

## ARTICLE VII - PARTICIPATION IN THE DECISION-MAKING PROCESS

### A. INTRODUCTION

In recognition of the fact that the faculty and librarians have fundamental and unique responsibilities in matters affecting the academic well-being of the several State Universities, the parties hereby agree to establish a firm basis for the professional role of faculty and librarians in the decision-making process at the several State Universities; provided, however, that the provisions of this Article VII shall be of no application to part-time members of the bargaining unit except as otherwise provided in Article I, Section F, and no member of the bargaining unit shall participate in the decision-making process hereunder while on a leave of absence on a full-time basis.

It is therefore fitting that such unit members assume a primary role in academic decision-making at the several State Universities in accordance with the terms of this Agreement.

### B. THE ALL-UNIVERSITY COMMITTEE: MEMBERSHIP AND RESPONSIBILITIES

#### 1. Establishment of the All-University Committee

In order to ensure participation by members of the bargaining unit, by students and by administrators in the formulation of policies affecting such academic matters of common concern as are hereinafter prescribed, with effect on each September 1, there shall be established at each University an All-University Committee. The Committee shall consist of

- i. eight (8) representatives of members of the bargaining unit;
- ii. three (3) student representatives; and
- iii. three (3) administrative representatives,

who shall be chosen at each University as follows:

#### a. Representatives from the Bargaining Unit

At each of Bridgewater State University, Framingham State University, the Massachusetts College of Art and Design, the Massachusetts College of Liberal Arts, the Massachusetts Maritime Academy, Salem State University and Westfield State University, the bargaining unit representatives to the Committee shall, under the auspices of the Association, be selected from among the members of the bargaining unit on or between ~~March~~ ~~May~~ 1 and ~~April~~ ~~May~~ 30 of each academic year.

At Fitchburg State University and Worcester State University, the bargaining unit representatives to the Committee shall, under the auspices of the Association, be elected from among the members of the bargaining unit on or between ~~March~~ ~~May~~ 1 and ~~April~~ ~~May~~ 30 of each academic year.

Notice of the procedures for selecting or electing unit members shall be published as an official Association communication at least ten (10) days prior to the date on which such selection or election is to take place. Except as is otherwise provided in this Agreement, all members of the bargaining unit as described in Article I, Section A, of this Agreement shall be eligible for membership on the All-University Committee.

Beginning September 1, 2018 unit members shall be appointed or elected for two-year terms that begin on September 1 following said appointment or election, except that for academic year 2018-2019, the names of four (4) of the eight (8) bargaining unit members shall be drawn from lot and those members whose names were drawn will serve one-year terms. This is necessary to initiate a fifty percent (50%) staggering of the unit member terms.

In providing for the selection or election of unit member representatives to the All-University Committee and to every other committee constituted pursuant to the provisions of this Article VII, the Association agrees to conduct the selection or election fairly and equitably and without reference to whether any member or members of the bargaining unit is or are a member or members of the Association.

b. Student Representatives

The three (3) student representatives to the Committee shall be selected under the auspices of the Student Government Association within thirty (30) days after the student ratification of this Article in accordance with Sections G and H hereof and, thereafter, on or between April 15 and May 31 of each succeeding academic year; provided, however, that at the Massachusetts Maritime Academy, of the three (3) student representatives, one (1) shall be selected under the auspices of the Student Government Association and two (2) under the auspices of the cadet officers of the Regiment of Cadets. Notice of the procedures for nominating and selecting student members shall be published as an official University communication at least ten (10) days prior to the date on which such selection is to take place. The term of office of each student representative shall be from the date of his/her selection to the date of his/her successor's selection on or between the April 15 and May 31 next following. All full-time students of the University shall be eligible to serve on the All-University Committee.

c. Administrative Representatives

The three (3) administrative representatives to the Committee shall be appointed from time to time by the President of the University and shall serve at his/her discretion. Notice of such appointments shall be thereafter published as an official University communication.

d. Vacancies on the All-University Committee

In the event that any duly selected or elected member of the bargaining unit or student representative to the Committee shall be unable or unwilling to serve

in that capacity, the University President, the Chapter President, the President of the Student Government Association or the Regimental Commander, as the case may require, shall appoint a representative to complete the term of a member who is unwilling to serve or to serve in the place of a member while he/she is unable to serve. Such appointment shall be made within thirty (30) days after the Chair of the Committee shall have given notice to any such President or the Regimental Commander that such vacancy exists.

## 2. Officers of the All-University Committee

In the spring semester, after the selection/election of the members of the All-University Committee for the next academic year, said members shall convene to elect the Chair by and from among the membership thereof; provided, however, that the Chair of the All-University Committee shall be a unit member elected by and from among the members of the committee. The Chair of the committee shall take office September 1<sup>st</sup> of the following academic year.

At the first meeting of the Committee convened on or after September 1 of each academic year, which meeting shall be convened by the President of the University prior to September 15, or within fifteen (15) days of being established, in such year, ~~a Chair, a Vice Chair and a Secretary of the Committee shall be elected by and from among the membership thereof ; provided, however that the Chair of the All-University Committee shall be a unit member elected by and from among the members of the Committee.~~

All nominations shall be from the floor and elections shall be by secret ~~written~~ ballot. A majority vote of the members present shall be necessary for the election of each such officer. The officers of the Committee shall serve until the next subsequent election and shall take office immediately upon election. An officer shall be eligible for re-election.

Whenever, other than by virtue of the expiration of a term of office, there shall be a vacancy in any office of the Committee, then, pursuant to the procedures prescribed in this Section, there shall be an election of such officer as may be required to fill the vacancy until the expiration of the then-current term of office.

The Chair of the All-University Committee shall receive one (1) course release each semester that they preside over the committee.

## 3. Duties of Officers

- a. The Chair shall:
  - i. preside at all meetings of the All-University Committee;
  - ii. make provision for the discharge, *pro tempore*, of the duties of members who are absent; and
  - iii. carry out assignments and instructions given to him/her by vote of the Committee.

- b. The Vice Chair shall:
  - i. be an aide to the Chair; and
  - ii. in case of the absence or disability of the Chair, assume and perform the duties of the Chair.
- c. The Secretary shall:
  - i. maintain minutes, records and reports of the Committee; and
  - ii. regularly forward copies of such minutes, records and reports to the members of the Committee, the President of the Student Government Association, the Regimental Commander, the Chapter President, the President of the University and the Department Chairs for posting.

The administration shall provide secretarial services to the Chair and Secretary of the Committee in order to allow them to fulfill the duties of their offices.

#### 4. Meetings of the All-University Committee

The Committee shall meet regularly during the academic year at such times and places as may be convenient to its members and in such manner as will permit it to complete its work. In the case of all meetings, an agenda shall be published. The Committee shall meet at the call of its Chair or at the request of a majority of any constituency of voting representatives.

The All-University Committee shall establish an Executive Committee with full power to meet and carry out the work of the All-University Committee during the months of June, July and August and at such other times when classes are in recess for ten (10) or more consecutive working days. The membership of the Executive Committee shall consist of six (6) individuals drawn from the membership of the All-University Committee. The six (6) members shall be elected by the All-University Committee and shall include two (2) bargaining unit representatives, two (2) student representatives and two (2) administrative representatives. During such period, a quorum of the Executive Committee shall consist of one (1) bargaining unit representative, one (1) student representative and one (1) administrative representative.

#### 5. Responsibilities of the All-University Committee

The All-University Committee shall encourage the participation of all members of the bargaining unit, members of the University administration, and members of the student body in the process of decision making. The Committee shall be the primary agency for coordinating and implementing such participation in accordance with the provisions of this Article. Whenever any matter is submitted by any person who is a member of the university community for consideration by the All-University Committee or any standing committee, such matter shall be submitted to the All-University Committee and shall thereafter be promptly referred by the Committee to such standing committee, if any, within whose purview such matter falls; provided, however, that in the event that there shall be no standing committee within whose

purview such matter falls, the All-University Committee shall, in accordance with Section D(3) hereof, refer such matter to an ad hoc committee. Such assignments to standing committees shall be made in accordance with the duties of such committees as they are hereinafter set forth.

Through the vehicle of official minutes, the All-University Committee shall monitor the proceedings of the standing committees constituted pursuant to the provisions of this Article. All recommendations and reports from any standing or ad hoc committee shall, without exception, be made to the All-University Committee in accordance with the provisions of this Agreement. The All-University Committee may take up and act upon any recommendation, report or other matter submitted to it by any standing or ad hoc committee, provided only that a majority of its members shall have voted to do so. No later than thirty (30) days following its receipt thereof, the All-University Committee may, by majority vote, make to the President such recommendation as it deems appropriate concerning any recommendation or report that has been made to it by any standing or ad hoc committee. During that thirty (30) day period the All-University Committee may request of the President an additional thirty (30) days within which to make such recommendation.

Whenever any recommendation of the All-University Committee shall be contrary in whole or in part to any recommendation or report of a standing or ad hoc committee, the All-University Committee shall, with its own recommendation, transmit to the President, a copy of the recommendation or report of such committee. When conducting its own review of a matter, the All-University Committee shall make every effort to resolve any conflicts and difference in the recommendations of standing committees prior to their being transmitted by such committees to the appropriate administrative officer.

The Board of Trustees has the statutory responsibility for development of the institutional Five-Year Plan and its annual updates and for the submission thereof to the Board of Higher Education.

The parties recognize the desirability of providing all segments of the university community an opportunity to participate in the preparation of the Five-Year Plan and its annual updates. The Board of Trustees, acting through the President, shall establish a timetable for the development of the Five-Year Plan and its annual updates which shall provide for such participation. In addition, in order to ensure full participation the President of the University shall submit to the All-University Committee a draft of the Five-Year Plan and update for its review and recommendation prior to its adoption by the Board of Trustees.

A copy of all minutes of the All-University Committee, together with any reports and recommendations, shall be sent to the administrative officer within whose purview such matter falls and to the President of the University, to the Chapter President, to the President of the Student Government Association and to the Regimental Commander.

C. THE PRESIDENT OF THE UNIVERSITY: ROLE AND RESPONSIBILITIES

All recommendations of the All-University Committee, or of any standing committee, or of any other committee established under the terms of this Agreement shall be transmitted to the President of the University for final review.

In reviewing such recommendations and prior to making any decision in respect of the specific subject matter thereof, the President shall consider any recommendations, then current, made by any committee or other body in respect of such specific subject matter, giving due weight to the knowledge and expertise of the members of such committee or other body. Whenever the President shall have declined to accept, in whole or in part, any recommendation made to him/her pursuant to the provisions of this Article, he/she shall, within a reasonable time thereafter, transmit his/her reasons therefor in writing to the committee or other body by which such recommendation shall have been made.

Without derogating from the exclusive rights of the Association as those are provided for in Chapter 150E of the General Laws, the President and the Board may, in making decisions and in considering recommendations, consult with those persons or bodies that either of them thinks necessary or desirable.

#### D. COMMITTEES OF THE UNIVERSITY

##### 1. Standing Committees of the University

###### a. Establishment and Composition of Standing Committees

Each September 1 there shall be established at each University the following standing committees:

###### i. Curriculum Committee

The Curriculum Committee shall consist of sixteen (16) members of the bargaining unit, three (3) students, and three (3) administrators; provided, however, that in the case of the Massachusetts College of Art and Design, the Massachusetts College of Liberal Arts and the Massachusetts Maritime Academy, the Curriculum Committee shall be composed of ten (10) members of the bargaining unit, two (2) students, and two (2) administrators.

###### ii. Academic Policies Committee

The Academic Policies Committee shall consist of sixteen (16) members of the bargaining unit, at least one (1) of whom shall be a librarian, three (3) students, and three (3) administrators; provided, however, that in the case of the Massachusetts College of Art and Design, the Massachusetts College of Liberal Arts and the Massachusetts Maritime Academy, the Academic Policies Committee shall be composed of ten (10) members of the bargaining unit, at least one (1) of whom shall be a librarian, two (2) students, and two (2) administrators.

###### iii. Student Affairs Committee

The Student Affairs Committee shall consist of five (5) members of the bargaining unit, nine (9) students, and five (5) administrators.

b. Selection of Members of Standing Committees

The membership of each standing committee shall be selected as follows.

The representatives of the bargaining unit shall be selected under the auspices of the Association from among the members of the bargaining unit who are employed at the University.

Beginning September 1, 2018 unit members shall serve two-year terms that begin on September 1 following said selection, except that for academic year 2018-2019 one half (1/2) of the bargaining unit members shall be selected for one-year terms. This is necessary to initiate a fifty percent (50%) staggering of the unit member terms.

Representatives chosen from among the members of the bargaining unit shall be eligible to succeed themselves as representatives to any standing committee.

Except as is otherwise provided in this Agreement, all members of the bargaining unit as set forth in Article I, Section A, of this Agreement shall be eligible to serve as representatives to any standing committee.

Selection of members of the Curriculum Committee shall happen in the spring semester on or between March 1<sup>st</sup> and April 30<sup>th</sup> of each academic year. Said members shall convene to elect the Chair by and from among the membership thereof. The Chair of the committee shall take office September 1<sup>st</sup> of the following academic year.

The Chair of the Curriculum Committee shall receive one (1) course release each semester that they preside over the committee.

The administration shall provide secretarial services to the Chair and Secretary of the Curriculum Committee in order to allow them to fulfill the duties of their offices.

Within thirty (30) days after the date on which the students shall have ratified this Article in accordance with the provisions of Sections G and H hereof, the student representatives shall be selected under the auspices of the Executive Committee of the Student Government Association at the University; provided, however, that only students who will be full-time juniors or seniors during their service in office shall be eligible to be selected to serve as such representatives; and provided further that at the Massachusetts Maritime Academy, one (1) of such representatives shall be selected under the auspices of the cadet officers of the Regiment of Cadets. The representatives first so selected shall serve until their successors are chosen pursuant to the foregoing provisions between April 15 and May 31 of each year.

The administrative representatives to the committee shall be appointed by the President of the University and shall serve at his/her discretion.

c. Responsibilities of the Standing Committees

i. Curriculum Committee

After receiving from the All-University Committee any recommendation submitted by any Department Chair or by any member of the university community, the Curriculum Committee, after consultation with any appropriate department or departments, shall from time to time prepare and transmit to the Vice President reports and recommendations with respect to the general coordination and improvement of the University's academic program. In carrying out this charge, the committee shall evaluate and make recommendations concerning the following:

- (A) all deletions from, additions to, or changes in the University inventory of courses and identification of the department to which the courses are to be assigned;
- (B) major and general educational requirements and proposed changes therein; and
- (C) proposals for new major programs of study.

In addition to the foregoing, the committee shall from time to time conduct a University-wide study of the overall academic program in order to consider and propose major changes in the curriculum design.

Prior to making any decision to establish or disestablish any academic department or academic or library program area at the University, the President shall inform the Curriculum Committee of such intended or pending decision, and the Curriculum Committee may thereafter make any such recommendation in respect thereof as it may deem appropriate. No other provision of this Article VII shall apply to any such decision.

ii. Academic Policies Committee

After receiving from the All-University Committee any recommendation submitted by any member of the university community, the Academic Policies Committee shall from time to time prepare and transmit to the Vice President reports and recommendations with respect to the following:

- (A) the academic calendar;
- (B) academic standards;
- (C) standards for admission to the University;

- (D) policies governing selective retention;
- (E) educational services that the University should render to the local community; and
- (F) library services.

ii. Student Affairs Committee

After receiving from the All-University Committee any recommendation submitted by any member of the university community, the Student Affairs Committee shall from time to time prepare and transmit to the Vice President, Student Services, reports and recommendations with respect to the following:

- (A) needs of the student population to be served;
- (B) student activities, including, at the Massachusetts Maritime Academy, activities of the Regiment of Cadets; and
- (C) student participation in the cultural and social activities of the University.

The Committee shall make studies of the practices, policies and trends related to student life at other institutions of higher education in the Commonwealth and in the nation.

2. Graduate Education Council

a. Establishment of a Graduate Education Council

Each September 1 there shall be established at each University at which there is a graduate education program a Graduate Education Council.

The membership thereof shall be as follows:

- i. the President of the University shall appoint three (3) administrators who shall serve at his/her discretion;
- ii. under the auspices of the Association, ten (10) members of the graduate faculty shall be selected from among all members of the graduate faculty of the University, provided, however, that in the case of the Massachusetts College of Art and Design, the Massachusetts College of Liberal Arts and the Massachusetts Maritime Academy, the Graduate Education Council shall be composed of five (5) members of the graduate faculty; and
- iii. the members of the council selected pursuant to the foregoing provisions shall elect one (1) member who shall be a student at the University enrolled in two (2) or more graduate courses in a semester.

The terms of office of members of the council for administrator and student members shall commence on the September 1 following said selection and shall end on the next following August 31.

Beginning September 1, 2018 the terms of office for bargaining unit members of the council shall be two-year terms that begin on September 1 following said selection, except that for academic year 2018-2019 one half (1/2) of the bargaining unit members shall be selected for one-year terms. This is necessary to initiate a fifty percent (50%) staggering of the unit member terms.

Whenever a vacancy shall have occurred in the membership of the council, such vacancy shall be filled pursuant to the applicable provisions of the foregoing paragraphs.

b. Responsibilities of the Graduate Education Council

Matters in respect of which the council may make reports and recommendations shall be the following:

- i. the changing of course requirements within the existing graduate curricula;
- ii. the addition of new courses and identification of the department to which the courses are to be assigned and the deletion of existing courses within such curricula; and
- iii. the criteria to be applied in designating as such members of the graduate faculty.

The council shall receive and may solicit from the academic departments of the University recommendations pertaining to the preceding item (iii).

The council shall also hear appeals from graduate students to the University's graduate program.

c. Reporting Procedure Applicable to the Graduate Education Council

Anything in this Article VII to the contrary notwithstanding, every report and recommendation made by the Graduate Education Council shall be transmitted directly to the President of the University through the Vice President, and a copy thereof shall be transmitted to the Chapter President and to the Department Chair of each department that sponsors a graduate program. No such report or recommendation shall be required to be transmitted to the All-University Committee or to any standing or other committee thereof. The Graduate Education Council shall send copies of minutes and its agenda to the All-University Committee.

3. Ad Hoc and Special Committees

a. Establishment of Ad Hoc Committees

Upon a majority vote of the members of any one (1) of its three (3) constituencies, or upon the request of the President, the All-University Committee shall from time to time establish one (1) or more ad hoc committees of the University to make recommendations and reports to the Committee in respect of any matter duly referred to it by the Committee pursuant to the provisions of this Agreement. No such ad hoc committee shall be constituted for the purpose of receiving, nor shall any such committee receive, any assignment regarding a matter falling within the purview of any standing committee, any Graduate Education Council, or the Sea Term Council at the Massachusetts Maritime Academy, constituted pursuant to the terms of this Agreement; nor shall any ad hoc committee be constituted for the purpose of receiving, and no such committee shall receive, any assignment regarding any matter agreed to be dealt with through any other process or procedure prescribed or deferred to by this Agreement; nor shall any ad hoc committee be constituted for the purpose of receiving, and no such committee shall receive, any assignment regarding any matter of the kind described in Section J.

Every such ad hoc committee shall be responsible to the Committee for the completion of its assignment.

b. Membership of Ad Hoc Committees

The membership of any ad hoc committee shall consist of at least one (1) representative from the bargaining unit, one (1) student and one (1) administrative representative and shall in every case consist of an equal number of voting members from among the bargaining unit, students and administrators, respectively. The number of such representatives shall be determined by the All-University Committee. The representative or representatives of the bargaining unit shall be selected under the auspices of the Association; the student representative or representatives shall be selected under the auspices of the Student Government Association and, at the Massachusetts Maritime Academy, the Regiment of Cadets; and the administrative representative or representatives shall be selected by the President.

The ad hoc committee may also invite an administrator, a member of the bargaining unit and/or a student having expertise in the matter being considered by the committee to assist it in a consultative capacity.

c. Establishment of Special Committees

Whenever the President of the University, the Chapter President, and, by a majority vote thereof, the All-University Committee shall have agreed upon the establishment of any special committee at any University (including any such committee on strategic planning, on long-range planning for the use of space and facilities or any like matter), such committee shall be established in accordance with the terms of such agreement and shall have such responsibilities and membership and shall exist for such term, not being greater than the term of this Agreement, exclusive of any evergreen period, as

shall have been so agreed upon. Any such committee so established shall be governed by any and every provision of this Agreement, except to the extent that the contrary shall have been so agreed upon, that is of general application to the standing committees otherwise established pursuant to the provisions of this Agreement; provided, however, that the provisions of Section H of this Article shall be of no application to the establishment of any such committee.

Once established, a special committee shall cease to exist on the end date in the agreement that established the committee, or if the university president, chapter president and a majority vote of the All-University Committee all agree to abolish the committee.

#### 4. Committee Reporting Procedures and Meetings

##### a. Reporting Procedures

Each of the aforesaid committees, excluding the Graduate Education Council but including any ad hoc or special committee, shall submit reports and recommendations to the All-University Committee in accordance with the following procedures:

At the time of its submission of any final report and/or recommendation to the All-University Committee, each committee shall simultaneously submit such final report and/or recommendation to the following, namely:

- i. the President of the University;
- ii. the Chapter President;
- iii. the President of the Student Government Association and, in the case of the Massachusetts Maritime Academy, the Regimental Commander; and
- iv. such administrator as may from time to time be designated for such purpose by the President in respect of such committee.

Not later than May 15 of each academic year, each standing committee shall submit to the All-University Committee and to the President a report setting forth its activities during such academic year.

##### b. Meetings

Each standing committee shall meet regularly during the academic year at such times and places as may be convenient to its members and in such manner as will permit it to complete its work. The academic calendar may prescribe a regular weekly period during which classes are not normally scheduled in order thereby to provide a convenient time during which members of the academic community may attend meetings of the All-University Committee and other committees established in accordance with this Article.

Each member of the All-University Committee and of any other committee established in accordance with this Article shall have one (1) vote.

Not less than annually, each committee shall elect a chair by a majority vote of all the committee members present at a meeting called for such purpose; each committee shall also elect a secretary who shall record minutes of each meeting of the committee and maintain its records and reports, and who shall regularly forward copies of minutes, records and reports to the Chapter President, the President of the Student Government Association, the Regimental Commander and the President of the University.

Every committee shall have the prerogative of asking the advice and assistance of any student, member of the bargaining unit, administrator or departmental committee in the performance of its responsibilities.

#### 5. Notice of Selections, Elections and Appointments

Written notification of all selections, elections or appointments to the All-University Committee and to other committees established in accordance with this Article shall be sent by the President of the University, the Chapter President, the President of the Student Government Association and the Regimental Commander, as the case may require, to the All-University Committee, the President of the University, the Chapter President, the President of the Student Government Association and the Regimental Commander.

#### 6. Filling Vacancies on Committees

In the event that any duly selected representative of the bargaining unit, any student representative or any administrative representative serving on any standing, special or ad hoc committee, including the Graduate Education Council, shall be unable or unwilling to serve in that capacity, the Chapter President, the President of the Student Government Association, the Regimental Commander or the President of the University, as the case may require, shall, pursuant to the applicable provisions of this Article, provide for the filling of the vacancy thereby created for the purpose of completing the term of the retiring member; provided however, that a vacancy of a student representative to the Graduate Education Council shall be filled in accordance with the provisions of subsection 2(a)(iii) above.

#### 7. Establishment of a Sea Term Council at the Massachusetts Maritime Academy

##### a. Membership

The President of the Massachusetts Maritime Academy may establish a Sea Term Council whose membership, if so established, shall consist of the following:

- i. the Department Chairs of the departments of Engineering, Marine Transportation and any other department having a training component on the Sea Term;

- ii. a member of the bargaining unit from each of the departments of Engineering and Marine Transportation and from any other department having a training component on the Sea Term;
- iii. the Master, Chief Engineer or Chief Mate of the Training Ship;
- iv. the Commandant of Cadets; and
- v. three (3) student representatives.

The three (3) student representatives shall be chosen annually in an election conducted under the auspices of the Executive Committee of the Student Government Association. One (1) such representative shall be a member in good standing of the second class, one (1) of the third class and one (1) of the fourth class of cadets at the Academy.

b. Responsibilities

The Sea Term Council, if so established, shall make recommendations to the President, by way of the Vice President, concerning the following:

- i. the itinerary of the annual Sea Term;
- ii. the training program of the annual Sea Term; and
- iii. the staffing requirements for the annual Sea Term.

E. ROLE OF THE ASSOCIATION AND OF THE STUDENT GOVERNMENT ASSOCIATION

The University Chapter of the Association, by its duly constituted officers, and the Student Government Association at each University, by its duly constituted officers, may, respectively, submit a recommendation to the President in respect of any matter that is the subject of a prior recommendation made by the All-University Committee, by any standing committee, including the Sea Term Council at the Massachusetts Maritime Academy, and by the Graduate Education Council, by any special committee or by any ad hoc committee, as they or either of them may deem appropriate.

Whenever the Chapter President and the President of the Student Government Association, or either of them, shall, within five (5) days following the receipt of such recommendation, have given written notice to the President of an intention to make a recommendation in respect of such prior recommendation, the University Chapter of the Association or the Student Government Association may, having given such notice, make any such recommendation within ten (10) days following the receipt of such prior recommendation; provided, however, that whenever, prior to the expiration of such ten (10) day period, the Chapter President and the President of the Association, or either of them, having given such notice, shall have given further notice of any intention to discuss such prior recommendation at a meeting of the faculty or of the students, as the case may be, the University Chapter of the Association or the Student Government Association may, having given such further notice, make any such recommendation within fifteen (15) working days following the receipt of such prior recommendation. Nothing in the foregoing shall be deemed to prohibit either the Chapter President or the President of the Student Government Association from

giving both of the aforesaid notices within five (5) days following the receipt of the recommendation in question.

Until the expiration of such period of time or until his/her receipt of any such recommendation from the University Chapter of the Association or from the Student Government Association, whichever shall first occur, the President shall make no final decision in respect of the matter that is the subject of such recommendation.

#### F. PLANS FOR ACADEMIC REORGANIZATION

Prior to implementing in whole or in part any plan of a kind described in Section A of Article X-A and of Article X-B of this Agreement, but only to the extent that such plan or part of such plan will, if implemented, change any academic program, curriculum or structure at any one or more of the State Universities, the Board of Trustees, or the Board of Higher Education, as the case may be, shall transmit such plan or part thereof, to the extent that the same will, if implemented, change any academic program, curriculum or structure at any University, through the President of such University to the All-University Committee. A copy of the same shall also be transmitted to the Chapter President and to the President of the Association. Upon its receipt thereof, the All-University Committee shall refer the same to any such standing committee or committees within whose jurisdiction such plan or part thereof falls, but only to the extent, in the case of each such standing committee, that such plan or part thereof so falls.

At the time of such transmittal, the appropriate Board, acting through the President, shall give written notice to the All-University Committee of the date by which any final recommendation or recommendations are required to be submitted to the President, pursuant to the provisions of this Article VII, in respect of such plan or part thereof; provided, however, that different dates may be so established with respect to different portions of such plan or plans; and provided further that if after its receipt of any recommendation or recommendations from any standing committee, the All-University Committee shall have determined that an extension of time is reasonably required for its consideration of any such recommendation, it shall so notify the President in writing and it shall thereupon be granted, during an academic year, an additional thirty (30) days for such purpose from and after the date first set for the making of any final recommendation. The date or dates that are established pursuant to the foregoing provision for the making of any recommendation in respect of any such plan or part thereof shall govern the making of any such recommendation made, whether by the All-University Committee or otherwise, pursuant to the provisions of this Article VII, anything in such provisions to the contrary notwithstanding.

#### G. STUDENT ELIGIBILITY

No student may be selected to or continue to serve on the All-University Committee or any committee established hereunder who is not a full-time student and in good academic standing.

#### H. STUDENT PARTICIPATION IN DECISION-MAKING

##### 1. Acceptance

At each University student participation as provided in this Article shall be subject to acceptance of the terms of this Article to be evidenced by a vote, taken by secret

ballot, of the student body which shall be determined by a referendum to be conducted by the Student Government Association at each University not later than November 30, 2023. Every student shall be eligible to vote. A majority of those voting shall be required for acceptance. Acceptance by such vote shall be for the term of this Agreement. The referendum question shall be as follows:

“Shall the students of \_\_\_\_\_ [name of institution] participate in decision-making at the University as provided for in the contract executed between the Massachusetts Teachers Association/MSCA and the Board of Higher Education?

“Yes \_\_\_ No \_\_\_

“(Acceptance or rejection shall in no way affect the entitlement of students to participate in other duly authorized student or campus organizations.)”

The ballots cast in such referendum shall be counted at a meeting open to members of the university community and shall, after completion of the tally, be kept for the duration of this Agreement in the records of the Student Government Association.

## 2. Effectiveness

Acceptance of this proposal by the students of the University in accordance with the provisions of this Article shall be a condition precedent to the right, at such University, of students to participate in the decision-making procedures provided herein. Non-acceptance shall make the terms of this Article, insofar as they grant to students the right to participate in such decision-making procedures, null and void, but shall in no way otherwise impair any other term of this Article or of this Agreement.

### I. COMPLIANCE WITH BOARD TIME SCHEDULES

Any assignment, report, recommendation or other action of any committee provided for in this Article shall be completed in compliance with such reasonable time schedules as may be established from time to time by the Board or the President.

Written notice of such time schedules shall be provided by the President of the University to the Chair of the All-University Committee, the Chapter President and the President of the Student Government Association. Notice to the All-University Committee shall be deemed to be notice to all other committees established by or pursuant to the provisions of this Article. In the event that any such committee, having received such notice, shall not have so completed its work, the President or the Board, as the case may be, may in his/her or its discretion make such recommendations or take such actions as he/she or it deems appropriate, and the making of such recommendations or the taking of such actions shall not be in violation of the procedures set forth in any provision of this Agreement.

### J. EXCLUSIONS: TRUST FUNDS, DEPARTMENT OF NAVAL SCIENCE, ROTC

Anything in this Agreement to the contrary notwithstanding, no provision of this Article VII shall be of any application to any person, committee, council or body to the extent that such person, committee, council or body has any responsibilities concerning the administration of any trust fund or funds at any University or Universities; nor shall any provision of this