

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
November 2, 2007
Fitchburg State College**

Present: Concannon, Everitt, Falke, Haar, George, Markunas, Mrvica, O'Donnell, Paolillo, Pavlicek, Schlosberg, Seider, Shartin, Shea, Stonehouse, Turk

Guests: Deb Foss (MCLA), Donna Sirutis (MTA), Margaret Vaughan (Salem)

Approval of the Orders of the Day and the Minutes

It was moved and seconded to approve the orders of the day. The motion passed.

It was moved and seconded to approve the minutes of the October 5, 2007 meeting. The motion passed.

MSCA Officers' Reports:

President - Pat Markunas

President Markunas recommended to BHE Chairman Fred Clark, through the Council of Presidents, that Peter Hogan (Fitchburg) be appointed to the Search Committee for the BHE Chancellor.

Board of Higher Education Items

The second meeting of the BHE will be on November 16 at Mass Bay Community College on Route 9 in Wellesley; President Markunas urged Board members to attend. The Mass Bay CC faculty just voted no confidence in their president and there could be activities on the campus that day.

The Council of Presidents have shifted their strategy around university status and are now in support of a bill (yet to be drafted and filed) that would create a "state university system" and allow individual institutions to decide whether to change their name, pursue doctorate degree programs, etc. A presentation in support of this new proposal will be given at the November 16 BHE meeting. At the October 19 ERC meeting, management's representatives were urged to urge the presidents to hold meetings with the faculty and librarians to discuss this issue formally and in advance of the November 16th BHE meeting. It was requested that the October issue of the *MSCA Perspective* be distributed on campuses asap.

The BHE Task Force on Transfers has been meeting. Chapter President Jean Stonehouse and former Chapter President Paul McGee represent the MSCA on this Task Force. President Stonehouse made a brief presentation on the activities of the Task Force to the Board.

BHE Chairman Fred Clark will meet with the MSCA Board of Directors at the December 7 Board meeting in Framingham, immediately after lunch.

Legislative Issues

Chapter President Ken Haar was prepared to testify in support of the \$2 billion capital bond bill at the 11/1/07 hearing of the joint Committees on Higher Education and Capital Projects, but was unable to do so due to a lack of time during the hearing.

It was moved and seconded that the MSCA Board of Directors support the Capital Bond Bill. The motion passed.

There will be a public meeting of the Committees on Education and on Higher Education on December 6, to discuss issues related to teacher training and certification. This is not a hearing but rather a "public conversation" between the two Committees. The time and location are uncertain but as soon as President Markunas gets this information she will send it out to Board members.

PHENOM Higher Education Summit

This event was held on Friday, October 26th, at Framingham State College and appeared to be a success. For distribution were copies of the "Affordability Report" prepared by the PHENOM members at UMass-Amherst.

Readiness Project Subcommittee on UMass and Public Higher Education

Chapter President Ann Mrvica attended the first face-to-face meeting of this subcommittee in President Markunas' place on October 17th. The next meeting is scheduled for the afternoon of November 7th at Clark University. Public hearings have been scheduled from 4:00 pm to 6:00 pm on the following three dates:

Monday, November 26 - North Shore Community College (Danvers)

Wednesday, November 28 - Bridgewater State College

Thursday, November 29 - University of Massachusetts @ Amherst.

President Markunas plans to attend the first two hearings scheduled above and urged as many Board members as possible to attend at least one hearing. Enclosed were some materials about this subcommittee, its charge and its timetable.

MSCA Archives/Salem State College Library Closure

President Markunas appointed SSC librarian Susan Edwards in 2001 to serve as the MSCA archivist, and she has been working to archive the materials that were left to President Markunas when she assumed the presidency as well as President Markunas' annual correspondence and materials given to her by other SSC faculty who were active in the MSCA. One of President Markunas' goals for the last months of her presidency is to archive as much material as possible, to prepare the organization for the transition of the presidency.

The MSCA archives are housed in the College archives, on the fourth floor of the SSC Library, which will be closed to nearly all access for at least three months. Archivist Edwards has assured President Markunas that if documents are needed from the archives, she can retrieve them and she is able to continue the preparation of MSCA materials for the archives. However, the long-term status of the MSA archives is wrapped up with the issue of the long-term viability of the SSC Library.

Fact Sheet on Initiative Petitions

Distributed was a fact sheet on several initiative petitions that are being circulated for signature in Massachusetts. As a member of the MTA Public Relations and Organizing Committee, President Markunas is aware of MTA's monitoring of these petitions and involved in MTA's response to them should they gain sufficient signatures.

Thanks from President Markunas

President Markunas thanked MSCA Vice President C.J. O'Donnell for chairing last month's MSCA Board meeting; Chapter President Ken Haar for representing MSCA at the October 2nd PHENOM Steering Committee meeting, the October 12th HELC meeting and two legislative hearings; and Chapter President Ann Mrvica for attending the October 17th meeting of the Readiness Project Subcommittee.

Vice President - C.J. O'Donnell

MTA Activities

MTA President Anne Wass asked Vice President O'Donnell to chair the MTA Governmental Relations Committee. He accepted this appointment for one year.

Contract Funding

The longevity share of \$120.20 has been agreed to by the parties. The contract was supposed to arrive at the governor's office (administration & finance) on November 1, 2007. As soon as information is available on the contract funding, a broadcast message will be sent to the membership.

Secretary - Nancy George

Secretary George provided the Board with a brief report of her activities as secretary.

Treasurer - Glenn Pavlicek

MSCA Monthly Expenses

Treasurer Pavlicek distributed the current MSCA Monthly Expenses statement.

Part-Time Faculty

Treasurer Pavlicek requested information on part-time faculty from Worcester, Framingham, and MCLA.

Special Items: Proposed Changes to the MSCA Constitution and the MSCA Officers' Responsibilities

It was moved on behalf of the Ad Hoc Committee on Union Governance Issues to accept the changes to *Article III, Section 1. Membership of Chapters* as presented.

It was moved and seconded to amend *Article III, Section 1 Membership of Chapters* to read as follows (changes in bold; amended changes italicized; deletions in brackets):

Article III, Section 1. Membership of Chapters.

"The members of the faculty and librarians at any public college or public university in the Commonwealth of Massachusetts shall, upon the granting of a charter by the MSCA Board of Directors, comprise a Chapter of the MSCA. Prior to the granting of such a charter, any petitioning Chapter shall submit its constitution to the MSCA Board of Directors for approval. [Each Chapter shall submit amendments to its constitution to the MSCA Board of Directors for approval.] No constitution of a Chapter, **including any amendments enacted once a Chapter has become a member**, shall be in conflict with the Constitution of the MSCA. *All amendments to Chapter constitutions shall be submitted to the MSCA Board of Directors in order to verify the lack of such conflicts. Each chapter shall submit any amended constitution to the MSCA President's Office for safekeeping.*"

The motion to amend the language passed.

The original motion passed as amended.

It was moved on behalf of the Committee to accept the changes to *Article IV, Section 2. Nomination of Offices* as presented (changes in bold).

Article IV, Section 2. Nomination of Offices.

"Any member in good standing shall be eligible to be a candidate for office except for members of the MSCA Elections **and Credentials** Committees."

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article IV. Officers and Elections* as presented (changes in bold; deletions in brackets):

Article IV. Officers and Elections.

"Section 1. Officers. The Officers of the MSCA shall be the President, the Vice-President, the Secretary, and the Treasurer. These Officers shall perform the duties prescribed in this Constitution and in the parliamentary authority adopted in Article IX. All persons elected to Office shall take office on the first day of June next following their election. All persons elected to fill vacancies in the various Offices shall take office upon election.

"[a] Special Duties of the President. The President shall be responsible for reporting to the MTA the names of MSCA delegates and designated alternates to the MTA Annual Meeting. The President shall be responsible for reporting to the NEA the names of MSCA delegates and designated alternates to NEA Representative Assembly.

"[b] Special Duty of the Secretary. The Secretary shall be responsible for conducting the election of MSCA delegates and designated alternates to the [MTA and] NEA Representative Assembly. [Move the second sentence from Section 4 to be the first sentence in Section 5, below. Delete the last two sentences of Section 4.]

"[c] Special Duties of the Treasurer. The Treasurer shall be responsible for the preparation of a budget. All deduction payments shall be made to the MSCA. The Treasurer shall receive these funds, bill cash-payment members for dues, and transmit amounts due the Chapters, the MTA, and the NEA according to a previously agreed upon plan. The Treasurer shall maintain a roll of the members. The Treasurer shall be bonded. **The Treasurer shall be responsible for the determination of each Chapter's delegate allocation for the annual meeting of the Delegate Assembly and the MTA Annual Meeting, subject to approval by the Board of Directors."**

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article IV, Section 2. Nomination for Offices.* as presented.

It was moved and seconded to amend the language of *Article IV, Section 2. Nomination for Offices.* (changes in bold; amended changes italicized):

"Article IV, Section 2. Nomination for Offices. Any member in good standing shall be eligible to be a candidate for office except for members of the MSCA Elections **and Credentials** Committees.

"[a] At any time after November 1 of any odd numbered year, an eligible member shall be required to obtain nomination papers by requesting by certified mail to the MSCA Nominations and Elections Supervisor stating the Office to be sought. The Nominations and Elections Supervisor shall enter the name of the eligible member and the Office to be sought on the nomination papers and deliver them to the eligible member within two weeks. No person shall be a candidate for more than one office.

"[b] In order to be certified as a candidate for Office, an eligible member shall be required to obtain at least forty signatures of members in good standing; no more than fifteen shall

be counted from a single Chapter. The eligible member shall file nomination papers with the Nominations & Elections Supervisor prior to 5:00 PM of the third Friday of January next following.

"[c] The Nominations & Elections Supervisor shall certify that each eligible member's nomination papers have been timely and appropriately filed and shall report the names of the certified candidates and the office sought to the Board of Directors meeting next following. The Supervisor shall prepare a ballot on which names shall be entered in order, by lot, without designation of incumbency. A space for write-in candidates shall be provided for each Office. No person shall be a certified candidate save those who have complied with the above designated procedures."

The motion to amend the language passed.

The original motion passed as amended.

It was moved on behalf of the Committee to accept the changes to *Article IV, Section 3. Election of Offices* as presented.

It was moved and seconded to amend the language of *Article IV, Section 3., Election of Offices, new subsection [d]* (changes in bold; amended changes in italics; deletions in brackets).

"Article IV, Section 3. "**Election of Offices** [Vacancies and Recall].

"[a] [d] Ballots shall be sent to all eligible MSCA members, who shall be certified as eligible voters by the MSCA Treasurer. In order to be eligible to vote, **a member shall have paid** dues [shall be paid] in compliance with Article III, Section 2, by March 15 of an election year.

"[b] [e] The Nominations & Elections Supervisor shall publish the names of certified candidates for Officers of the MSCA at least thirty days prior to the election. Election of Officers of the MSCA shall be held at least 30 days after publication of the names of certified candidates. The Nominations & Elections Supervisor shall conduct the election for Officers of the MSCA by direct, secret balloting of the MSCA membership and shall report the election results to the Assembly prior to its adjournment. The Supervisor shall make a full report of the election to the MSCA Board of Directors no later than the first Friday in June next following.

"[c] [f] The Nominations & Elections Supervisor shall submit all documents [and ballots] regarding the election to the MSCA President's Office for safekeeping."

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article IV, Section 4. Vacancies and Recall.* as presented (changes in bold).

"Article IV, Section 4 [3]. **Vacancies and Recall.**"

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article IV, Section 5. Election of MSCA Delegates to the MTA Annual Meeting*, as presented (changes in bold).

"Article IV, Section 5. **Election of MSCA Delegates to the MTA Annual Meeting.** Each Chapter shall be responsible for the election of its delegates to the MTA Annual Meeting, in accordance with the procedures established by the MTA. **Should there be vacancies in any chapter's delegation, the Board of Directors shall be empowered to fill such vacancies, in accordance with the procedures established by the MTA.**"

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article V, Delegate Assembly*, as presented (changes in bold).

Article V. Delegate Assembly.

"Section 2. Meetings. The Delegate Assembly shall hold an Annual Meeting on a day determined by the Board of Directors, which day shall be either the last Saturday in April or the first Saturday in May. At least fourteen days prior to the Annual Meeting of the Delegate Assembly, each Chapter shall submit to the **President** [Credentials Committee] a list of its Delegates and designated alternates. **At least seven days prior to the annual meeting of the Delegate Assembly, the President shall report the names of Chapter Delegates and designated alternates to the Credential Committee.**"

"Special meetings of the Assembly may be called by the Board of Directors, by the Assembly itself, by petition of one-tenth the membership of each Chapter, by petition of one-half the membership of any two Chapters, or by a Petition of Recall presented under the provisions of Article IV, Section 3."

The motion passed.

It was moved and seconded to table action on *Article VI, Board of Directors. Section 4. Quorum*. The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article VII, Committees and Appointments. Section I. Standing Committees*, as presented (changes in bold; deletion in brackets).

Article VII. Committees and Appointments.

"Section 1. Standing Committees. The Standing Committees shall be the Bargaining Committees, a Grievance Committee, a legislation Committee, an Affirmative Action, Equal Opportunity, Diversity (AA/EO/DIV) Committee, an Elections Committee, [a Resolutions Committee,] a Credentials Committee, and a Librarians Committee. Members of Standing Committees will serve a two year term commencing October of even numbered years and on the date of appointment by the Board of Directors under the provisions of Section 2 of this Article VII; however, no member of the Elections Committee nor of the Credentials Committee shall be a candidate for any Office of the MSCA during his or her term of service in such committee. Each Standing Committee shall consist of one member from and representing each Chapter. Each Standing Committee shall elect its own Chairperson **and determine its own quorum.**"

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article VII, Section 2. Appointments of Members Representing Chapters.* as presented (deletion in brackets).

Article VII, Section 2. Appointments of Members Representing Chapters.

"Chapter members of Standing Committees of the MSCA shall be appointed by confirmation of the Board after first being nominated by the MSCA President. Said nomination(s) shall be made upon the recommendation of the [local] Chapter President."

The motion passed.

It was moved on behalf of the Committee to accept the changes to *Article VII, Section 8.* as presented (changes in bold; remaining sections to be renumbered).

Article VII, Section 8.

[Resolutions Committee. The Resolutions Committee shall consider all resolutions sent to the Chair of the Committee and shall recommend suitable action thereon when presenting the resolutions the Delegate Assembly.]

The motion passed.

It was moved on behalf of the Committee to accept the proposed *Duties of the MSCA Vice President* as presented.

It was moved and seconded to amend the language of the *Duties of the MSCA Vice President* to read as follows (deletions in brackets):

Duties of the MSCA Vice-President

General Statement

The Vice President of the MSCA serves as the representative and spokesperson for the MSCA in the absence of the President or other circumstances as determined by the Board of Directors.

Specific Duties

1. Carries out the responsibilities of the office of the president of the MSCA, as designated by the President or in his/her absence as *[provided in Robert's Rules of Order]*.
2. Carries out the assignments of the President or the Board of Directors which may include by not be limited to:
 - a. chairing the Constitution and Bylaws Committee.

- b. coordinating the Legislative Committee and legislative aims of the MSCA, along with letter-writing and lobbying efforts at both the state and national levels.
- c. acting as liaison to MTA and NEA.
- d. other duties as assigned by the President.

The motion to amend the language passed.

The original motion passed as amended.

It was moved on behalf of the Committee to accept the proposed *Duties of the MSCA Secretary* as presented.

It was moved and seconded to amend the language of the *Duties of the MSCA Secretary* to read (amended changes italicized; deletions in brackets):

Duties of the MSCA Secretary

General Statement

The Secretary of the MSCA is primarily responsible for recording, maintaining and distributing the records of the meetings of the Board of Directors and the MSCA Delegate Assembly.

[In accordance with Robert's Rules of Order,] In the absence of both the President and Vice President, the MSCA Secretary [can] **shall** carry out the responsibilities of the President.

Specific Duties

1. The MSCA Secretary is responsible for recording, maintaining and distributing the minutes of official meetings of the MSCA Board of Directors, including arranging for the approved minutes to be posted on the MSCA Website.
2. The MSCA Secretary is responsible for recording, maintaining and distributing the minutes of annual and special meetings of the MSCA Delegate assembly, including arranging for the approved minutes to be posted on the MSCA Website.
3. The MSCA Secretary conducts the election of the MSCA delegates to the NEA-RA.

[4. The MSCA Secretary is responsible for reviewing amendments to chapter constitutions to insure that they do not conflict with the MSCA Constitution or the MTA and NEA bylaws.]

The motion to amend the language passed.

The original motion passed as amended.

It was moved and seconded to table action on *Duties of the MSCA Treasurer*.
The motion passed.

MSCA Committee Reports:

Elections - Deb Foss

It was moved and seconded to adopt the *2008 MSCA Election Calendar* as presented.
The motion passed.

It was moved and seconded to adopt the *2008 MSCA Election Rules* as presented.

It was moved and seconded to amend the *2008 MSCA Election Rules* to include the following sentence, as a new Section 11, and renumber the rest of the document as needed:

Distribution of materials through the campus mail system, in accordance with the Collective Bargaining Agreement, is allowed.

The motion passed.

The motion passed as amended.

It was moved and seconded that the Labor Guild be hired to serve as the vendor of the 2008 MSCA Election. The motion passed.

It was moved and seconded that the MSCA Board go on record in thanking Deb Foss for her hard work on the Elections Committee. The motion passed.

Grievance - Margaret Vaughan

Chair Vaughan presented a brief report of the Grievance Committee.

MTA Reports

Day Bargaining Unit - Donna Sirutis

Update on Activities in Anticipation of Bargaining

Following Board discussion, there appeared to be interest in doing a Bargaining Survey.

ERC Items (Web-based SIR-II, MOAs)

Consultant Sirutis presented the Board with information on two recently executed memoranda of agreement and the Web-based SIR-II. Discussion followed.

DGCE Bargaining Unit - Bob Whalen

Not present

Director - Len Paolillo

There will be a hearing on the Social Security Offsets on 11/6/07; a woman from Massachusetts will be testifying. Signatures are still being collected on the petition drive for the Social Security Offsets; 50% of the signatures will go to the House and 50% of the signatures will go to the Senate.

Chapter President's Reports:

Bridgewater

The administration, without consulting anyone else, has changed the DGCE calendar for this summer.

Fitchburg

Passed.

Framingham

Not present.

Mass. Art

Not Present

MCLA

Passed.

MMA

The ship is safe.

Salem

The college's library is closed due to structural problems. The Salem Chapter president and director provided the Board with information regarding the closure. Discussion followed.

Westfield

The search for a college president continues and is following the process recently used by Salem.

The assessment of the AVP has been performed. The results need to be compiled.

Westfield requested information on campus Strategic Planning Committees:

MCLA - special committee

Bridgewater - unable to answer

MMA - no committee

Worcester - campus advisory

Salem - special committee

Fitchburg - special committee

Worcester

The campus police will soon be allowed to carry guns. No input from campus was gathered for this decision.

There has been discussion on campus on the topic of collegiality and improvement of, and its potential influence on evaluation and hiring. Grievances may be filed over the attempt to change evaluation criteria.

Parking is a problem with faculty being erroneously ticketed for parking in commuter lots.

The meeting adjourned at 3:11 p.m.

Respectfully submitted,
Nancy George
MSCA Secretary