

**BOARD OF HIGHER EDUCATION  
PROPOSAL TO THE  
MASSACHUSETTS STATE COLLEGE ASSOCIATION/MTA  
FOR  
A COLLECTIVE BARGAINING  
AGREEMENT  
JULY 1, 2004 TO JUNE 30, 2007**

The Board of Higher Education makes the following proposal to the Massachusetts State College Association/MTA for a collective bargaining agreement to have effect for the three-year period commencing on July 1, 2004, and ending on June 30, 2007.

A. Extend the term of the existing collective bargaining agreement for the three-year period described above.

B. Amend the existing collective bargaining agreement as follows with effect on July 1, 2004:

1. Article I

Amend the contractual definitions as required by the remaining proposals that are set out below.

2. Article IV

a) Amend Section A(9), Personal Leaves, as follows:

- i) Accord to each member of the bargaining unit who is employed to work a nine-month work year two days of personal leave on each January 1 for use during the ensuing twelve months.
- ii) Permit the use of such personal leave at a time or times requested by the employee and approved by the Vice President.

b) Amend Section A(1)(b) to require the use of long-term disability insurance as a substitute for use of the sick leave bank in the manner now of application to workers' compensation insurance (§A(1)(e)).

c) Amend section A(1)(c) to include a statement prohibiting the unauthorized use of drugs and alcohol in the workplace and prohibiting an employee's presence in the workplace if under the influence of either.

d) Amend section G(1) to limit tuition waivers to dependent children.

e) Amend section J(1) to eliminate the prohibition against faculty on sabbatical leaves from voting in departmental elections.

3) Article V

- a) Amend sections A and B by extending to librarians certain of the provisions of Article V in accordance with the proposal earlier made by the Board in this regard.
- b) Amend section A by recording there that academic freedom does not immunize members of the bargaining unit from complaints of sexual harassment, of discrimination against the handicapped and the like.
- c) Amend section B by introducing respect for students as one of the responsibilities recorded there and by stating generally that those responsibilities obtain throughout the unit member's professional career.

4. Article VI

- a) Amend section A by including in the description of the department chairs' responsibilities reference to the fact that they may supervise staff.
- b) Amend section G(1) by increasing to twenty the number of days during which department chairs might be required to render services during the summer months, eliminate the deadline by which those days must be scheduled, and eliminate the fixed period during which they must be scheduled.
- c) Amend section G(2) by doubling to \$3,000 the stipend payable to department chairs each semester.

5. Article VII

Strike out the language of the existing Article VII and substitute the following:

**“ARTICLE VII – PARTICIPATION IN THE DECISION-MAKING PROCESS**

“The parties recognize the centrality of faculty and librarian participation in the academic decision-making at each College. In order to constitute appropriate forums and mechanisms for such participation, the President, as promptly as is reasonable following the commencement of the 2004-2005 academic year, shall convene one or more meetings of the faculty and librarians for the purpose of developing the procedures by which such forums and mechanisms will be established. All such forums and mechanisms shall be subject to approval by the Board of Trustees.”

6. Article VIII

- a) Amend section A(1) to read as follows:

“1. Criteria for the Evaluation of Full-Time Faculty

“The following criteria shall be used in the evaluation of all full-time members of the faculty:

- “a. teaching effectiveness, including pedagogical experimentation, as exhibited in lectures, seminars, internships, independent studies and other instructional settings;
- “b. academic advising, as prescribed in Section A(3) of Article XII;
- “c. continuing scholarship, including
  - i) participation in or contributions to professional organizations and societies;
  - ii) research as demonstrated by published or unpublished work (or, where applicable, artistic or other creative activities); and
  - iii) relevant post-graduate study.

In evaluating each member of the faculty it shall be the responsibility of those charged with doing so to assess the quality, significance and relevance of that faculty member’s continuing scholarship.

- “d. other professional activities, which by way of example shall include such matters as public service, and contributions to the professional growth and development of the college community; and
- “e. such responsibilities, if any, as may be assumed by a faculty member in lieu of, in whole or in part, the normal faculty teaching workload in academic subject areas by serving as the Chair of any department or as the Chair of a program area pursuant to Article VI, by performing services in a counselling center, faculty or program pursuant to Section A(3)(b) of Article XII, by discharging any alternate professional responsibilities pursuant to Section D of Article XII, and/or by undertaking any program of professional development pursuant to Article XIV.

“In applying these criteria, regard shall be had to the fact that the State Colleges are primarily teaching institutions.”

- b) Amend Section A(3) to read as follows:

“3. Criteria for the Evaluation of Librarians

“The following criteria shall be used in the evaluation of all Librarians:

- “a. effectiveness in performing assigned responsibilities within the library;
- “b. effectiveness in rendering assistance to students, faculty and the academic community;
- “c. continuing scholarship, including
  - (i) contributions to the content and pedagogy of the discipline as evidenced by the participation in and contributions to the improvement and development of library programs or library services;
  - ii) participation in or contributions to professional organizations and societies;
  - iii) research as demonstrated by published or unpublished work; and
  - iv) relevant post graduate study;

In evaluating each librarian it shall be the responsibility of those charged with doing so to assess the quality, significance and relevance of that Librarian’s continuing scholarship.

- “d. other professional activities, which by way of example shall include such matters as public service, and contributions to the professional growth and development of the college community; and
- “e. such responsibilities, if any, as may be assumed by a Librarian in lieu of, in whole or in part, the normal librarian workload in library service areas, by serving as Library Program Area Chair, by discharging any alternate professional responsibilities pursuant to Section D of Article XII and/or by undertaking any program of professional development pursuant to Article XIV.

“In applying these criteria, regard shall be had to the fact that the State Colleges are primarily teaching institutions.”

- c) Amend section B(3) to require that each part-time member of the faculty be evaluated during the semester in which he or she first teaches and, thereafter, following the teaching of every sixth course.
- d) Amend section D(1)(a) to require student evaluations, using the Educational Testing Service's from SIR II as it is from time to time, of every section of every course taught each semester by non-tenured faculty and of one section of every course taught each semester by tenured faculty.
- e) Amend section D(1)(a) to eliminate the prohibition against student comments on student evaluation forms.
- f) Amend section D(1)(a) to require student evaluations, by means of a student evaluation instrument, of the advising each member of the faculty gives majors for which he or she is responsible and to permit the electronic distribution and retrieval of such evaluation instruments.
- g) Amend Section A(4) to make explicit the requirement that performance of a higher order of quality, significance and relevance is demanded for promotion to each higher rank.
- h) Amend Section E(2) to eliminate the requirement that the peer evaluation committee evaluate faculty members during the first year of their appointments.
- i) In accordance with proposals earlier made by the Board, amend section F to reduce the number of evaluations done of department chairs.
- j) Amend Section F to accord to appropriate deans, as each College may designate, a responsibility for evaluating department chairs.
- k) Amend Section E(3) to accord to appropriate Deans, as each College may designate, a responsibility for evaluating members of the faculty.
- l) Eliminate Appendices A-1 and A-2.

7. Article VIII-B

Delete the Article.

8. Article VIII-C

- a) Amend Section B(2) to require each unit member to submit materials that evidence all elements of his or her performance during the period under review.

- b) Amend Section C to require an assessment of the faculty member's teaching, advising, scholarship, other contributions and alternative assignments during the period under review, and make corresponding changes with respect to the review of librarians.
- c) Amend Section C to permit assessments of performance on a range encompassing "unsatisfactory," "satisfactory," "superior," and "exemplary."
- d) On the basis of the preceding, grant base-rate salary increases within a range of from 0% to 5% from a pool of moneys funded under chapter 150E, §7.
- e) Amend sections C(5), D and E to eliminate grievances concerning a finding that a unit member's performance is "unsatisfactory."

9. Article IX

Amend section A(2) to require that evaluations for tenure be conducted during the candidate's sixth academic year of employment.

10. Article X

Amend section C(5), (6), (7), (8), (9) and (10) to eliminate the prohibition against granting faculty status, rank and tenure to academic administrators (president, vice president for academic affairs, associate vice presidents for academic affairs, deans) who have academic credentials; and make corresponding changes in Article X-A.

11. Article XI

- a) Amend section C(8), Step 2, to strengthen the requirement that evidence and a particularized statement of the grievance be presented at Step 2.
- b) Amend Section C to add mediation, by agreement of the parties, following Step 2 and preceding Step 3.

12. Article XII

- a) Amend section A(2)(c) to permit the nine-month academic year, at the election of each College, to commence no sooner than August 20 and to end no later than June 10.
- b) Amend section A(4)(b) by striking from its fourth paragraph the phrase "and the affected faculty member shall have approved the same."

- c) Amend section A(4)(c) by striking the words “up to” wherever they appear in the table of equivalencies.
- d) Amend section A(4)(c) to permit academic departments, with the approval of the vice president, to alter the table of equivalencies for persons teaching within that department.
- e) Amend Section A(4)(c) to eliminate the provision that accords four, rather than three, semester hours of credit of instruction for the teaching of a graduate course.
- f) Amend section B(1) to include continuing scholarship as an obligation of librarians.
- g) Amend section B(1) to record the authority of each College to develop specific job descriptions (e.g. reference librarian) for individual librarians.
- h) Amend section G to permit non-unit members of the academic community to teach one course a semester without limit.
- i) Delete Article XII-B

13. Article XIII

Delete the existing Article XIII and the accompanying Article XIII-A.

In addition to the financial proposals made at items 4 and 8 above, the Board will hereafter submit a financial proposal of general application to members of the bargaining unit.

14. Article XVI

Amend numbered paragraph 7 to include deans among the persons permitted to have access to official personnel files.

15. Article XX

- a) Amend sections B(2) and D to make explicit the requirement that performance of a higher order of quality, significance and relevance be demonstrated for promotion to each higher rank.
- b) Amend section C(6) to permit the appointment of temporary faculty for up to six consecutive semesters.
- c) Amend section C(8) by striking out its first two paragraphs.

- d) Delete section C(9).
- e) Amend section B(1)(d) by increasing from four years to five the required period of service at the rank of associate professor before a faculty member is eligible for promotion to the rank of professor.

16. General

- a) Make such changes in the Appendices as are required to conform them to the proposals set out above.
- b) Make such technical changes as are required to conform every provision of the Agreement to the proposals set out above.

The Board reserves the right to make at any time such further proposals as it thinks appropriate for the purposes of advancing any it has earlier made, of responding to those the Association has or may make, and of concluding a final agreement.