

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
November 4, 2011
Framingham State University**

Present: Aldrich, Concannon, Coppola, Dargan, Donohue, Everitt, Falke, George, Goodlett, Hennessy, Hoagland, O'Donnell, Pavlicek, Rapp, Schlosberg, Shartin, Stonehouse, Turk

Guests: Ron Colbert (Fitchburg), Donna Sirutis (MTA), Bob Whalen (MTA)

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 7, 2011 meeting.

It was moved and seconded to amend the minutes to make the following changes:

President O'Donnell's report: under the section *Books for Legislators*, add a new third paragraph: "President O'Donnell noted that MSCA members need to be cognizant of laws regarding the number of hours they can be in the State House before having to register as a lobbyist."

Framingham Chapter Report: Third paragraph, delete "are often ESL students," from the third sentence.

Fitchburg Chapter Report: Second paragraph, replace "student-paid" with "institutional" before the word "debt" in the last line.

The motion passed.

The minutes passed as amended.

MSCA Officers' Reports:

President – C.J. O'Donnell

July 1, 2011 Longevity Increases

The longevity increases were processed by the BHE on October 28th and will be included in the November 10th payroll. President O'Donnell believes the retroactive monies owed will also be included in the November 10th pay advice as well.

Board members requested that President O'Donnell ask the campuses to notify faculty and librarians when changes are made to their salaries due to contractual increases or personnel actions.

MSCA Committee Appointments for 2010-2012

There are a number of vacancies on MSCA Committees for the 2010 – 2012 term. Prior to accepting the following nominations, there were only four members on the Elections Committee and that committee has not elected a chair.

It was moved and seconded to accept the following committee nominations:

Committee nominations:

Credentials – David Eve (MCLA)

Legislation – Dana Rapp (MCLA)

Elections – Robert Donohue (Framingham)

Elections – Dana Rapp (MCLA)

The motion passed.

President O'Donnell said that he would convene the Elections Committee as soon as possible to elect a chair.

Legislation Update

Gaming Bill

Both the House and Senate versions of the “gaming bill” contain language dedicating proceeds for public higher education. The bill is in a conference committee.

Pension Bill

The “pension bill” passed in the House on Thursday and contains ORP opt-out language. It has been reported that the ORP language in the two versions is different. The bills are being sent to a conference committee. President O'Donnell will let the chapters know the names of the conference committee members when he has them. President O'Donnell believes, along with many others, that this is the best chance of passing ORP opt-out language in the near future.

Sabbatical Bill (H 2104)

The Joint Committee on Higher Education reported the bill out favorably on October 19th. However, prior to polling the bill it was amended so that it is no longer a bill to repeal that statute, but rather changes the references to “seven” years to references to “six” years at the insistence of senate co-chair Moore. This means that that language in the collective bargaining agreement on deferrals will not be able to take effect. In addition, language to include librarians was not added to the bill, due to House co-chair Sannicandro's insistence on having a “clean” bill.

President O'Donnell will let Board members know where the bill has been sent. The MSCA will need to assess if it will be possible to change the bill back to a repeal bill or whether we should support the current version.

The “Evergreen” Provision

This week the House passed a bill (H. 3761) that would fix the “evergreen” problem created by the Supreme Judicial Court decision in October 2010. Donna Sirutis noted that under the current situation pending grievances could be adversely affected.

The Vision Project

HELC has put together a committee made up of the following people to respond to the Vision Project:

Cathy Boudreau (MCCC)
Catherine Lynde (UMass Boston)
Arthur MacEwan (MTA)
C.J. O'Donnell (MSCA)
Max Page (UMass Amherst)

State Revenues for FY 2011

The State Comptroller has certified that (certain) State Tax Revenues were slightly more than \$20.776 billion for FY 2011.

It was moved and seconded to go into executive session. The motion passed.

It was moved and seconded to come out of executive session. The motion passed.

It was moved and seconded to report out of executive session the following motion:

The MSCA Board of Directors instructs President O'Donnell to send a letter to the chair of the COP and the BHE requesting that the monies owed as a result of the provisions of the accelerator clause having been met be paid.

The motion to report out passed.

Vice President – Amy Everitt

Vice President Everitt reported that George Mehaffy gave a presentation at Salem State University on “The Disruptive College.” The presentation focused on the sustainability of higher education and for-profit and non-profit higher educational institutions competing for students. Vice President Everitt encouraged the Board to take this topic seriously. Discussion followed.

During discussion it was noted that private corporations are supporting the Vision Project. There was mention of the BHE's interest in becoming a LEAP state. Vice President Everitt will distribute additional information to the Board once she receives it from Salem State's provost.

Secretary - Nancy George

No report.

Treasurer - Glenn Pavlicek

Monthly Expense Report

Treasurer Pavlicek distributed the monthly expense report and a copy of the 2011-2012 voucher form. President O'Donnell stated that he would send an electronic copy of the

voucher form to Board members and Secretary George stated that she would posted it on the MSCA web page.

IRS form 990 has been filed with the IRS and necessary state agencies.

Treasurer Pavlicek continues to investigate investment policies. The MSCA's investments are managed by Wells Fargo and the Wells Fargo representative has offered to meet with the Board to discuss the MSCA's investments if the Board desires. Treasurer Pavlicek requested that the Investment Committee recommended by the Delegate Assembly be constituted. Chapter presidents agreed to find members to serve on the committee.

All Appendices Q and DGCE teaching lists have been received by Treasurer Pavlicek's office. Dues invoices are being sent to cash paying members by the local treasurers.

It was noted that there are a number of K-12 teachers teaching at the State Universities at a few campuses. These individuals are typically teachers from local school systems, who are paid through their local school districts (and thus members of the MTA/NEA) and teach in the state universities' education departments. It is unclear if these teaching assignments comport with the day collective bargaining agreement. The MSCA will look further into these situations.

MSCA Committee Reports

Grievance Committee – Donna Sirutis and Bob Whalen

Bob Whalen reported that an arbitration at Worcester was settled.

DGCE Bargaining – Sue Dargan

The bargaining session scheduled for October 25th was cancelled. The next meetings are: November 14, 21, and 30 at the UMass President's facility in Shrewsbury.

MTA Reports

DGCE Bargaining Unit – Bob Whalen

No report.

Day Bargaining Unit – Donna Sirutis

A three part questionnaire as part of MTA's Full Capacity Local initiative was distributed to the Board. The Three sections are: *Advocating for Members*, *Local Effectiveness*, and *Political Organizing and Influence*. It was suggested that chapter presidents ask their executive board members for feedback and that the Board begin discussing *Advocating for Members* at the December board meeting.

Director – Ron Colbert

There was a board meeting on October 14. MTA finances, staffing, collective bargaining for employees (there is a tentative agreement) were discussed.

Regarding the Pension Bill, the MTA continues to oppose the bill but has supported several amendments to the bill.

Tim Fitzgerald has been named the new Interim Director of Higher Education. The search for a permanent director will continue.

Ken Haar needs to be replaced on MTA's Candidate Recommendation Committee.

PHENOM

No report.

Chapter President's Reports:

Bridgewater:

There have been a series of unfortunate events affecting individual BSU students.

University President Mohler-Faria has reported that Bridgewater has two Ph.D. programs ready to go.

Fitchburg:

Six items to note:

1. In AY 2010-2011 search committees were instructed to inquire about applicants' immigration/citizenship status. It was noted that it may be legal to ask if a candidate is legally authorized to work in the United States, but that it is illegal to ask about immigration/citizenship status.
2. The Hammond Building construction is moving at a very fast pace. During the construction a temporary wall with no insulation was constructed causing temperatures in parts of the library to fall into the 40s. In addition, a piece of heavy equipment was placed in the building which spewed diesel exhaust into the building.
3. The administration has mentioned two models for administrative growth at the institution (e.g., adding deans). These models are being circulated among the university. The MSCA Fitchburg Chapter has expressed its displeasure regarding these models.
4. Fitchburg State is exploring Ph.D. programs in conjunction with UMass Lowell.
5. Syllabi given to university administrators have been distributed to others inside and outside the Fitchburg State (including other institutions). The chapter members have put the administration on notice that this is a violation of their collective bargaining and copy rights.

6. The MSCA Fitchburg Chapter convened a subcommittee to look MTA representation and affiliation. The committee met on October 14. They are drafting (i) what the chapter wants from MTA, (ii) the effectiveness and history of MTA, and (iii) viable alternatives to affiliation with MTA.

Framingham:

Ph.D. programs are being explored in conjunction with one of the UMass campuses.

Mass. Art:

The executive board met with the new Mass Art president and had a discussion regarding collective bargaining and equity issues. The new president feels that the university is short-staffed when it comes to administrators on campus.

There are 11 searches going on at Mass Art – and a lack of procedure and the role of affirmative action are creating some challenges on campus.

The graduate programs are pulling senior faculty out of the undergraduate program. Part-time faculty are being used to replace these senior faculty in the classroom. This is increasingly becoming a significant issue.

MCLA:

The chapter has been strategizing about how to attract new faculty to get involved with the MSCA/MCLA activities. There has been some success in getting them to serve on the executive board.

If campus police are allowed to carry weapons without the faculty/librarians approval, a number of protest activities will occur.

Chapter president Rapp requested a poll of the chapter presidents regarding course reductions for new faculty member. Those campuses that reported reduced teaching loads for junior faculty reported that the teaching reductions were handled as Alternative Professional Responsibilities (APRs) under Article XII, Section D.

Mass Maritime:

There have been some problems with cadets taking inappropriate photos of others on campus.

Salem:

A student has been charged with rape.

The provost's Academic Program Review response has been released.

The university is considering Ph.D. programs in conjunction with UMass Lowell.

Westfield:

A faculty member was been harassed for 11 years and the administration has failed to do anything about it. A grievance has been filed.

An administrator was arrested on campus for assaulting a student.

There is a committee for online instruction. The administration has decided that faculty who want to teach online courses must first go through a training program. Discussion followed.

Worcester:

There are 18 ongoing faculty searches for full-time, tenure track positions. Six of these are for new positions.

Between April 2011 and now \$5 million has been added to the university's reserves. However, the Vice President for Finance is reporting that a new faculty contract will require an increase of \$1,200 in student fees.

An organizational consultant was brought in to examine the university. A report will be forthcoming at the next Board of Trustees meeting.

There is a huge problem with a lack of civility on campus.

New Business:

President O'Donnell polled chapter presidents on whether their campus has a committee dealing with assessment.

The meeting adjourned at 2:00 pm.

Respectfully submitted,
Nancy George
MSCA Secretary