equipment lease and maintenance	223,104	35,944	334,561	159,094	233,410	986,113	1,080,015
Construction and building improvements	-	-	-	3,811	9,523,160	9,526,971	10,259,236
Total operating expenses	5,438,576	1,482,689	3,105,582	4,086,475	13,112,663	27,225,985	29,493,791
Total educational and general expenses	\$ 44,244,040	\$ 6,622,501	\$ 11,459,354	\$ 14,858,730	\$ 19,566,291	\$ 96,750,916	\$ 94,101,363

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

RESIDENCE LIFE AND HOUSING

STATEMENTS OF NET POSITION

JUNE 30, 2024 AND 2023

	<u>2024</u>	<u>2023</u>
ASSETS		
Cash	\$ 4,254,870	\$ 4,270,557
Accounts receivable, net	252,767	352,514
Right-of-use assets	<u>74,229,627</u>	<u>82,600,760</u>
Total assets	<u>78,737,264</u>	<u>87,223,831</u>
LIABILITIES		
Unearned rental income	156,830	163,507
Accrued and other liabilities	349,007	299,314
Lease obligations	<u>89,522,294</u>	<u>94,860,928</u>
Total liabilities	<u>90,028,131</u>	<u>95,323,749</u>
NET POSITION		
Unrestricted	<u><u>\$ (11,290,867)</u></u>	<u><u>\$ (8,099,918)</u></u>

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

RESIDENCE LIFE AND HOUSING

STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

YEARS ENDED JUNE 30, 2024 AND 2023

	<u>2024</u>	<u>2023</u>
REVENUES		
Fees	\$ 11,186,230	\$ 10,879,904
Other income	606,137	958,943
	<u>11,792,367</u>	<u>11,838,847</u>
EXPENSES		
Regular employee compensation	1,372,979	1,185,076
Special employees/contracted services	6,595	133,455
Pension and insurance	613,907	519,488
Regular employee related expenses	215,690	7,391
Administrative	73,755	74,941
Debt payment	1,391,583	972,266
Facility operations support and related expenses	193,323	170,935
Energy and space rental	677,058	707,281
Professional services	7,733	8,402
Operational services	-	1,040
Equipment purchases	-	183,613
Equipment lease and maintenance	10,100	9,749
Building improvements	989,207	761,081
Benefits programs	651,756	636,275
Right-to-use asset amortization	5,216,315	5,418,016
Interest expense	3,563,313	4,021,999
	<u>14,983,314</u>	<u>14,811,008</u>
Total expenses	<u>14,983,314</u>	<u>14,811,008</u>
Change in net position	(3,190,947)	(2,972,161)
NET POSITION		
Beginning of year	<u>(8,099,918)</u>	<u>(5,127,757)</u>
End of year	<u><u>\$ (11,290,865)</u></u>	<u><u>\$ (8,099,918)</u></u>

See accompanying independent auditor's report.

WORCESTER STATE UNIVERSITY
(An Agency of the Commonwealth of Massachusetts)

HEALTH SERVICES

STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

YEARS ENDED JUNE 30, 2024 AND 2023

	2024	2023
REVENUES		
Fees	\$ 991,195	\$ 995,381
Other income	2,260	3,375
Total revenues	993,455	998,756
EXPENSES		
Administrative	707	6,261
Facility operations support and related expenses	9,425	10,704
Professional services	481,399	531,261
Operational services	-	598
Equipment maintenance	325	203
Benefit programs	100	-
Total expenses	491,956	549,027
Change in net position	\$ 501,499	\$ 449,729

See accompanying independent auditor's report.

DISCUSSION DRAFT 10/15/24

STATISTICAL INFORMATION
(UNAUDITED)

**Worcester State University
Schedule of Net Position by Component
June 30, 2019 through 2024**

Exhibit E-1

	2019	2020	2021	2022	2023	2024
Invested in capital assets, net of related debt	\$ 78,092,336	\$ 75,835,001	\$ 64,602,986	\$ 60,685,415	\$ 55,204,772	\$ 49,253,033
Restricted-expendable	603,323	793,392	1,046,341	1,766,252	1,386,348	1,573,680
Restricted-nonexpendable	-	-	-	-	-	-
Unrestricted	(17,530,640)	(17,787,985)	(9,729,983)	812,843	12,961,447	27,607,764
Total primary government net position	\$ 61,165,019	\$ 58,840,408	\$ 55,919,344	\$ 63,264,510	\$ 69,552,567	\$ 78,434,477

DISCUSSION DRAFT 10/15/24

**Worcester State University
Tuition & Mandatory Fees**

Exhibit E-2

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Resident Undergraduate										
Tuition	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970	\$ 970
Mandatory Fees	7,587	7,887	8,232	8,562	8,562	8,562	9,616	9,616	9,816	10,316
Total Annual	\$ 8,557	\$ 8,857	\$ 9,202	\$ 9,532	\$ 9,532	\$ 9,532	\$ 10,586	\$ 10,586	\$ 10,786	\$ 11,286
Non Resident Undergraduate										
Tuition	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050	\$ 7,050
Mandatory Fees	7,587	7,887	8,232	8,562	8,562	8,562	9,616	9,616	9,816	10,316
Total Annual	\$ 14,637	\$ 14,937	\$ 15,282	\$ 15,612	\$ 15,612	\$ 15,612	\$ 16,666	\$ 16,666	\$ 16,866	\$ 17,366
Resident Graduate										
Tuition	\$ 150	\$ 150	\$ 150	\$ 169	\$ 169	\$ 169	\$ 169	\$ 169	\$ 169	\$ 169
Mandatory Fees	117	138	148	153	153	153	153	153	153	170
Total per Credit Hours	\$ 267	\$ 288	\$ 298	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 339

**Worcester State University
Schedule of Employment
2019-2023**

Exhibit E-3

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Faculty - Primary Instruction ^{/1}	455	415	440	481	547
Part-time	236	213	232	275	345
Full-time	219	202	208	206	202
Staff and Administrators	356	355	351	352	359
Part-time	12	9	9	10	10
Full-time	344	346	342	342	349
Total Faculty & Staff Employees	811	770	791	833	906
Part-time	248	222	241	285	355
Full-time	563	548	550	548	551
Non-Benefitted Employees ^{/2}	627	331	485	572	566
Contract Workers	230	104	156	195	218
Student Workers	397	227	329	377	348
Total All Employees	1,438	1,101	1,276	1,405	1,472

/1 Includes Instruction, Research & Public Service

Notes: 1) This schedule reflects personnel as of November 1 and includes both state appropriation and local trust funds.

2) Beginning 2009 all benefitted and non-benefitted personnel are of funding source.

Worcester State University
Admissions, Enrollment, and Degree Statistics
Last Five Years

Exhibit E-4

	Fall Term				
	2019	2020	2021	2022	2023
Admissions-Freshman /1					
Applications	4,771	4,772	4,262	5,380	5,335
Applications accepted	3,931	3,919	3,801	4,732	4,868
Accepted as a percentage of applications	82.39%	82.12%	89.18%	87.96%	91.25%
Students enrolled /2	1,420	1,201	1,177	1,168	1,311
Enrolled as a percentage of accepted	36.12%	30.65%	30.97%	24.68%	26.93%

/1 Includes all undergraduate admissions including transfer students.

/2 Includes only students who were accepted and enrolled. Enrolled alone would include students who were not accepted but enrolled as non-degree seeking students.

	Annual				
	FY20	FY21	FY22	FY23	FY24
Enrollment					
Full-time equivalent	5,160.4	4,861.7	4,506.4	4,418.2	4,476.0
Unduplicated credit headcount	8,694	7,737	7,284	7,397	7,759
Percent undergraduate /3	85.94%	86.62%	85.66%	84.32%	84.37%
Percent graduate	14.06%	13.38%	14.34%	15.68%	15.63%

/3 Percent undergraduate/graduate based on Fall semester registration, unduplicated headcount.

	Fall Term				
	2019	2020	2021	2022	2023
Student Population Demographics /4					
Percentage of men	36.04%	35.92%	35.46%	36.04%	36.71%
Percentage of women	63.96%	64.08%	64.54%	63.96%	63.29%
Percentage of African-American	7.64%	7.83%	7.48%	7.72%	8.78%
Percentage of White	64.94%	65.76%	64.85%	63.40%	64.17%
Percentage of Latino	11.73%	12.77%	13.01%	14.76%	17.71%
Percentage of Other /5	7.58%	7.98%	7.97%	7.91%	8.08%
< 20	27.40%	29.05%	29.61%	30.98%	37.96%
20 to 30	56.90%	58.91%	58.02%	55.05%	49.59%
31 to 40	6.90%	6.27%	6.53%	6.82%	5.94%
41 & Over	8.70%	6.06%	5.83%	7.16%	6.51%

/4 Percents within category are based on population of students who reported this information (gender, race/ethnicity, and age).

/5 Other includes American Indian/Alaskan Native, Asian, Native Hawaiian or Other Pacific Islander, Cape Verdean and Two or more races.

	FY20	FY21	FY22	FY23	FY24
Degrees Granted					
Bachelor's	1,050	1,045	1,029	924	848
Master's	242	243	286	258	268

**Worcester State University
Schedule of Capital Asset Information**

Exhibit E-5

	Academic Year	
	<u>2023</u>	<u>2024</u>
Land (acreage)	57	57
Buildings (square feet)		
100 Instruction/classroom	57,369	57,369
200 Labs	55,893	55,893
300 Administrative	117,172	117,172
400 Study facilities	27,750	27,750
52x Athletic	66,049	66,049
5xx Other Special Use	6,470	6,470
600 General Use	77,736	77,736
700 Support facilities	173,502	173,502
000 Unclassified	-	-
Unassigned/unassignable	379,910	379,910
Total Sq Ft	961,851	961,851
Residence Halls	462,513	462,513
Rental space	-	-
Dormitories - # of residents	1,577	1,577

Note: Classification of facilities space is consistent with Facilities Inventory & Classification Code guide.

	Fiscal Year				
	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Source of Revenue					
Student charges (net of scholarships)	\$ 49,988,138	\$ 45,695,427	\$ 48,724,511	\$ 48,160,282	\$ 45,774,418
Grants & contracts	13,156,982	11,566,478	13,230,956	16,022,348	24,074,328
Auxiliary enterprises	629,708	642,714	1,882,287	1,022,708	608,397
Other operating revenue	1,129,543	941,943	1,344,471	840,664	1,295,644
Total operating revenue	64,904,371	58,846,562	65,182,225	66,046,002	71,752,787
State and Federal support	43,021,314	53,510,668	66,879,909	60,165,456	61,636,532
Other non-operating revenue	1,519,274	(250,810)	(1,353,973)	(156,190)	1,630,187
Total non-operating revenue	44,540,588	53,259,858	65,525,936	60,009,266	63,266,719
Total revenue	\$ 109,444,959	\$ 112,106,420	\$ 130,708,161	\$ 126,055,268	\$ 135,019,506
Functional Expense					
Instruction	\$ 45,100,954	\$ 43,227,647	\$ 44,439,331	\$ 40,587,936	\$ 44,244,040
Academic support	6,152,467	5,814,204	6,110,093	7,073,963	6,622,501
Student services	11,188,502	11,193,797	11,403,400	10,885,870	11,459,354
Institutional support	12,592,784	12,973,893	13,241,102	13,788,705	14,858,730
Plant operations & maintenance	15,220,970	15,387,414	16,756,036	21,764,889	19,566,291
Research	-	-	-	-	-
Public service	-	350,653	-	-	-
Scholarships	4,429,390	4,801,269	9,813,443	2,824,887	5,417,650
Sub-total	94,685,067	93,748,877	101,763,405	96,926,250	102,168,566
Auxiliary enterprises	12,773,826	13,991,283	14,330,551	15,360,035	15,475,270
Independent operations	-	-	-	-	-
All other	645,168	1,686,962	1,540,052	1,889,568	587,539
Total operating expense	\$ 108,104,061	\$ 109,427,122	\$ 117,634,008	\$ 114,175,853	\$ 118,231,375
Memo: Depreciation	\$ 5,472,690	\$ 5,600,362	\$ 5,723,887	\$ 5,591,358	\$ 7,906,221

Note: This schedule does not include component units, such as foundations. Total operating expense does not include depreciation.

DISCUSSION DRAFT 10/15/24

OTHER REPORTS

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Trustees
Worcester State University

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the business-type activities and discretely presented component unit of Worcester State University (the "University"), as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the University's basic financial statements, and have issued our report thereon dated _____, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the University's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control. Accordingly, we do not express an opinion on the effectiveness of the University's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

(Continued)

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Worcester, Massachusetts
_____, 2024

DISCUSSION DRAFT 10/15/24

2024- 2025 BOARD OF TRUSTEES COMMITTEES

Dr. Lisa Colombo, Chair of the Board is an ex-officio voting member of all committees

President Maloney is a non-voting member of all committees

Staff Support to all committees is Nikki Kapurch - w: 508-929-8201 | c: 508-294-6136 | nkapurch@worchester.edu

All trustees are welcome at any meeting

<p>HUMAN RESOURCES COMMITTEE</p> <p>Maureen Power, Chair Amy Peterson, Vice Chair Dina A. Nichols David Tuttle</p> <p><i>President's Liaisons:</i> Kathy Eichelroth - 508-929-8098 keichelroth@worchester.edu</p> <p>Stacey Luster - 508-929-8022 sluster@worchester.edu</p>	<p>*The Committee on Human Resources shall have the following powers and duties:</p> <ol style="list-style-type: none"> 1. To consider all matters related to personnel. 2. To consider general policies relating to the formulation of budgets and appropriate compensation policies for the University and to make recommendations to the Board of Trustees with respect thereto. 3. To consider policies on personnel staffing patterns and to make recommendations to the Board of Trustees with respect thereto. 4. To consider recommendations from the President on the appointment, change in status or termination of college personnel and to make recommendations to the Board of Trustees with respect thereto. 5. To consider the furtherance of diversity, equity, and inclusion and make recommendations to the Board of Trustees with respect thereto.
<p>PLANNING AND DEVELOPMENT COMMITTEE</p> <p>David Tuttle, Chair Karen LaFond, Vice Chair Dr. Lawrence Sasso Marina Taylor</p> <p><i>President's Liaisons:</i> Tom McNamara - 508-929- 8033 tmcnamara@worchester.edu</p> <p>Ryan Forsythe- 508-929-8498 rforsythe@worchester.edu</p>	<p>*The Committee shall consist of the following members: The two trustees elected by the Board to serve on the Board of the Worcester State Foundation and one other named by the Chair of the Board. The Committee on Planning and Development shall have the following powers and duties:</p> <ol style="list-style-type: none"> 1. Consider matters relating to long-range development quality enhancement and growth off the University. 2. Consider strategic plans to achieve key mission initiatives including but not limited to: <ol style="list-style-type: none"> a. academic programs b. student life development c. support services d. financial, human, physical and capital resource development e. external community relations f. alumni relations g. governmental relations 3. Consider such joint projects which may be appropriate with the Worcester State Foundation. 4. To review plans and programs to raise private funds for the University through special gifts, endowment bequests, and other means, and to make recommendations to the Board of Trustees with respect thereto. 5. To consider the furtherance of diversity, equity, and inclusion and make recommendations to the Board of Trustees with respect thereto.

*Language was taken from the Bylaws

2023- 2024 BOARD OF TRUSTEES COMMITTEES

FINANCE AND FACILITIES COMMITTEE

Dr. Lawrence Sasso, Chair
Marina Taylor, Vice Chair
Dina Nichols
Amy Peterson

President's Liaison:

Kathy
Eichelroth-508-929-8098
keichelroth@worchester.edu

*The Committee on Finance and Facilities shall have the following powers and duties:

1. To consider all matters related to administration and finance.
2. To consider and act upon operating budget requests and capital outlay budget requests submitted by the University and to make recommendations to the Board of Trustees with respect thereto.
3. To review proposals for the transfer of funds between subsidiary accounts, and to make recommendations to the Board of Trustees with respect thereto.
4. To consider policies and other matters pertaining to the investment of endowment funds and other funds of the University that may from time to time be invested and reinvested, and to make recommendations to the Board of Trustees with respect thereto.
5. To review the financial records and controls of the University; to review and develop policies respecting the receipt, management, and disbursement of funds of the University from whatever source received, the purchase of services, supplies, and materials and internal controls over the same; to review proposals for fees, rents, and charges; to consider policies and other matters pertaining to the leasing of private property by the University, to review audits of financial activities of the University and to report thereon; and to make recommendations with respect thereto to the Board of Trustees.
6. To consider the fidelity and performance bonding of the University personnel and to report thereon, and to make recommendations with respect thereto to the Board of Trustees.
7. To consider policies and other matters pertaining to the physical properties of the University, including all buildings, land acquisition, and transfer, landscape plans, and developments and construction thereon, and to make recommendations to the Board of Trustees with respect thereto.
8. To consider plans and policies governing campus master planning and capital outlay budgets, and to make recommendations to the Board of Trustees with respect thereto.
9. To consider and make recommendations to the Board of Trustees with respect to design plans, bid taking and other building project matters, contracts, and nominations for architects and engineers on all buildings, structures, and facilities to be built on University property, prior to any final action thereon by the Board of Trustees.
10. To inspect University lands and buildings as required; to consider the acceptance of completed construction, and to make a recommendation to the Board of Trustees with respect thereto.
11. To consider plans for lots, roads, streets, paths, and ways, and regulations for pedestrian and vehicular use thereof on the property of the University and to make recommendations to the Board of Trustees with respect thereto.
12. To consider names for buildings, streets, ways and other properties of the University and to make recommendations to the Board of Trustees with respect thereto.
13. To consider the furtherance of diversity, equity, and inclusion and make recommendations to the Board of Trustees with respect thereto.

*Language was taken from the Bylaws

**ACADEMIC AND STUDENT
DEVELOPMENT
COMMITTEE**

Karen M. LaFond, Chair
Maureen Power, Vice Chair
Marina Taylor
Kyram Pou, Jr.

President's Liaisons

Lois Wims - 508-929-8038
lwims@worchester.edu

Julie Kazarian - 508-929-8077
jkazarian@worchester.edu

*The Committee on Academic and Student Development shall have the following powers and duties:

1. To consider all matters related to academic affairs.
2. To consider policies regarding the quality, character, and extent of instruction and research at the university, including policies governing admission requirements, programs of instruction, curriculum, academic personnel, new degree programs, and changes to existing degree programs, public service activities and research, and to make recommendations to the Board of Trustees with respect thereto.
3. To consider policies related to the educational purposes and responsibilities of the University and evaluate the same on a long-range basis, and to make recommendations to the Board of Trustees with respect thereto.
4. To consider all matters related to student development.
5. To consider policy matters pertaining to student life and activity, student government and other recognized student organizations and groups, and to make recommendations to the Board of Trustees with respect thereto.
6. To consider policies relating to the health and well-being of the student body, including advisement and counseling, and to make recommendations to the Board of Trustees with respect thereto.
7. To advise the President on any matter within the scope of the Committee's duties.
8. To consider the furtherance of diversity, equity, and inclusion and make recommendations to the Board of Trustees with respect thereto.

THE EXECUTIVE COMMITTEE

Dr. Lisa Colombo, **Chair**
Maureen Power, Vice-Chair
Dr. Lawrence Sasso, Vice-Chair
Barry Maloney, President
Karen LaFond
Amy Peterson, Alternate

*The Executive Committee shall be composed of the Chair and Vice-Chairs of the Board of Trustees, the President of the University, and one additional Board member elected to this committee by the Trustees at the annual meeting. The Trustees will also elect an alternate to serve in the event that the elected Board member is unable to serve or be present at a meeting of the committee. This Committee shall have the following powers and duties:

1. The Executive Committee of the Board will meet, upon due notification by the Chair and the President, to transact business between regular board meetings and to act with the full power and authority of the Board.
2. To consider and act upon proposals by the President for action which the Board may have generally or specifically authorized the President to take with the concurrence of the Executive Committee.
3. To recommend honorary degree candidates for approval by the Board of Trustees.
4. To assign to an officer of the University any matter for which a hearing by the Board of Trustees or any committee thereof is deemed necessary by the Executive Committee, or is required under the laws of the Commonwealth or the rules and regulations for said Board.
5. To consider, propose and recommend to the Board of Trustees the adoption, amendment or revisions of rules and regulations for the governance of the Board of Trustees and the University, its administration, faculty, staff, students, and activities.
6. To report to the Board of Trustees all actions taken or concurred in by said Committee at the next regular meeting of the Board of Trustees or as soon thereafter as possible.
7. To consider the furtherance of governance, legislative and public relations policy interests of the Board of Trustees and of the University and to make recommendations to the Board of Trustees with respect thereto.
8. To consider recommendations regarding relationships between the University and its alumni bodies and other groups having or desiring a special relationship to the University, and to make a recommendation to the Board of Trustees with respect thereto.
9. To consider recommendations of the President of the University with respect to programs concerning the various constituencies of the University and to make recommendations to the Board of Trustees with respect thereto.
10. To consider the furtherance of diversity, equity, and inclusion and make recommendations to the Board of Trustees with respect thereto.

*Language was taken from the Bylaws

President's Update

October 2024

President's Message



On September 3rd, we held an [energizing academic convocation](#) to welcome new students – those who had been moved into the residence halls over Labor Day weekend as well as commuters. Many University-wide events followed, including our third annual, incredibly uplifting [Unity Day](#) on September 24th. We kicked off our 150th Anniversary a few days later, during Homecoming and Family Day weekend, with record-setting participation

levels. It was great to see students, faculty, and staff gathering to celebrate two beautiful fall days while taking in a field hockey or football game. Many alumni took part in Homecoming, too, attending events like the Hall of Fame induction Friday night and the ALANA/BIPOC alumni reception.

From an operational standpoint, classes got off to a smooth start on September 4th, while we held the annual Academic Year Kick Off (AYKO) later that week. Faculty and staff heard from me about our 2024-'25 priorities. You can learn what our keynote speaker, [Department of Higher Education Commissioner Noe Ortega, Ph.D.](#) had to say via the hyperlink. These plenary presentations were followed by breakout sessions related to key focus areas. Those, as well as my PowerPoint, "Celebrations and Headwinds," and the annual academic year resource guide, can be found [here](#) (Worcester State credentials required).

Since our University's very beginnings, we have had a tremendous impact on "our place" and on multiple generations of students, which is indeed "our purpose," as the 150th Anniversary slogan suggests.

What is it that we have done so well, all these years? We've been a place for students who come from many different backgrounds. We've prepared them well for further study or careers that meet the region's workforce needs. And we've helped them become leaders who were, and are, engaged with their communities.



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PRESIDENT'S OFFICE

Worcester State University
486 Chandler Street
Worcester, MA 01602
508-929-8000
www.worcester.edu



As Commissioner Ortega put it at AYKO: "I don't think we often talk about institutions like Worcester State University and the contribution you've been making throughout your entire history: 150 years of contributing to an equity principle...I think that's still very much true in the way that the mission of this institution plays out today."

Each year we set priorities that advance that mission. Read about this year's in the pages that follow. Against the backdrop of our sesquicentennial, I now see these as chapters in a 150-year-old story of providing a high-quality, higher education opportunity -- one that is accessible to so many in this region and well beyond.



**Our Place.
Our Purpose.**

**WORCESTER STATE
UNIVERSITY**

Fall 2024 Enrollment

Fall 2024 overall enrollment data show a slight increase of 2.9% compared to the previous year, with total student headcount standing at 5,771. While new student degree-seeking enrollment is down, the increase in returning degree-seeking students, combined with non-degree-seeking registrations (such as Early College programs), has balanced the overall student enrollment figures.

Admissions data highlight both successes and challenges. Although the University had a record number of applications, deposits from new degree-seeking students decreased by 12.3% compared to the previous year and 12.0% compared to the average over the last five years.

The Admitted Student Questionnaire (ASQ) findings provide insights into factors influencing new students' enrollment decisions. Key considerations included the availability of majors, cost to families, and preparation for careers, with 82% of respondents indicating that financial aid or the cost of attending were significant factors in their college choice. Additionally, 44% of students who chose not to attend Worcester State cited the timing of financial aid packages during this challenging year of FAFSA as impacting that decision, while "recent violent incidents in Worcester" was a significant factor for 26% of them.

Efforts to mitigate "summer melt" and improve student persistence have been extensive. Outreach initiatives, including approximately 4,000 phone calls to admitted but not deposited students, enhanced advising support, and financial need appeals, were implemented to encourage enrollment and matriculation. Returning student persistence has shown improvement, with a 3.44% increase compared to Fall 2023 and a 2.46% increase compared to Fall 2022, aligning with the university's strategic goals for increasing undergraduate population and persistence rates by Fall 2027.



Academic and Student Enrichment

School of Humanities and Social Sciences Initiatives

The School of Humanities and Social Sciences, in partnership with internal and external collaborators, is expanding its programming to enhance campus intellectual life, while encouraging in-person connections and learning beyond the classroom. This year, for example, the Department of World Languages and the Department of History and Political Science hosted Dr. Hicham Alaoui for a lecture on "The Gaza War in Comparative Perspective." The Department of Urban Studies and the School of Humanities and Social Sciences presented the [Manhattan Short Film Festival](#), featuring international short films that attendees could vote for, providing input into the Academy Award selections. The Department of World Languages celebrated [World Translation Day](#), and Prof. Dan Ben-Canaan delivered a lecture on "Echoes of a Past," on the topic of Jewish history in China, through a collaboration with the History and Political Science Department and the Office of Academic Affairs. The goal is to increase academic enrichment programming to pre-pandemic levels.

Library Strategic Planning

Worcester State University's Library is undergoing a strategic planning process to meet evolving needs in higher education. Led by Executive Director Matthew Bejune and Associate Provost Henry Theriault, with support from University partner, EAB, the process will gather input from faculty, students, and campus community members. The initiative aims to position the Library at the core of WSU's academic and student support missions for the coming decades.

General Education Update

Since December 2023, a committee has been working to develop a new general education system to replace the 15-year-old Liberal Arts and Sciences Curriculum (LASC). Key drivers include the recent shift to the MajorPlus model, which requires every student to have a major and a secondary major or minor. The committee, comprising faculty representatives from all 22 academic departments, faculty representatives at large, and administrators, finalized the system's foundations at a retreat in June. A draft will be shared for campus-wide feedback before proceeding to the governance process.

Demonstration Classroom

A classroom (S219) has been redesigned to mirror a K-12 environment, with tables for teacher-directed small groups, bulletin boards, resources, and technology found in K-12 settings. Other departments are welcome to share this space, as students practice teaching skills and gain hands-on classroom experience.

CARE Team

The Worcester State University [Collaboration Assessment Response and Education \(CARE\) Team](#) provides proactive and compassionate support to promote student well-being. Drawing on expertise from academic affairs, enrollment management, and student affairs, the team assists students with basic needs, unexpected barriers, and academic challenges. Using a case management approach, the CARE Team coordinates across campus departments to offer comprehensive support and referrals.



Community Outreach and Partnerships

Cultivando Vida Initiative

Dr. Mariana Calle is leading community workshops promoting healthy eating as part of the "Cultivando Vida Initiative: Celebrating Life and Health in Worcester's Latino Community." In collaboration with UMass Chan Medical School, Casita Cultura, and the Latino Education Institute (LEI), the initiative addresses health disparities, particularly high rates of hypertension and diabetes within Worcester's Latino community. Dr. Calle will present a two-hour workshop on October 26, 2024.

HOSA Grant

Dr. Jaime Vallejos secured a grant of \$100,000 per year for seven years from the Massachusetts Department of Elementary and Secondary Education (DESE) to support [HOSA](#), a global student-led organization empowering future health professionals. The grant aims to serve secondary school students interested in health professions and expand the program's reach in Massachusetts. Past collaborations have included multiple WSU departments and health professionals outside the University. The grant also engages Worcester State students and faculty, promotes visibility for WSU, and generates revenue.

Gambling Grant

Dr. Andrew Piazza and Mary Jo Marion [secured a grant of \\$700,000](#) per year for four years from the [Massachusetts Office of Problem Gambling Services](#) (OPGS) within the state's Department of Public Health. The grant supports a collaboration between Worcester State's LEI, the Health Sciences Department, and OPGS to prevent underage gambling, focusing on online sports gambling in Central Massachusetts. The project will develop a Youth Wellness Corps, create educational modules for K-12 students and families, conduct strategic outreach efforts, and implement youth-led digital storytelling. Community partnerships, including training for Community Health Workers, will also be part of the initiative, providing engagement opportunities for WSU students and faculty.

Vision Zero Community Working Group

Dr. Andrew Piazza serves on the City of [Worcester Vision Zero Community Working Group](#), dedicated to achieving zero fatalities and serious injuries through collaboration and commitment. He represents community interests in this planning process and helped organize a Family Fun Day at Coes Beach with the District 5 City Councilor and volunteers on September 7, 2024.



Administrative and Operational Efficiencies

Space Planning and Utilization

The Division of Administration and Finance (A&F) is conducting an analysis to optimize administrative space use post-pandemic. In collaboration with the Employee Services Office and the Facilities Department, this initiative will incorporate higher education best practices to guide workspace reconfiguration and update policies.

Grants and Sponsored Research

A&F is partnering with the Office of Grants and Sponsored Research in the Division of University Advancement to streamline post-award grant administration. A training module developed with the [Operational Excellence](#) (OPEX) team will guide Principal Investigators (PIs) – the lead researchers on each grant – through the Projects Accounting system for real-time access to grant budgets, requisitions, and expenditures to ensure accurate and current financial information.

Financial Efficiencies

The University's Controller is working with accounting staff to improve transaction processing, ensuring timely and accurate financial records by department. This effort, requiring coordination with Office of Employee Services, aims to properly code hiring requisitions, ensure accurate payroll allocation to intended budgets, and reduce the need for manual corrections.

Procurement Workflow

A&F is implementing a new workflow solution to improve efficiency, reduce email exchanges, and enhance response times for faculty and staff. Developed in collaboration with the OPEX staff and the Office of Procurement/Accounts Payable, this solution is expected to impact all divisions and departments utilizing procurement services.

Inclusive Excellence and Belonging (IEB) Committees

Beginning in the 2024-2025 academic year, Worcester State University has restructured its [Inclusive Excellence and Belonging \(IEB\) committees](#) (formerly known as DEI). Key changes include:

- **Establishment of New Committees:** Three new committees have been created to focus on Accessibility, Military & Veterans Affairs, and Adult Learners.
- **Campus Climate Committee Transition:** The Campus Climate Committee is now comprised of the co-chairs of each IEB committee.
- **IEB Strategic Plan Implementation:** The IEB Strategic Plan will be implemented as part of this restructuring to further enhance inclusive excellence and belonging on campus.

Safety Implementation Committee

Worcester State University has formed a Safety Implementation Committee, composed of a cross-section of staff and faculty members. The committee includes:

- Staff: Anthony Adade, Omarthan Clarke, Adrian Gage, Matthew Hare, Maureen Stokes, Jason Kapurch, Julie Kazarian, John Meany, and Tammy Tebo.
- Faculty: Mary Fowler and Stephen Morreale.
- Ex Officio Member: Stacey Luster.
- Committee Chair: Mary Fowler.

The committee will develop an implementation plan based on recommendations from external reviewers Healy+ and COSECURE in response to the incident on October 28, 2023. The objectives of this process are to:

- Review and prioritize the recommendations.
- Identify appropriate WSU personnel to implement and monitor actions.
- Provide recommendations to the President regarding implementation, on or before December 31, 2024.

The Safety Implementation Committee Plan will address the following areas, as identified in the Healy+ and COSECURE reports:

- Tactics and Equipment
- Leadership, Incident Command, and Coordination
- Post-Incident Response
- Public Communications
- Trauma and Support Services
- Physical Security

Strengthening Ties and Leveraging Opportunities

150th Anniversary

This year and next, we will use the occasion of our 150th Anniversary to celebrate the University as well as to strengthen existing ties and forge new ones -- to the greater Worcester community, to our alumni and donors, and among faculty, staff, and students. The fun kicked off with a 150th Carnival during Homecoming and Family Day at the end of September. A commemorative issue of the Worcester State Magazine is in print, and, next spring, the University will host a Founder's Day 5K walk from our founding Normal School's location on St. Ann's Hill to our newly refurbished Tiffany Gates.

Visit <https://www.worcester.edu/150th-anniversary/> to learn about other opportunities to celebrate in the coming weeks and months.

Alumni Events

University Advancement hosted several key events to engage alumni, including Homecoming, department anniversaries, and professional development panels, and is working on others currently in the planning stage.

- **Homecoming - September 27 and 28, 2024:** University Advancement (UA) helped run or coordinated six events, including the Hall of Fame induction ceremony, First Teams recognition, the Multicultural Experience Tent, VIP Donor End Zone, ALANA/BIPOC reception at the President and Mrs. Maloney's home, and a Young Alumni event at a local alumni-owned business.
- **Nursing 150th:** Hosted an Open House event on October 16, 2024, and a VIP Nursing Donor event prior to the 2024-2025 pinning ceremony.
- **Sea Change: The Gulf of Maine Screening with Brian Skerry '84 on October 29, 2024:** A screening of the program that aired on PBS's NOVA, including a discussion with Skerry.
- **Alumni First-Generation Panel with Career Services:** Date TBD.



Fundraising

University Advancement has focused on diversifying fundraising efforts through planned giving platforms, expanded scholarship support, rebranded events, and corporate partnerships.

- **Planned Giving:** Adoption of an online platform where alumni and donors can create a free will and identify opportunities for planned giving to WSU.
- **Scholarship:** A collaboration with the Financial Aid Department and other campus partners to expand donor-funded scholarships beyond tuition and fees, offering students greater financial flexibility. Efforts are also being made to include support for housing, books, and other essential expenses, thereby reducing students' financial burdens.
- **Appeals – 50th Anniversary of the Nursing Department:** Direct mail appeals tied to the anniversary encourage giving for equipment, innovation, and student expenses to alleviate out-of-pocket costs for nursing students.
- **Chandler's Challenge Rebrand:** Rebranded as “WooGives” to streamline the giving day, eliminate brackets, and encourage long-term engagement across campus and alumni.
- **Rosen Cancer Awareness Fundraiser Event on October 25, 2024:** An event to increase the Rosen Cancer Awareness Fund, supporting wellness activities on campus. Over \$110,000 in sponsorships and donations have been raised to date.
- **Bartelson Family Gift:** A \$50,000 donation for two STEM-focused endowed scholarships.
- **Pepsi Partnership:** A \$75,000 sponsorship (\$15,000 per year for five years) for on-campus athletic programs, increasing Pepsi's visibility and branding.
- **SLH Center Grant:** Drafted a “Reach out for Schools” \$30,000 grant proposal for the Speech Language Hearing Center to support SLH initiatives and equipment needs.
- **Nativity School Partnership via the Withstandley Family:** Establishment of an endowed scholarship for a Nativity School alumna. The Withstandley/Nativity Fund also supports Worcester State education majors through the project's tutoring program.
- **Al Pettway Men's Basketball Fundraiser:** Planned fundraiser in the spring.

Donor Relations

Key donor recognition events like Phil Day and the Annual Scholarship Brunch continue to foster connections between donors and students.

- **Phil Day - November 13, 2024:** Fourth year celebrating philanthropy in memory of Phil Wasylean. This student and campus engagement event involves various partnerships.
- **Annual Scholarship Donor and Recipient Brunch on November 3, 2024:** A stewardship event where donors have the opportunity to meet and engage with student scholarship recipients.

Communications

Advancement's communications strategy includes a Donor Impact Report, a 150th commemorative magazine, and enhanced social media engagement to connect with alumni and donors.

- **Donor Impact Report:** Scheduled for release by mid-October.
- **150th Commemorative Alumni Magazine:** Currently being printed and expected to reach all alumni by the end of October.
- **Social Media:** Revamped social media engagement and strategies to promote events, donor appeals, and provide timely coverage of alumni and donor-related activities.
- **TikTok Account:** A new TikTok account was started with a goal to gain 100 followers by Thanksgiving break.
- **Increase Interaction and Engagement:** Efforts to encourage interaction on social media platforms include creating interactive posts and actively involving the Alumni Association's Advisory Board.
- **Collaboration with Worcester State Social Media Accounts:** Partnering with various campus social media accounts (e.g., Worcester State's official accounts, Office of Student Involvement and Leadership Development, Recreation and Wellness, Residence Life, Office of Multicultural Affairs) to strengthen relationships and work synergistically across campus.

Grants and Sponsored Research

The University aims to expand grant opportunities and improve processes under the new Director of Grants and Sponsored Research, with a focus on faculty support and funding growth. In August, University Advancement welcomed Gina Stec as the Director of Grants and Sponsored Research. Goals include:

- **Identify Funding Opportunities:** Identify prospects, coordinate the grant application process, and increase contributions from private foundations and corporations to support Worcester State's mission.
- **Strengthen Post-Award Processes:** Improve grants management by revising the OGSR Pre- and Post-Award Manuals.
- **Provide Training Sessions:** Offer training sessions for faculty and staff, including grant proposal development, budget tracking, and hiring and onboarding processes.
- **Increase Grant Submissions:** Increase the number of grant submissions for faculty research projects and those successfully funded.





WORCESTER STATE UNIVERSITY

President's Office
Phone: 508-929-8020
Fax: 508-929-8191
Email: bmaloney@worcester.edu

October 9, 2024

Mary Beth McKenzie
10 Green Needles Road
Littleton, MA 01460

Dear Ms. McKenzie,

I am pleased to inform you that I intend to submit to the Board of Trustees of Worcester State University at their October 22, 2024 meeting, your appointment at the University as the Associate Vice President for Administration & Finance. Your appointment is subject to Board approval upon the terms described as follows;

1. The Associate Vice President for Administration & Finance is responsible for the management and direction for administrative and operational service units and staff including procurement, accounts payable, contracted auxiliary services and vendor management, including food service, bookstore, and transportation; contract management, and utilities. The incumbent will also be charged with identifying, coordinating and operationalizing projects and initiatives in support of the goals and objectives of the Administration and Finance Division and the university and serve as part of the team leading the university wide Operational Excellence Initiative. You will report to the Vice President of Administration and Finance and will be held to the standards of the University, and the Board of Trustees and the Massachusetts Board of Education. You serve in the position at the pleasure of the President and the Board of Trustees.
2. Your appointment will begin effective Monday, November 4, 2024.
3. Your annual salary will be in the amount of \$170,000. Furthermore, you will be accorded all the other benefits and entitlements due you based on your employment status as a Non-Unit Professional.


Please indicate your willingness to accept this offer by signing at the bottom of this letter and at the bottom of the enclosed statement of duties.

I congratulate you on your appointment and extend my best wishes for a challenging and rewarding work experience.

Sincerely,

Barry M. Maloney
President

I accept the position of Associate Vice President for Administration & Finance and agree to the terms stated above.

Signed by:


 Signature

10/9/2024

 Date



WORCESTER
STATE
UNIVERSITY

NUP Job Description
Position ID: 185612
Reports to: 104988
Incumbent: M. McKenzie
Department: 320

OFFICIAL TITLE: Associate Vice President for Administration & Finance
SUPERVISION RECEIVED: Vice President of Administration and Finance
SUPERVISION EXERCISED: Supervises subordinate professional, classified and student personnel assigned to the division.

GENERAL STATEMENT OF DUTIES: The AVPAF will be an experienced senior administrator with a commitment to sound administrative operations that are student and staff focused; developing strong interpersonal relationships. The successful candidate will provide leadership to the area under his/her supervision and have the ability to identify innovative solutions for broader campus issues. The incumbent's primary responsibility is to provide leadership to overall administrative and operational services at the university. The associate vice president is responsible for the management and direction for administrative and operational service units and staff including procurement, accounts payable, contracted auxiliary services and vendor management including food service, bookstore and transportation; contract management, and utilities. The associate vice president will also be charged with identifying, coordinating and operationalizing projects and initiatives in support of the goals and objectives of the Administration and Finance Division and the university and serve as part of the team leading the university wide Operational Excellence Initiative.

Responsibilities:
(E) = Essential

1. (E) The AVP temporarily assumes VP A&F divisional responsibilities, as necessary, in accordance with the division's succession plan.
2. (E) The AVP works in partnership with the Vice President to facilitate division priorities and initiatives. The AVP provides advice and guidance to staff members within the division in clarifying and interpreting operational objectives, decisions, and policies. The AVP is responsible for the development, coordination and maintenance of division administrative policies.
3. (E) Lead the development and implementation of innovative, division-wide strategies that increase efficiencies and improve effectiveness while instilling a culture of customer service to the constituencies served.
4. (E) Provide the leadership and oversight of the administrative and operation services units for the University, and its affiliates, according to and in compliance with all applicable Federal and State statutes, regulations and laws governing public institutions and State agencies and according to university policy.
5. (E) Provide the leadership and oversight of auxiliary enterprises; ensure financially viable operations that support the mission of the university.
6. (E) Assistant with coordination of campus infrastructure projects inclusive of space planning, the development of financing plans, public bidding, contracting and financial oversight including Commonwealth of MA funded and grant funded projects.
7. (E) Plan, direct, implement and evaluate all facets of the procurement and property lifecycle process including: monitoring encumbrances, orders, and invoices in both COLEAGUE and MMARS accounting



WORCESTER
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NUP Job Description
Position ID: 185612
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systems; development and analysis of all

RFP's, RFQ's, RFI's and bids for non-construction purchases; promote and collaborate with PACE, MHEC and OSD to ensure maximum cost effectiveness and collaboration within the Division, university, and with the State University system: and oversight of receiving, inventory management, and asset disposal processes.

8. (E) Provide leadership and oversight for streamlining initiatives and technology advances in the Division; maintain and grant access rights to the COLLEAGUE finance module and other finance systems for the Division and University; maintain high-level of knowledge relating to current technology; serves as the liaison with Information Technology.
9. (E) Assumes responsibilities within his/her competence for special projects and other duties assigned by the AVPFA.
10. (E) Responsible for review and implementation of programs related to risk management and insurance carrier to ensure comprehensive coverage for the University and affiliates.
11. (E) Responsible for the review and management of university contracts to ensure compliance by all parties, cost effectiveness, in support of the university mission.
12. (E) Establishes credibility throughout the organization as an effective problem solver; serves as a mentor to the college community regarding administrative and operation matters.
13. (E) Provide continuous staff supervision and development opportunities to ensure staff possesses sufficient training and required skill levels to perform their assigned tasks in proficient manner. Promote and support ongoing teamwork within the division.
14. (E) Develop and maintain excellent working relationships with all departments through understanding of their purpose and objective; provide departments guidance about administrative and operation procedures and practices to ensure their needs are met in a timely, satisfactory, legal and cost-effective manner. Collaborate and represent the university with external agents and constituencies to realize the goals of the university.
15. (E) Represents the university at meetings and functions as requested by the VPAF and serves as an active member of the Emergency Management Team.
16. (E) Demonstrates civility and professional, customer-service oriented behavior, worthy of emulation by other staff and students.
17. (E) Responsible for contributing to the WSU Strategic Plan.
18. (E) Responsible for contributing to Equal Opportunity/Affirmative Action objectives.
19. Performs other duties as assigned.

Required Qualifications:

- A bachelor's degree in a relevant field, master's degree preferred
- An experienced leader with at least seven years of progressively more responsible management experience related to administrative and operational affairs in a complex organization, preferably in public higher education
- Extensive experience with auxiliary enterprises, administrative and operation services,
- risk management, contract/procurement, and promotion of diversity with a service orientation, preferably in public higher education
- A strategic visionary with sound technical skills, analytical ability, good judgment and a
- strong operations and systems focus.



WORCESTER
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NUP Job Description
Position ID: 185612
Reports to: 104988
Incumbent: M. McKenzie
Department: 320

- A well organized and self-directed individual who exhibits a high level of integrity; one who can navigate the political and legislative process as it relates to higher education; one who can prioritize multiple projects simultaneously in a fast-paced environment.
- An intelligent and articulate individual who can relate to people at all levels of an organization; a team player who possesses excellent communication skills and decisive individual who can see the “big picture”.
- An educator who is willing to share information, carry out initiatives and serve as a mentor. Ability to perform above duties with or without reasonable accommodation.
- Satisfactorily pass a check conducted by the Criminal History Systems Board (CORI check), a SORI and a complete background check satisfactory to the university.

By signing below, I acknowledge that I have received a copy of this job description. Questions relating to my responsibilities, now or in the future, will be directed to my supervisor and/or Employee Services.

Signed by:


 Employee Signature

10/9/2024

 Date

DocuSigned by:


 Supervisor or Employee Services Signature

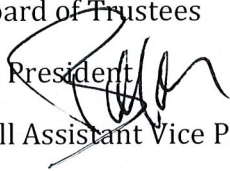
10/9/2024

 Date



WORCESTER
S T A T E
UNIVERSITY

President's Office
Phone: 508-929-8020
Fax: 508-929-8191
Email: bmaloney@worcester.edu

To: Members, WSU Board of Trustees
From: Barry M. Maloney, President 
RE: Proposal to backfill Assistant Vice President (AVP) of Marketing and Communications
Date: October 11, 2024

In today's competitive higher education landscape, the role of marketing and communications is essential in shaping our institution's reputation, attracting prospective students, engaging alumni, and fostering relationships with key stakeholders. As we continue to pursue our strategic initiatives and adapt to an ever-evolving environment, having a strong, cohesive marketing and communications strategy is paramount to achieving our institutional goals.

The AVP of Marketing and Communications position is currently vacant due to resignation from Maureen Stokes, leaving a significant gap in leadership, both within the Division of Enrollment Management and campus-wide. This role has traditionally been pivotal in overseeing the development and execution of comprehensive marketing strategies, managing both internal and external communications, and ensuring the consistent representation of our brand across all platforms. Without dedicated leadership in this role, the institution faces challenges in maintaining the integrity of its brand, managing strategic communications, and effectively coordinating crisis responses.

The AVP of Marketing and Communications plays a central role in overseeing our public-facing communications, which are vital for maintaining relationships with stakeholders such as prospective students, parents, alumni, donors, and community leaders and for advancing and defending our institutional reputation via traditional and social media outlets.

According to the 2024 Competency of the College Presidency report, communication is one of the most vital leadership competencies for today's college presidents. The report emphasizes that presidents must be able to articulate the university's mission to various audiences, including students, alumni, faculty, donors, and external partners, to build trust and foster collaboration. Furthermore, the ability to manage complex communication challenges, such as crises or major institutional changes, is cited as a crucial skill in maintaining institutional stability and reputation. A strong AVP of Marketing and Communications provides essential support in these areas by ensuring that the president's messages are clear, consistent, and aligned with the institution's strategic priorities. By filling this vacancy, we ensure that our leadership has the communications infrastructure needed to effectively convey our vision and respond to the evolving demands of our stakeholders.

The AVP of Marketing and Communications is an essential leadership role, directly tied to the success of our strategic objectives. Backfilling this position is not just a matter of operational necessity but also a critical investment in the long-term success and reputation of the institution.

I respectfully request the Board's support in moving forward with the process of filling this vital role.

Cc: Ryan Forsythe
Sathi Mitra



OFFICIAL TITLE: Assistant Vice President of Marketing and Communications

SUPERVISION RECEIVED: Vice President for Enrollment Management

SUPERVISION EXERCISED: Marketing, PR/News Services, Communications, and Publications

General Statement of Duties:

Oversees the marketing, public relations, media relations, crisis communications, advancement communications, internal communications, and publications functions of the University. This position is responsible for ensuring integrated marketing and communications messaging and its implementation both within the Marketing and Communications Department and across the University. The candidate must be able to work independently and constructively in an institutional setting that strongly values cross-division collaboration, occasionally outside of normal business hours. The role involves managing, creating, writing, editing, and ensuring timely, accurate, clear, and creative communications that promote positive internal, community, and constituent relations in collaboration with all areas of the University. The candidate will handle media relations as the University's spokesperson and serve as the Public Information Officer in crisis situations. This is a key role in promoting campus pride and enhancing Worcester State University's reputation.

Responsibilities:

1. (E) Is a direct report to the Vice President for Enrollment Management, and also serves as a member of the President's Executive Cabinet. As a member of the University Cabinet, makes recommendations to the campus's senior leadership on a wide variety of campus matters and brings the perspective of a communications and marketing expert to the table.
2. (E) Develops and implements integrated marketing and communication strategies to support the University's strategic goals, including the development and execution of communications strategies aligned with the University's mission and brand. Oversees undergraduate and University marketing strategies in close collaboration with the Director of Marketing. Ensures that all University communication practitioners write and share content in a way that allows for repurposing across various communication and social media channels in an integrated manner. Works to coordinate design, editing, photography, and videography functions efficiently to best serve marketing and communication priorities. Ensures that internal campus communication goals are met and provides communications leadership in support of diversity and inclusion efforts on campus.
3. (E) Works with the President's Office collaboratively and as needed providing communication and public relations support for efforts led by that office. Also provides communications support and advice to other members of the Executive Cabinet, including the Vice President for Enrollment Management, for key messages to the campus.
4. (E) Works to meet the University's strategic goal of a vibrant campus life and a collaborative work and learning environment in which all members of the WSU community feel welcomed, included, respected, empowered, and valued, including designing and communicating appropriate messages regarding the University's diversity-related efforts and publicly highlighting the diversity of the University to the community at large.
5. (E) Raises the visibility and profile of the University through effective and purposeful communication with the media, and maintains strong relations with media contacts. Serves as spokesperson with media, responding to inquiries and/or designating then working with faculty and staff experts to



respond, when needed, seeking to shape the direction of stories; provides media promotion of major and special events; promotes faculty and staff experts to media; develops story ideas worthy of generating positive media coverage, pitching those ideas and coverage of University initiatives to members of the media.

6. (E) Works closely with the University's Records Officer on requests that are generated from media outlets or may attract the attention of media.
7. (E) Manages the President's social media accounts, coordinating closely with Marketing staff responsible for the University social media accounts. Oversees the University's news site and ensures that resources are available to provide adequate written content, as well as photography and videography PR content. Oversees employee(s), cross-divisional staff, freelancers, and intern(s) to ensure they are providing adequate and appropriate content, and creates content.
8. (E) Ensures appropriate monitoring of the University's online reputation and presence in traditional media outlets, and responds as needed.
9. (E) Works collaboratively across divisions and between offices to ensure the communications goals of the senior leadership and the University are coordinated.
10. (E) Serves as a liaison with other colleges, the Department of Higher Education, the Council of Presidents, and other organizations as necessary and appropriate for University public relations efforts and serves as a member of appropriate campus committees as determined by the VP for Enrollment Management.
11. (E) Oversees the fiscal budgets for marketing, public relations, communications, and other supervised areas.
12. (E) Acts as an essential employee, during emergency and weather-related events, as a member of the Emergency Response Team, to assure timely and accurate communication to campus constituencies.
13. (E) Responsible for contributing to the WSU Strategic Plan.
14. (E) Responsible for contributing to the Equal Opportunity/Affirmative Action objectives.
15. (E) Performs similar and related duties as assigned.

Required Qualifications:

1. Knowledge of the U.S. higher education community, its principles, practices and procedures.
2. Familiarity with media relations, communications, design, and marketing demands in a higher education environment.
3. A minimum of five (5) years' experience in public relations, marketing, communication, media/news, and/or a related field.
4. Impeccable writing and editing skills, and strong effective interpersonal and verbal communication skills working in an environment that is deadline-oriented, with a premium on transparency.
5. Experience working within an organization, with professional strengths including self-direction, credibility, project management, flexibility, respect for confidentiality, and affinity for teamwork.
6. Ability to exercise judgment and discretion in applying and interpreting University policies and procedures.
7. Ability to work effectively with faculty, administrators, and students in an environment with sensitive time constraints and an ability to anticipate and meet deadlines.
8. Current experience and ability to work with standard office and online communication tools and is comfortable working with social media.
9. Commitment to campus efforts to promote diversity and inclusion.



WORCESTER
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NON-UNIT JOB DESCRIPTION

Position Number: 00XXXXXX

Reports to: 00195251

Incumbent: M. Stokes

Department: 819

Preferred Qualifications:

1. Master's Degree or appropriate equivalent professional experience.
2. Familiarity with media relations, communications, design, and marketing demands in a public higher education environment.
3. Experience with and contacts in public relations, marketing, communication, media/news in Central Massachusetts media outlets preferred.

By signing below, I acknowledge that I have received a copy of this job description. I understand that I must be able to perform the essential functions of my position with or without reasonable accommodation. Questions relating to my responsibilities or need for accommodation, now or in the future, will be directed to my supervisor and/or Human Resources.

AVP of Marketing and Communications

Date

Ryan G. Forsythe, Ed.D. of Enrollment

Date



WORCESTER
S T A T E
UNIVERSITY

Division of Enrollment Management

Phone: 508-929-8497

Fax: 508-929-8194

Oct. 4, 2024

Dear President Maloney,

As you are aware, unfortunately, on October 11, 2024, Worcester State University will lose our highly successful Assistant Vice President of Marketing and Communications (AVP), Maureen Stokes. During her time at WSU, Maureen has successfully achieved great success, including but not limited to building a strong team of marketing, communications, printing, and publishing professionals and improving the Office of Marketing and Communications' (MARCOM) service to the campus. However, Maureen has a wonderful opportunity that will draw her to another institution.

The Assistant Vice President of Marketing and Communications (AVP) is a critical position at our university for the execution of all of the marketing, public relations, media relations, crisis communications, advancement communications, internal communications, and publications functions of the University. The AVP manages, creates, edits, and ensures timely, accurate, clear, and creative communications that promote positive internal, community, and constituent relations, in collaboration with all areas of the University. The position also handles media relations as university spokesperson, serves as the Public Information Officer in crisis situations, and is a key position involved in promoting campus pride and enhancing Worcester State University's reputation.

As Maureen departs the university, the AVP role will be filled at an interim status. This is necessary to assure a continuity of service and no interruption in important functions of the position, especially including the Public Information Officer, crisis communication, and media relations roles. A plan will be put into place to assure that interim coverage exists, beginning immediately on Oct. 11th and continuing until the position can be filled permanently, if approved.

For these reasons, I ask that you and the Board please move to fill the Assistant Vice President of Marketing and Communications position as soon as possible. Thank you for your consideration.

Sincerely,

Ryan G. Forsythe, Ed.D.