

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is made this _____ day of _____, 2013, by and between the Board of Higher Education acting by the Council of Presidents of the State Universities (jointly, “the Board”) and the Massachusetts Teachers Association, acting by the Massachusetts State College Association (jointly, “the Association”).

WHEREAS the Board and the Association are parties to a collective bargaining agreement effective July 1, 2012; and

WHEREAS the Board and the Association wish to modify said collective bargaining agreement;

NOW, THEREFORE, in consideration of the foregoing premises and of the mutual covenants hereinafter set down, the Board and the Association hereby agree to insert into Article VIII the following:

“If, due to a conflict of interest under Massachusetts G.L. c. 268A or the appearance of a conflict of interest as determined by the President in his/her sole discretion, a Department Chair is unable to evaluate a member of the department or unable to conduct a post-tenure review classroom observation, then a tenured member of the department, elected by and from among the tenured members of the department, shall serve in the Department Chair’s stead for those purposes. If a tenured member of the department is not available for such purposes, a tenured member of a cognate department shall be elected by the tenured members of the affected department (or by the tenure-track members of that department if there are no tenured members).”

WHEREFORE the parties hereto hereunder set their signs and seals on the date first above written.

BOARD OF HIGHER EDUCATION

MASSACHUSETTS TEACHERS ASSOCIATION

By: _____
Mary Grant
Chair, Council of Presidents

By: _____
Christopher J. O’Donnell
President, Massachusetts
State College Association