

MSCA Members Protest Contract Funding Delay

Markunas Voices Frustration with Delay at the September BHE Meeting

BHE Chairman Steve Tocco said it's coming.

Chancellor Judith Gill said it's coming.

"We're waiting for a final sign-off with the governor," Tocco said at the September 15 meeting of the Board of Higher Education at Massachusetts College of Liberal Arts in North Adams. "We have verbal approval for sure."

"Hopefully within a very short time we will have the contract from the governor," said Gill.

But the faculty and librarians gathered to protest the delay in sending the contract to the legislature were skeptical. And in her remarks, MSCA President Pat Markunas voiced her disappointment that the 2004-07 MSCA day unit contract was not included in a recent funding request sent to the legislature by the governor.

"I want to express publicly our deep frustration and disappointment that once our contract was approved by Secretary [Eric] Kriss on July 15, *five weeks* passed" before the administration called campus administrators to begin cost calculations," Markunas said.

"Then administrators were given two weeks to produce detailed and complicated calculations for the contract, and I thank them for this work," Markunas continued. Another week of delay followed, however, "while certain BHE staff persons were on vacation."

Markunas added: "No one disputes that everyone at the state colleges — presidents, upper-level administrators, middle management, staff, as well as the faculty and librarians—deserve long-overdue pay increases. It is, however, demoralizing and disruptive to campus

harmony to have our contract funding delayed, in our perception, unnecessarily, when the funding request for the APA contract and pay increases for the college presidents move forward."

In his opening remarks, BHE Chairman Tocco invited calls to the Romney administration to urge action on the MSCA contract.

Markunas responded in her remarks, "We intend to take the chairman at his word and will encourage

phone calls and communications with the Office of Administration and Finance to make sure that our contract is in the FY 05 Deficiencies Budget. We hope that all members of the BHE will make calls as well."

Contract history: After two years of bargaining, the MSCA and BHE teams finally signed a contract last February. It was ratified by MSCA members on April 1. By June, however, the governor's office, which had taken no action on the contract, demanded modifications. It also demanded that the MSCA

give up claim to any pay increase for the year 2003-04, the year after the previous contract expired.

On July 15 Eric Kriss, secretary of Administration and Finance, stated that the administration would move ahead with funding of the modified contract. On August 1 the chancellor, BHE and MSCA members met again to formally sign the contract.

Over two months later, the Romney administration has yet to submit a funding request to the legislature. In contrast, the 2005-06 APA contract, settled and ratified after the MSCA's contract, was costed out earlier, signed by the governor, and passed by the legislature on September 20.

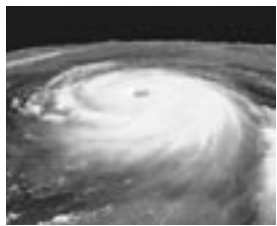


JUSTICE DELAYED—Three MCLA education professors protest the delay in funding the MSCA contract at a meeting of the BHE September 15. Joining chairperson Ellen Barber are Susan Edgerton and Mary Ann Doyle, a Loyola University professor forced to leave New Orleans by Hurricane Katrina and invited to teach at the North Adams campus.

Finding Family, Shelter and a Place to Teach

MSCA Members Feel the Brunt of, and Respond to, Hurricanes Katrina and Rita

Ben Jacques



It was Saturday before Katrina hit, and Loyola University had just shut down so students and faculty could evacuate. Working in her office, Mary Ann Doyle, a professor of education,

called Southwest Airlines to get the last seat on a flight leaving in 70 minutes. She didn't have time to stop by her home in Orleans Parish.

"I'm one of the lucky ones," she said, looking back. "I only lost things. I didn't lose any family."

She was also fortunate, she said, to find a place to teach. Realizing that she couldn't use her round-trip ticket—Loyola would be shut down for at least the semester—Doyle called the chair of the education department at Massachusetts College of Liberal Arts, Ellen Barber. For three summers Doyle has come to the North Adams campus to teach graduate courses in the Leadership Academy. Would the department, by chance, have courses she could teach in the fall?

Yes, said Barber, they could use her help. Barber also invited her to stay at her home. Now teaching in MCLA's fall schedule, Doyle's responsibilities include supervising 20 education interns in Rochester, N.Y., where one of her two daughters lives.

On campus September 15, Doyle showed up to protest delayed contract funding with other members of the faculty and librarians. "I'm happy to support this cause," she said.

Faculty Seek Family

Hurricane Katrina also left an indelible mark on two Salem State professors who temporarily lost track of family members in New Orleans. Steve Costanza, professor of criminal justice, was watching TV around the clock for information about his 72-year-old mother, retired school counselor Marlene Costanza, who lived in suburban New Orleans. Heeding instructions, she had gone to a shelter. When he saw video footage of the shelter, he was shocked.

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Nominations Open for 2006 MSCA Officers Election

November 1 is the start of the MSCA 2006 Officers Election cycle. If you are planning to run for MSCA office, you can request nomination papers on or after November 1, 2005. Candidates will be elected next spring for all four positions: President, Vice-President, Treasurer, and Secretary.

To obtain nomination papers, as explained in the MSCA Constitution (Article IV), send a request by certified mail to:

Deb Foss
MSCA Nominations & Elections Supervisor
Massachusetts College of Liberal Arts
Advising Services, Bowman 32
375 Church Street
North Adams, MA 01247-4100

To be eligible to appear on the MSCA Election ballot as a Certified Candidate, you must return your signed nomination papers

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A Steep and Winding Road

How the 2004-07 Day Contract Gets Enacted and Implemented

Editor's note: Does the Sisyphus myth apply? Are we collectively struggling to shoulder our contract up the steep mountain of funding? Certainly, for all faculty and librarians, the campaign for a contract has been a long and winding road, full of roadblocks, washouts and delays.

To help you understand the complexity of getting the 2004-07 MSCA-BHE Day Unit contract funded — now that it's been signed, ratified and OK'd by the governor's office—here's the roadmap summarized by MTA higher education consultant **Donna Sirutis**. Clarification of major contract provisions dependent on funding, and those already in effect, are also given.

Steps Required for Funding Enactment

In order for the economic provisions and the language changes outlined below, to take effect, a contract funding bill must be enacted into law. The steps needed for this to happen are as follows:

1. The governor must submit a request to the legislature for an appropriation of monies to fund the contract. We are waiting for the governor to do this. Secretary of Administration and Finance, Eric Kriss, has told Chancellor Gill and Board of Higher Education Chair Tocco that he will recommend that the governor file the funding request.
2. Once a funding bill is filed, the legislature would refer it to the House Committee on Ways and Means, which would consider adding it to a supplemental budget bill. Such a bill is planned for legislative action this fall, and will contain items besides contract funding.
3. The supplemental budget bill must be approved by the House Committee on Ways and Means, then by the entire House, then by the Senate Committee on Ways and Means, then by the entire Senate.
4. The bill would then be sent to the governor for his action. The governor might sign the bill, veto

the bill, or sign some items and veto others.

5. If the MSCA contract funding item is in the supplemental budget bill and is not vetoed by the governor, the contract funding would become enacted, and the contract changes, below would go into effect. (Payment of the increases would not occur until some weeks after the funding bill becomes law. All pay increases will be paid retroactively to the date on which they take effect.)
6. If the governor were to veto either the entire bill or the MSCA contract funding item, we would have to lobby the legislature to override the veto. If the veto is overridden, the contract funding would become enacted, and the contract changes below, would go into effect.
7. If the governor were to veto either the entire bill or the MSCA contract funding item, and we were unable to persuade the legislature to override the veto, the provisions below would not go in effect. Should that happen, bargaining would most likely resume and the MSCA would be able to obtain the (non-binding) fact-finding report for fiscal year 2004.

You can see why it is not possible to predict when any of this might happen. Given that the governor has not yet filed a request for an appropriation to fund the MSCA contract as of September 30, 2005, we will be well into the 2005-2006 academic year before any funding bill could be enacted.

If nothing else, this outline reinforces the need for bargaining process reform, vigorously advocated by all public higher education unions before the legislature (see the June issue of *Perspective*).

Major Provisions Dependent on Funding

The following new provisions in the 2004-2007 contract *do not go into effect until a contract funding bill is enacted into law*. Numbers in parentheses are page numbers in the 2004-2007 contract. The entire contract is posted on the MSCA website and available in hard copy at local chapter offices.

Article IV Employer contribution to H&W trust fund increased to \$11/FTE/week July 1, 2006 (52)

Article VI Chair stipends increased to \$1650/semester retroactive to Spring 2005 (67)

Article VII Governance referendum (72)

Article VIII Student evaluations (99-100, 103-104)

A modified college-wide tenure committee (119-120) [the tenure evaluation system in the 2001-2003 contract will remain in place during academic year 2005-2006]

Article VIII-C Non-grievable post-tenure review with possible salary increase (129-141)

Article IX Tenure evaluation in 6th year for unit members hired after January 1, 2006 (142-143)

Article XI Exclusion of governance recommendations from arbitration (186)

Article XII Departmental assessment of academic advising (195)

Article XIII Minimum salary review, increases in salaries (initial pay increases effective March 1, 2005 and July 1, 2005), promotion increments, tenure degree adjustments, part-time compensation (initial increase March 1, 2005), base salary, maximum salaries (219-229)

Article XIII-A Increases in all elements of the minimum salary formula (230-231)



Article XX Rights to unit positions with tenure for newly hired academic administrators or unit members on leave to serve as academic administrators (261-262)

Major Provisions in Effect Now

The following new provisions and others in the 2004-2007 contract are in effect and will remain in effect *regardless* of whether the contract is funded:

Article VIII Clarification re "higher order of quality may be required" for promotion (96; see also Articles XX, 250, 257 and XX-A, 263)

Clarification that librarians who teach day classes will be evaluated on their teaching as are faculty (96)

Reduction of number of evaluations of part-time faculty (97) and chairs (116)

Only the classroom observation (and student evaluations, if implemented) will be conducted during first year of employment in the unit (97)

Peer Evaluation Committee for librarians as for faculty (111, 123)

Article VIII-C Temporary hold on the post-tenure review process from the 2001-2003 contract (129)

Article XII Carryover of workload credits and debits from all prior years (192)

Article XIII Joint Salary Study Committee (229)

Article XIV Professional development monies (234-238)

Article XX Separation of promotion to associate professor from tenure process, i.e., no requirement for untenured assistant professor to be candidate for tenure if applying for promotion, and no requirement to obtain both—language deleted (notification was given to affected faculty this summer)

Automatic promotion for instructors who obtain credentials for assistant professor (251; see also XX-A, 256)

MSCA Board Meetings November & December 2005

November 4 Worcester State College
Foster Room

December 2 MTA – Auburn
Large Conference Room

Open to all MSCA members in good standing, including part-time and DGCE, regular meetings begin at 10 a.m. and usually adjourn by 3 p.m. Time is set aside for visiting speakers. If you wish to address the Board, or have a question about board meetings, please contact the MSCA President's Office at 978-542-7282, or email Pat Markunas: <pmarkunas@aol.com>.

MSCA Perspective

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AT THE STATE HOUSE

Higher Education Issues are Highlighted in State House Hearings

Pat Markunas

Despite the delay in the governor's submission of our contract funding to the legislature (see story, page one), higher education issues have been and will continue to be an important focus of hearings and briefings held at the State House this fall.

Joint Committee on Higher Education

The Joint Committee on Higher Education will hold a series of three informational hearings, each one devoted to a segment of public higher education. The first hearing was held on September 22 and focused on community college issues. The second hearing will be held on October 11 on the University of Massachusetts-Boston campus and will concern the university system.

The third hearing will focus on state college issues and all state college faculty and librarians are urged to attend. This hearing is scheduled on Monday, October 31, beginning at 1:00 pm at the Massachusetts Maritime Academy in Buzzards Bay. Any member of the public may testify by signing up that day at the start of the hearing. Further information will be

posted on the MSCA website later this month.

Listed in the box below are the nearly 20 bills that have been assigned to the Joint Committee on Higher Education. Most of these bills will be the subject of a hearing scheduled at the State House on December 13. The MSCA Board of Directors will consider positions on those bills related most directly to faculty and librarians issues and to financial support for the colleges as a whole.

Joint Committee on Public Service

The Joint Committee on Public Service probably considers more bills that affect our working lives, careers and retirement than any other legislative committee does.

On September 22, a hearing was held to consider several bills concerning benefits and creditable service towards retirement. Most significant of these were two bills to establish group health insurance benefits for part-time faculty (S 1535) and retirement benefits for part-time faculty (H 189). Union leaders and part-time faculty from all three public higher education

segments testified at length about the need for these legislative proposals to become law.

On behalf of the MSCA, I want to thank three part-time faculty from the state colleges who appeared in person to testify in support of these two bills: **David Goodof** (Salem State College), **Margo Capparelli** (Framingham State College) and **Christopher Chippendale** (Mass College of Art). Copies of their testimony, along with my own from this hearing, have been posted on the MSCA website.

Thanks, too, go to many part-time and full-time faculty across the state colleges who have written to their local representatives and senators in support of these bills so crucial to our part-time faculty.

Last June, many public higher education representatives testified in favor of changes to the state's collective bargaining law, Chapter 150E (see the

June issue of the *Perspective*). This September, I held private meetings with members of the Senate leadership to urge their support for this legislation, the need for which is compounded every day that our contract funding sits in the Executive Office of Administration and Finance, rather than in the legislature.

One last legislative issue that members contact me about regularly is early retirement. An early retirement bill (S 1600) has been filed with the Public Service Committee, but no hearing has been scheduled and the bill has been given very little chance for passage.

For Further Information

You can read the text of the bills mentioned in this article by logging onto <www.mass.gov/legis/> and linking to the appropriate committee. You can also use this website or the MSCA website to contact your local representative and senator to urge support (or opposition) to these or any other bills before the legislature. Political action is important to our success in enacting this legislation.



HEALTH-CARE AND RETIREMENT—Veteran “adjunct” professors **Margo Rita Capparelli** from Framingham State and **Christopher Chippendale** from Mass College of Art testified before the Public Service Committee on Sept. 22 in support of bills that would grant them health care and retirement benefits.

Nominations *continued from page 1*

(including at least 40 signatures from MSCA members in good standing with no more than 15 counted from any single chapter) to Deb Foss at the above address. Nomination papers must be received by 5:00 PM on January 20, 2006, regardless of postmark. To insure confirmation of receipt of nomination papers, please return them via certified mail.

Specific information concerning the Election of Officers can be found in the MSCA Constitution (posted on the MSCA website at <www.mscaunion.org>). The Election Rules and Calendar will be approved by the MSCA Board of Directors on or before December 2, 2005. These documents, once approved, will also be available on the MSCA's website.

Questions can be directed to the Nominations and Elections Supervisor at 413.662.5400 or <dfoss@mcla.edu>.

Report Change of Address for MSCA Officer Elections

Members are advised that ballots for the 2006 MSCA officers election will be mailed to home addresses. If your **home address** has changed since the 2004 MSCA officers election, send your new address to **Gail Price** at the MSCA Treasurer's Office (see box below for contact information).

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A Brief Listing of Bills Before the Joint Committee on Higher Education

Bill #	SPONSOR	DESCRIPTION
S 760	Baddour	Handicapped students be granted priority for accessible campus housing
S 761	Baddour	Hazing/harassment laws be extended to protect handicapped students in campus housing
S 769	Creedon	Public Law School to require approval by legislature
S 771	Lees	Merger or acquisition of colleges must be approved by legislature and governor
S 777	Resor	Establishment of Rape/Sexual Assault Prevention Advisory Council
S 780	Rosenberg	Formula funding/student charges/tuition and fees
H 1226	Candaras	Merger or acquisition of colleges must be approved by legislature and governor
H 1234	Perry	“Academic Bill of Rights” - a la David Horowitz
H 1236	Fagan	Restrictions on student fees to pay legislative agents
H 1242	Jones	Establishment of a Student Bill of Rights, a Commission and a Student Advisory Council
H 1253	Hynes	No smoking in dorms at public higher ed institutions
H 1257	Hynes	No alcohol, either
H 1259	Sanchez	Commission to study student liability for actions and behavior and recommend laws
H 1260	Sanchez	Student liability for actions and behavior while attending college
H 1261	Sanchez	Private colleges to be liable for actions and behaviors of their students
H 1262	Walsh	Textbook orders and purchases – severe restrictions and policies
H 1263	Sanchez	No dorm overenrollment beyond physical capacity of buildings
H 3912	Kaprielian	Colleges cannot accept gifts that limit academic freedom

FACULTY/LIBRARIAN SPOTLIGHT

On the Democracy Watch in Nagorno-Karabakh

Two Worcester State Professors Observe Elections in Fledgling Republic

Dan Shartin & Leontina Hormel



The distinctive Armenian cross, carved in the monastery at Noravonk.

From June 15 to 22 we traveled to Nagorno-Karabakh in the south Caucasus to serve as informal election observers in this fledgling independent republic. We joined two members of the San Francisco-based NGO, Global Exchange, to meet with government officials, leaders of the political parties, Karabakhi NGOs, and ordinary citizens in an effort to better understand the political circumstances in this complex region of the world.

We were contacted about this project through our participation in Worcester State's Center for the Study of Human Rights. Henry Theriault, director and member of the Philosophy Department, had been approached by Armenian-American organizations about the possibility of sending representatives of the Center to observe Nagorno-Karabakh's elections.

Nagorno-Karabakh has historical and ethnic ties to Armenia, but during the Soviet era it was included within the Soviet Socialist Republic of Azerbaijan. Long-standing animosity between the Azeri and the Karabakhi people made that a difficult and tenuous political arrangement. As the USSR began to weaken in the late 1980s, the Karabakhis declared their independence from Azerbaijan.



The day after elections, Leontina celebrates with other "team" members, including Armenian law school professors and students serving as translators, and members of Global Exchange.

The immediate result was an armed struggle that lasted from 1988 until 1994 and created significant numbers of casualties and refugees for both sides. In 1994, after Karabakhi forces had regained the territory of Nagorno-Karabakh and taken over the entire southwestern portion of Azerbaijan, a cease-fire was declared. The cease-fire still holds.

Although Azerbaijan still regards Nagorno-Karabakh as a region within its jurisdiction, Nagorno-Karabakh has been holding parliamentary and presidential elections since 1994 – both as an expression of self determination and to demonstrate to the world its ability to govern itself as an independent country. It was to observe the most recent round of parliamentary elections that we flew to Karabakh.

Leontina: We arrived in Stepanakert, the capital, on Friday evening, June 17, and met with individuals and groups representing a variety of interests. Despite different agendas, all of them expressed the desire to resolve the ongoing disagreement with Azerbaijan over the territory of Nagorno-Karabakh. In this small country, almost everyone lost a friend or relative in the 1988-1994 conflicts. Meticulously-managed memorials to soldiers exist in nearly every village – no matter how poor it is.

Dan: On Election Day, June 19, the four members of our team split up and watched polling places in

various regions of the country. I went first to Askeran and couldn't help being moved by the seriousness with which the voters, many still holding Soviet passports, and many missing limbs as a result of mine explosions, took the election. The side of the apartment building just outside the polling place was covered with bullet holes. We then traveled to the town of Martouni, driving through disputed territories and miles of villages and settlements that had been reduced to rubble.

Leontina: I requested to visit the northern region because it comprised mostly villages, with Martakert being the only urban center. Although some of the more egregious violations to elections protocol were reported in cities, we had heard that violations were witnessed in the villages. Witnesses alleged political candidates and parties were buying votes in villages by offering cash, free fuel, funding for road reparation, and even funding toward renovating war memorials. Yet in our visits to eight different villages, we were impressed with how professionally the committees organized and ran their local elections.

Because gaining independence is so important to the residents of Nagorno-Karabakh, I sensed that people were reluctant to openly criticize the current government and its performance. For example, I spoke with a woman who worked in the laundry room at our delegation's hotel. I asked her whether she had decided for whom to vote and if she felt any of the candidates spoke to average people's issues. She replied that she had decided on a candidate, but not because he represented her interests; rather, he

was a friend-of-a-friend. She said that none of the candidates addressed what people like her needed. But, once she shared this, she covered her mouth and looked at the open door to the laundry room. She stood up from her chair and briskly walked over to look outside the doorway. Gaining reassurance that no one was close enough to overhear her, she gave me a long list of priorities she wished the government would pursue. Her concerns revolved around childcare, healthcare, unemployment, and war reparations.

I was grateful that our delegation was not responsible for making conclusions about the level of democratic freedom practiced in these elections, since we had no way to gauge whether the public was manipulated during the period preceding the elections.

Dan: In Nagorno-Karabakh all citizens 18 and older are automatically registered to vote—there's no separate registration process. Even with the great difficulties of travel, over 75 percent of those eligible managed to cast their votes in the election.

Leontina: I was excited to participate in this delegation and to get acquainted with its Southern region – especially with Nagorno-Karabakh, which has such a unique history.

Dan: I had never had an experience anything like this. It was at times inspiring, frustrating, and very tiring, but always fascinating and rewarding. Although the visit was short, the team returned from Nagorno-Karabakh confident that we had gained a well-rounded understanding of this intriguing and complex political situation. Our aim now will be to continue developing that understanding and to help educate others about this little-known part of the world.

—Dan Shartin, chapter president at Worcester State College, teaches philosophy. Leontina Hormel teaches sociology at Worcester State and pursues research interests in post-Soviet societies.

Hurricane Katrina *Continued from page 1*

"It looked like a can opener pulled the top off," he said. Also ruined was her home, where Costanza spent his first 24 years.

Surviving two days in the shelter without a roof, his mother was rescued by a Louisiana Wildlife and Fisheries officer, then taken to a ferry and transported across the Mississippi River to Port Allen, where she joined evacuees from the Superdome.

Pushed onto a bus, she later got off at a truck stop and called relatives, who picked her up. She is now staying with relatives in Houston, waiting to hear if and how she can return to her home, polluted by toxic water and a nearby oil spill, to search for remnants of value.

A graduate of the University of New Orleans and Louisiana State University, where he earned his doctorate, Costanza said he has found good people, like those at home, in Salem and Boston.

"Everyone at Salem State and the community has been so helpful," he said. Colleagues at Salem State have set up a fund to help Professor Costanza's mother secure housing and get a new start.

Another Salem State faculty member, nursing professor Leah Sak, lost track of her two sons, daughter-in-law and three grandchildren, evacuated from New Orleans just before the storm. Phillip Sak, unmarried, arrived safely in Chicago. But her other son, Paul, took his 8- and 6-year-old sons to Long Beach, Mississippi, not knowing then that the hurricane would turn in that direction. Meanwhile, his wife and their 18-month old daughter waited in Austin, Texas, having driven there earlier to take a niece to college.

On September 8, one driving east, the other west, her son and daughter-in-law met on the Mississippi-Louisiana border. They are now living in temporary housing in Austin. The Nursing Department at Salem State has collected funds to assist Sak's displaced family members.

Faculty on other campuses also worried about family members. For Margaret Crowe, a visiting lecturer in history at Bridgewater State College, the days after the storm were full of anxiety as she waited to hear about her father. A retired professor, he had undergone back surgery in New Orleans two days before Katrina. She was relieved to learn he had been transferred to Houston, after enduring two days in the New Orleans hospital without antibiotics or pain medications.

Supporting Hurricane Victims

Across the state, faculty and librarians are providing support to Katrina and Rita victims, reaching out to faculty, students and students from the Gulf, and holding fund-raisers and making donations of money and supplies.

MSCA President Pat Markunas reports that the Council of Presidents has granted her request to extend the contractual provision (see page 42) allowing members to take paid leave for volunteer work with schools and mentoring programs to Katrina relief efforts. Requests, to be considered on a case-by-case basis, should be made to the president of the college.

A Bridgewater State College professor of counseling education, Michael Kocet, has been counseling hurricane survivors at two shelters in Shreveport, Louisiana. You can read his moving journal entries on the college website at <www.bridgew.edu>.

At Westfield State College the faculty held several workshops and teach-ins. In two public forums in the TV studio, the Communications Department presented: "Reconstructing Katrina: the Perfect Communication Storm." Presenters included Professors Don Treadwell, John Paulmann, Tom Gardner, Teresa Griffin and Nessim Watson.

Peter Hogan, Fitchburg State College chapter president, sponsored a New Orleans Jazz Party at his house, raising \$700 for relief efforts.

State and National Relief Efforts

The MTA is supporting the NEA's drive to raise \$1 million dollars for hurricane relief and has posted links to several programs, including NEA's Adopt a School. Donations should be sent to NEA HIN/Hurricane Katrina Relief Fund, 1201 16th Street NW, Washington, D. 20036. For more information, visit the NEA website at <www.nea.org>.