

MTA Files Several Higher Education Bills for Upcoming Session

C. J. O'Donnell, MSCA President

In 2010 MSCA had a few notable legislative successes; most important were passage of the funding bill for the day collective bargaining agreement (now obligating the payment of the 3.5% increases on June 30, 2011 and June 30, 2012) and the change in status from a system of nine state colleges to nine state universities. However, other important bills were not enacted.

MSCA lobbied for two bills that did not pass: the sabbatical bill, which would have allowed state university faculty and librarians to be eligible for sabbaticals after six, rather than seven, years, and the Optional Retirement Program (ORP) bill, which would have allowed members in the ORP a one-time opportunity to opt out of the plan and into, or back into, the State Employee Retirement System (SERS).

Despite extensive lobbying by MSCA members and the state university presidents, the sabbatical bill, which was reported out of the Joint Committee on Higher Education on a unanimous favorable vote and had no known opposition, languished and died in House Ways and Means. MSCA and the state university presidents jointly asked Rep. **John Keenan** (D-Salem) and Sen. **Fred Berry** (D-Peabody) to refile this bill. Rep. Keenan and Sen. Berry are strong advocates for the state universities and were key players in the success of the university status legislation.

MSCA will work hard for passage of this bill early in the upcoming two-year session in order for those faculty and librarians who would be eligible this fall to apply for sabbatical by the Oct. 1 deadline.

The ORP bill also died this past legislative session, however, for a different reason. We learned late in the legislative session that there were a number of flaws with the bill as drafted and there was insufficient time to redraft the bill, have it amended in committee, and have it enacted. Therefore, a conscious

decision was made by MTA-affiliated higher education unions that represent members in the ORP to suspend their lobbying of the bill and concentrate on redrafting the bill for the new session. At the urging of MSCA librarians, the redraft includes language making higher education employees otherwise eligible for the SERS, eligible for the ORP. Sen. **Marc Pacheco** (D-Taunton) has refiled the bill ORP for MTA.

Other higher education bills filed by MTA are:

- a bill improving the contract funding procedures for state employees (filed by Rep. **Martin Walsh**, D-Dorchester).
- a bill requiring that at least 75% of undergraduate courses at each institution of public higher education be taught by full-time tenured and tenure-track faculty by 2015 (filed by Rep. **David Sullivan**, D-Fall River).
- a bill allowing part-time and continuing education faculty teaching at least four courses of at least three credits in a year at one or more state higher education institutions to earn creditable service for this time (filed by Sen. **Patricia Jehlen**, D-Somerville).
- a bill extending group health insurance coverage to part-time and continuing education faculty who teach the equivalent of at least two courses per semester or four courses during a calendar year of at least three credits (filed by Sen. **Richard Moore**, D-Uxbridge).
- a bill increasing the amount of scholarship monies available to students attending institutions of public higher education (filed by Rep. **Sean Garballey**, D-Arlington).

Nominations Open for 2011 NEA Representative Assembly

The 2011 Representative Assembly of the National Education Association will be held from June 30 through July 5 in Chicago, Illinois.

MSCA members in good standing on January 15, 2011, who pay their dues to NEA through the appropriate MSCA chapter, may seek election as MSCA local delegates to the NEA-RA. Stipends may be available to assist with travel expenses. Only members who pay their dues to NEA through the appropriate MSCA chapter will be entitled to vote in the election for MSCA delegates to the NEA-RA. Members teaching in day or DCGE who pay dues to NEA through another MTA local (e.g., MCCC, APA, or a K-12 local) may seek election as a local delegate only through that local and will be entitled to vote only in that local election.

Individuals who join NEA through MSCA or another local after January 15, 2011 will not be eligible to seek election as a delegate to the 2011 NEA-RA.

The specific number of delegates allocated to MSCA will be established after January 15, 2011. The specific number of seats will be sent to all candidates and will appear on the ballot, if a run-off election is necessary.

The election timetable is as follows:

- Nomination deadline: March 11, 5:00 p.m., regardless of postmark or indicated fax time.
- Ballots mailed: week of March 14.
- Ballots return deadline: April 1, 5:00 p.m.

Questions should be directed to:

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NEA NOMINATION FORM: DEADLINE - March 11, 2011

Name of Candidate (Please Print)

Institution Affiliation

I wish to place my name in nomination as a candidate for
MSCA delegate to the 2011 NEA Representative Assembly.

Signature

Date

Please attach a biography statement (not to exceed 50 words)

Send completed form to: Nancy George, MSCA Secretary
Salem State University
352 Lafayette Street
Salem, MA 01970

Post-tenure Review Returns in AY 2011-12

Pat Markunas, editor

Post-tenure review (PTR) returns at the start of AY 2011-12. Unlike earlier versions of PTR, you will not be required to be reviewed or have choices about the type of PTR or the length of the PTR review period (see the table for exceptions). Many elements, however, remain the same. The complete contractual language can be found in Article VIII-C.

Selection Date. April 1 will be the deadline by which eligible faculty members or librarians must give notice to undergo PTR for review the following academic year. An eligible faculty member or librarian who does not give notice remains eligible to do so in the future, as long as PTR remains in effect.

Eligibility. The basic rule is that a faculty member or librarian becomes eligible for PTR six years after the end of the prior PTR evaluation year OR six years after the effective date of tenure, whichever comes later. See the table below.

Review Period. The PTR review period will be those six years plus the evaluation year for the previous PTR. See the table below.

Postponement. Once you give notice that you want to be reviewed under PTR by April 1, you may postpone your PTR evaluation only for illness, disability, emergency or leave of absence, as approved by the VPAA.

Process. Only one type of PTR evaluation process will be in effect: the process requiring an Article VIII portfolio, self-evaluation, classroom or professional observation by the chair, or Library Director or Library Program Area Chair, and review by the VPAA. The VPAA may consult with the chair, Library Director or Library Program Area Chair but only the VPAA conducts the review and determines the rating given.

Ratings and Percentage Pay Increases. The same percentage pay increases will be possible as a result: 6%, 3% and 0%. The qualitative ratings of exemplary, meritorious and unacceptable have been eliminated.

Promotion and PTR. Individuals being evaluated for promotion cannot be evaluated under PTR at the same time. Since notice for both actions must be given by April 1, the eligible member may choose, at that point, which personnel action to undergo the following year.

Reconsideration, Appeal and Professional Development. The reconsideration and appeal processes remain the same. The option for a professional development plan and re-evaluation will exist for those individuals who receive a 3% or 0% pay increase.

Descriptions for years shown after June 30, 2012, are for purposes of illustration only and are not binding on the parties except as otherwise agreed in Article XXI.

For unit members who:	Eligibility begins ¹ :	If reviewed during first year of eligibility, the review period is:
Were granted tenure with effect on 9-1-05	9-1-11	9-1-05 through 8-31-11
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements	9-1-11	At least from 9-1-05 through 8-31-11, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-06	9-1-12	9-1-06 through 8-31-12
Were reviewed under Alternative One during AY 2005-2006	9-1-12	9-1-05 through 8-31-12
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements and had not returned to unit status by 9-1-11	9-1-12	At least from 9-1-06 through 8-31-12, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-05 but were on academic administrative leave during AY 11-12	9-1-12	9-1-05 through 8-31-12
Were granted tenure with effect on 9-1-07	9-1-13	9-1-07 through 8-31-13
Were reviewed under Alternative One during AY 2006-2007	9-1-13	9-1-06 through 8-31-13
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements and had not returned to unit status by 9-1-12	9-1-13	At least from 9-1-07 through 8-31-13, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-06 but were on academic administrative leave during AY 12-13	9-1-13	9-1-06 through 8-31-13
Were granted tenure with effect on 9-1-08	9-1-14	9-1-08 through 8-31-14
Were reviewed under Alternative One during AY 2007-2008	9-1-14	9-1-07 through 8-31-14
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements and had not returned to unit status by 9-1-13	9-1-14	At least from 9-1-08 through 8-31-14, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-07 but were on academic administrative leave during AY 13-14	9-1-14	9-1-07 through 8-31-14
Will have been granted tenure with effect on 9-1-09	9-1-15	9-1-09 through 8-31-15
Were reviewed under Alternative One during AY 2008-2009	9-1-15	9-1-08 through 8-31-15
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements and had not returned to unit status by 9-1-14	9-1-15	At least from 9-1-09 through 8-31-15, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-08 but were on academic administrative leave during AY 14-15	9-1-15	9-1-08 through 8-31-15
Will have been granted tenure with effect on 9-1-10	9-1-16	9-1-10 through 8-31-16
Were tenured on 9-1-04 but were not reviewed under Alternative One under the 2004-2007 or 2007-2008 agreements and had not returned to unit status by 9-1-15	9-1-16	At least from 9-1-10 through 8-31-16, but unit member may elect any longer period back to effective date of tenure.
Were granted tenure with effect on 9-1-09 but were on academic administrative leave during AY 15-16	9-1-16	9-1-08 through 8-31-16

¹ Once eligible, the unit member remains eligible until reviewed under this procedure.

MSCA Perspective

A publication of the Massachusetts State College Association, the faculty and librarian union for the nine state universities in Massachusetts.

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