

MSCA Perspective

Massachusetts State College Association

MSCA Newsletter

Patricia V. Markunas, editor



NEA/MTA/MSCA

Oct/Nov 2009

MSCA Members Push Priorities at September Legislative Hearings

Amendment Sought to Optional Retirement Plan

By Anne Falke

Widespread unhappiness with the Optional Retirement Program (ORP) led the Massachusetts Teachers Association to seek legislation to allow higher education faculty members to join or rejoin the state employee retirement system (SERS).

Sen. Marc Pacheco (D-First Plymouth/Bristol) filed S1173 to allow faculty members in ORP a 180-day window to join or rejoin SERS.

A hearing on this bill was held before the Joint Committee on Public Service on Sept. 21 at the State House in Boston.

MCCC vice president **Diana McGee** organized MCCC members to attend the hearing and lobby individual legislators afterwards. She contacted MSCA and four members of MSCA testified at the hearing: **Julie Frechette** (Worcester State College), **Ken Haar** and **Philip Zampini** (Westfield State College) and myself.

The hearing seemed to go better than expected. All members of the committee appeared genuinely concerned and asked questions that reflected that concern. My testimony for the committee follows:

Representative Spellane, Senator McGee and members of the Public Service Committee, my name is Anne Falke. I am a professor of chemistry at Worcester State College. I both live and work in your district, Representative Spellane.

I was hired in 1997. As part of the hiring process all of the new faculty members were gathered together for a one-day orientation.

One small part of the orientation was a presentation from the human resources department. Along with educating us on medical and dental benefits, they presented information on the retirement options. The presentation emphasized portability. They told us nothing about the connection between Social Security and the retirement options. They asked to have the signed forms back by the end of the day.

When I started here I wasn't planning to stay more than three years or so, so I signed up for the Optional Retirement Program without much more consideration. Now 12+ years later I've realized that my career is at Worcester State. And now I'm penalized for changing my mind.

During my time here I have availed myself of additional retirement avenues such as a 403(b) and a Roth IRA. Currently, I put more than 20% of my income into retirement accounts. However, that may still have me working well into my 70s so that I can retire with sufficient income to support myself.

Additionally, as president of the Worcester chapter of the MSCA I receive regular complaints from faculty members about the ORP. The only issue I hear more about is parking.

I urge you to report favorably on this bill and to move it out of committee quickly.

Thank you.

—Anne Falke is the chapter president and a professor of chemistry and education at Worcester State College.



Anne Falke, Worcester State chapter president, listens to Philip Zampini of Westfield State testify before the Joint Committee on Public Service, Sept. 21.

Sarah Nathan, MTA

Repeal of Seven-year Sabbatical Statute Sought

By Amy Everitt

On Sept. 29 the Joint Committee on Higher Education held a hearing on Beacon Hill to take testimony on several bills. Included was H1170, a bill to make sabbatical provisions at state colleges consistent with other higher education institutions.

The bill would repeal chapter 73, section 4A, of the general laws, the statute that requires state college faculty and librarians to have seven years of service to be eligible for sabbatical leaves.

I testified in support of H1170 on behalf of MSCA and was joined by the state college presidents' executive officer **Frederick W. Clark, Jr.** and the presidents' counsel **Mark Peters, Esq.** We explained that there is no statute so limiting faculty at UMass or the community colleges.

Sen. **Stan Rosenberg** (D-Amherst) asked how quickly we needed action on the bill. We reported that the recently settled 2009-2012 day collective bargaining agreement would allow eligibility after six years, the standard in higher education. However, the language in the agreement is subject to the repeal of the current statute and that we would like to see that happen as quickly as possible.



MSCA vice president Amy Everitt waits her turn to testify before the Joint Committee on Higher Education, Sept. 29.

Sarah Nathan, MTA

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Officer Nominations Open Nov. 1

Members considering running for an MSCA statewide office for the 2010-2012 term can request nomination papers on or after Nov. 1, 2009. Next spring, candidates will be elected to two-year terms for all four MSCA offices: 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 Elections Supervisor
Mass. 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, members must return signed nomination papers — including at least 40 signatures

from MSCA members in good standing with no more than 15 counted from any single chapter (campus) — to **Deb Foss** at the above address. Nomination papers must be received by 5:00 p.m. on Jan. 15, 2010, regardless of postmark. To ensure confirmation of receipt of nomination papers, please send 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 2010 election rules and calendar will be approved by the MSCA Board of Directors on or before Dec. 4, 2009. These documents, once approved, will be available on the MSCA website and published in the *Perspective*.

Questions can be directed to Deb Foss at 413.662.5400 or <dfoss@mcla.edu>.

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MSCA Communications
 c/o Salem Chapter/MSCA
 Sullivan Building 202B
 Salem State College
 Salem, MA 01970



Students, faculty and staff rally for increased public support at an April 8 PHENOM demonstration in Boston.

PHENOM Fights Hard for Higher Education

By Ken Haar

Born in the winter of 2006, Public Higher Education Network of Massachusetts (PHENOM) has caught the attention of educational and political leaders around the state. The first of its kind coalition of students, faculty and staff from all segments of the public higher education system has battled for education funding, helped defeat Question 1, fought to increase student financial aid, worked to ensure proper allocation of federal stimulus funds, and traveled the state to make the arguments for Massachusetts to invest in public higher education.

The number of people who are enrolled in, employed by or graduated from public institutions, together with their immediate families, added to potential students, parents, and members of the community who recognize the importance of public higher education, is an enormous political force. PHENOM is committed to awakening this sleeping giant. We publicize our positions and advocate with politicians, but only by mobilizing and taking action do we make change.

This year PHENOM will deepen its roots on the campuses and expand its work into Massachusetts communities. PHENOM's plans include:

- helping form a coalition for a progressive tax increase campaign,
- founding a higher education caucus in the legislature,
- working to minimize the cuts and laying the foundation for renewed investment in public higher education as a key part of any recovery,
- launching an academic credit program where students learn about the politics and economics of public higher education and to be effective organizers,
- hosting a major conference on improving college access,
- publishing a student organizing guide,
- working with various organizations to bring PHENOM's message into high schools,
- setting up a web-based library of relevant articles and research, and
- increasing discussion of how to achieve free public community college.



PHENOM's goal of mobilizing a large grassroots movement to get politicians to change the decades-long pattern of underfunding is beginning to take shape. MTA and higher education unions have been key supporters of PHENOM, and there are many ways that MSCA members can help PHENOM grow and prosper.

1. Check out PHENOM's informative website <www.phenomonline.org>. While you're there, consider becoming a member or signing up for our mailing list.
2. Higher Ed folks – join the PHENOM group on your campus. Write to <massphenom@gmail.com> for more information.
3. Make a tax-deductible donation to PHENOM by clicking "Donate" at <www.phenomonline.org>.

We need your help. Thanks for your support.

—Ken Haar is the chapter president at Westfield State College. Ken is pictured on the far right-hand side of the photograph above.



Members carry PHENOM's message up the steps of the State House in Boston at the April 8 rally.

Did You Know... About Responding to Evaluations?

By Margaret Vaughan

The procedures for the conduct of evaluations described in the collective bargaining agreement include several opportunities for you to respond in writing. This means you can submit a response to the evaluation and recommendation you receive from your peer evaluation committee, your chair, the library director or library program area chair and the academic vice president.

There are timelines that must be followed in order for your response to be included in the materials that are forwarded. For a PEC evaluation you have 10 calendar days to submit a response. Likewise, you have 10 calendar days to respond to the evaluation by your chair, the library director or the library program area chair. With respect to the vice president, however, you are given only 7 calendar days to submit a response.

Candidates for tenure have two more opportunities to respond in writing: after meeting with the tenure committee, a tenure candidate has 7 calendar days to submit comments or clarifications to the tenure committee; and upon receipt of the tenure committee's evaluation, a tenure candidate has 7 calendar days to submit a response. Candidates for promotion, however, do not have the opportunity to respond to the promotions committee's evaluation.

In addition you may request at any point an opportunity to review the materials used in the conduct of your evaluation or to meet with the PEC, chair, library director or library program area chair to discuss the evaluation and recommendation.

The chair and vice president can include in your evaluation materials "any other relevant materials and validated information" submitted by the chair, the library director or the library program area chair, as well as the vice president. You have a contractual right to review any such inclusions.

Before you take any of these steps however, I encourage you to speak with a union representative. The president of your MSCA chapter and your grievance officer can help you craft your response to any evaluation. More importantly, they can help determine if a violation of the agreement has occurred.

Filing a grievance over an evaluation is different from responding in writing to an evaluation. Both can occur simultaneously but each has a different timeline. When in doubt, call your MSCA chapter office. We can help.

—Margaret Vaughan is chair of the MSCA Grievance Committee.



Margaret Vaughan

2009-12 Day Contract Available on Web

Hard Copies to Arrive Soon

The language for the 2009-2012 day unit MTA/BHE contract has been finalized and posted on the MSCA website <www.mscaunion.org>. Hard copies will be printed in October and should be available on all state college campuses in November. Chapter presidents will announce the arrival of hard copies on campus.

Candidates for personnel actions, as well as department chairs and members of evaluation committees, are urged to review the relevant portions of the new contract for clarifications and other minor changes.

Questions should be directed to your campus chapter president (see page 4 for contact information) or grievance officer.

Colleges Continue to Violate 15% Cap

By Patricia V. Markunas

Readers of the MSCA *Perspective* will recall that MSCA has been fighting to enforce the contractual language that caps the percentage of sections taught by part-time faculty (Article XX, Section C(10)). The cap is 15% of three and four-credit sections taught each academic year in academic departments with six or more full-time faculty; the cap at Mass Art is 20%. Excluded from the cap are sections taught by part-time faculty replacing faculty on any type of leave, alternative professional responsibility, association release time and unforeseen emergencies.

This problem, the subject of a consolidated grievance filed in 2002 and an unfair labor practice charge, was covered in the July 2008, Jan/Feb 2009 and Summer 2009 issues of the MSCA *Perspective*. These back issues are posted on the MSCA website and available in hard copy from my office (see page 4 for contact information).

Table 1 shows the number of academic departments in violation of the 15% cap at each state college from AY 2001-02 through AY 2008-09. Despite a ruling issued in 2006 by then-chair of the state college Council of Presidents, Pres. Janelle Ashley, that ordered campus administrations to comply with the contractual caps, the number of academic departments in violation of the contract has increased.

Frustrated by the failure of campus administrations to comply with the ruling above, MSCA filed an unfair labor practice charge in May 2008 that was the subject of an investigation by the Division of Labor Relations in January 2009.

In May 2009, the Division issued a formal complaint of prohibited practice against the Board of Higher Education and ordered that a formal hearing be scheduled. Americo Salini, Esq., has been assigned by the MTA Division of Legal Services to represent MSCA at this hearing, likely to be held in February 2010.

Table 2 shows detailed information supplied by the colleges at the end of AY 2008-09 regarding specific departments at each campus in violation. The percentages listed indicate the total percentage of that department's sections taught by part-time faculty in excess of sections exempted from the caps.

For example, at Bridgewater State College, 35.2% of the sections in the Art Department last year were taught by part-time faculty in excess of exemptions, so 20.2% of all sections within that department were in violation of the 15% cap.

TABLE 1
Number of Academic Departments by Campus in Violation of 15% Cap on Sections Taught by Part-time Faculty: 2001-02 to 2008-09

College	AY 2001-02	AY 2002-03	AY 2003-04	AY 2004-05	AY 2005-06	AY 2006-07	AY 2007-08	AY 2008-09
BRI	5	unknown	8	7	9	11	12	14
FIT	unknown	unknown	none	none	none	none	none	1
FRAM	2	1	1	5	2	none	2	1
MCA*	2	3	1	3	none	2	2	7
MCLA	none	unknown	1	2	none	1	1	none
MMA	none	unknown	none	none	none	1	none	1
SAL	3	unknown	6	7	5	7	10	7
WEST	2	unknown	unknown	4	2	2	3	6
WORC	none	2	2	1	2	3	1	1
TOTAL	14	6	19	29	20	27	31	38

*Note: The cap at Mass Art and Design is 20%.

TABLE 2
Academic Departments by Campus in Violation of the 15% Cap on Sections Taught by Part-time Faculty: 2008-09

Bridgewater State College		Fitchburg State College	
Art	35.2%	Exercise & Sport Science	15.4%
Communication Studies	43.7%	Framingham State College	
Criminal Justice	17.1%	History	25.4%
English	41.1%	Massachusetts College of Art & Design (cap is 20%)	
Foreign Languages	47.9%	Communication Design	40.0%
History	29.3%	Environmental Design	30.5%
Math/Computer Science	39.5%	Fine Arts 2D	27.8%
Music	56.7%	Fine Arts 3D	32.1%
Philosophy	57.8%	Liberal Arts	24.0%
Political Science	17.9%	Media & Performing Arts	20.9%
Psychology	16.5%	Studio Foundation	45.1%
Secondary Education & Professional Programs	15.4%	Massachusetts Maritime Academy	
Sociology	26.4%	Humanities	23.4%
Theater/Dance	52.6%	Westfield State College	
Salem State College		Art	38.5%
Communications	28.1%	Economics & Management	32.6%
Computer Science	23.3%	English	21.0%
English	49.0%	Mathematics	18.9%
Foreign Languages	19.4%	Music	35.1%
History	28.4%	World Languages	17.5%
Music	23.7%	Worcester State College	
Sport & Movement Science	25.1%	Languages & Literature	34.0%

Repeal of Seven-year Sabbatical Statute Sought *Continued from page 1*

MSCA president C.J. O'Donnell and Fred Clark met with several legislators in advance of the hearing. We will keep you posted on the bill's progress. My testimony follows:

Chairman Galluccio, Chairman Torrisi and members of the Committee on Higher Education, my name is Amy Everitt. I am a faculty member at Salem State College and the Vice President of the Massachusetts State College Association (MSCA), the union that represents more than 3500 faculty and librarians at the nine Massachusetts state colleges. MSCA President C. J. O'Donnell is unable to be here to testify because he is teaching at Mass. Maritime this morning.

Chapter 73, Section 4A, of the General Laws requires that faculty and librarians at the state colleges be employed for seven years on a full-time basis before being eligible for a sabbatical leave, or be employed for seven years on a full-time basis after a sabbatical leave before being eligible for a successive sabbatical leave.

The standard in higher education is that faculty are eligible for a sabbatical

leave after six rather than seven years of full-time service.

There is no statute so limiting sabbatical leaves at the UMass campuses or at the Massachusetts community colleges. Faculty in these higher education segments are eligible, by virtue of their collective bargaining agreements, after six years of full-time service, again, the standard in higher education across the United States.

In April the MSCA concluded negotiations with the Board of Higher Education on a collective bargaining agreement that will run from July 1, 2009 to June 30, 2012. This agreement includes language that will allow sabbatical leaves after six years of full-time service. However, this provision cannot take effect until the aforementioned statute is either repealed or amended to allow for sabbatical leaves after six years of full-time service.

We ask that the committee report out favorably H1170. Thank you for your consideration of this legislation and our testimony in support of it.

—Amy Everitt is the MSCA vice president and chapter president at Salem State College.

FACULTY/LIBRARIAN SPOTLIGHT

Framingham State Professor Named UN Ambassador from Bangladesh

Abdul Momen, chair of the business and economics department at Framingham State College, has taken a leave of absence to serve as ambassador to the United Nations from his home country of Bangladesh.

Prime Minister Sheikh Hasina contacted Abdul last April and offered him an appointment to serve as ambassador to the UN. He and his family have resettled in Manhattan and he began his appointment on August 26.

"The United Nations is a great place to work," Abdul said in a recent telephone interview. "Whatever we do gets out into the world almost immediately because the media picks it up and issues are critical."

Abdul was born in what was then East Pakistan. He arrived in the United States in 1978 on a government scholarship and earned a masters degree in public administration at the Kennedy School of Government at Harvard. While he was in Cambridge, a military coup overthrew the government back home. Abdul made public his criticism of the coup, which cost him his scholarship, his government job and access to Bangladesh for over a decade.

"I am very thankful to the United States for supporting me, feeding me, giving me shelter when I lost my means of support," he said.

Prime Minister Hasina's relationship with Abdul goes back 25 years. "She is a 'symbol of hope' to 150 million Bangladeshis," he noted in an email. Hasina's father founded Bangladesh and Abdul worked in his administration prior to coming to the US. He noted that the prime minister's political agenda mirrors that of President Obama and includes such priorities as remedying climate change, securing the global food supply and food self-sufficiency, increasing access to education and computerization (Digital Bangladesh), fighting terrorism, promoting global peace, enhancing women's empowerment, institutionalizing democracy and the right to vote, increasing employment opportunities, reducing poverty and fighting global trafficking of women and children.

Abdul pointed out that he "is not a diplomat". His biggest surprise at the UN has been the occasional reluctance of people to speak their minds on certain issues. "They claim that they have to consult with their home government" whenever they don't want to share an opinion, he said, laughing.

Being new at the UN means that Abdul spends a great deal of time in courtesy calls to other ambassadors and attending receptions where one can negotiate or compromise on issues. He described the committee work, interventions, briefings and presentations that occur daily at the UN, as well as the warm welcome he has received there. Abdul noted his close working relationship with Susan Rice, the US ambassador to the UN. He first met her 21 years ago during Michael Dukakis's presidential campaign.

Abdul's teaching career includes both full and part-time employment at Salem State College, as well as Merrimack College, UMass-Boston, Cambridge College, Northeastern University (where he earned an MBA and a doctorate in economics) and the Kennedy School at Harvard.

—ed.

Salem State Art Professor Sponsors Wenham Student's United 93 Memorial Project

John Volpacchio, a professor of art, worked for 15 years to establish a glass-making studio at Salem State College, a goal realized in 2005 when the Salem State Glassworks Studio opened on Central Campus. John has been involved in making and selling glass since training as a BFA student with Dale Chihuly at the Rhode Island School of Design.

Little did he know that a glass bird that he sold to a Wenham middle school student at a craft fair would lead to a national memorial for the passengers and crew of United Flight 93, which crashed in southeastern Pennsylvania on Sept. 11, 2001.

Victoria Arakelian, a 14 year-old student, did not want to do the typical community service project. A few months after her purchase of John's glass, Tori (as she is known) contacted him and asked if he would help her create a memorial in glass in tribute to United 93. John agreed, thinking it would be an easy, one-day project.

A single, small-scale glass eagle became 50 12-inch eagles, all unique in design and pose, representing the individuals who lost their lives heroically on 9/11.

Forty of the eagles created by John, Tori and John's student assistant Christopher Jones, were transported

to and displayed for a short time at the Pennsylvania crash site. The glass eagles are now part of the National Archives, awaiting inclusion in a revolving exhibit planned as part of the site's permanent memorial.

In a recent interview, John said that working with Tori made him realize that "community service projects are not limited to the people directed affected by them, but that these projects could be visual, national in scope, and historic in their impact." John's involvement in this project "inspires me to work further with young students — it rejuvenated my teaching in general."

This was not John's first memorial work. Years ago, former MSCA president Vincent McGrath, retired from Salem's history department, commissioned John to create a bronze sculpture to honor a retired firefighter in Vin's hometown of Marblehead.

More recently, John created an all-glass sculpture of a Harley-Davidson motorcycle to present to comedian Jay Leno when he spoke at Salem last April. He has created glass presentation gifts for Salem State's sister universities in Japan and Korea. This year he is working on glass creations for all Salem State retirees, guest speakers and honorary degree recipients.

In addition to his BFA from RISD, John earned an MFA from the University of Colorado at Boulder. After his arrival at Salem State in 1990, he took summer courses in glass-making at Mass College of Art and Design. A federal grant secured from the Department of Housing and Urban Development through efforts by Congressman John Tierney supported the establishment of the Glassworks Studio.

—ed.



Ambassador Abdul Momen presents his credentials to Ban Ki-moon, Secretary General of the United Nations, August 27, 2009.

UN Photo/ Paulo Figueiras

MSCA Perspective

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Patricia V. Markunas, Editor
c/o Salem State College
352 Lafayette Street, Salem, MA 01970
(978) 542-7282 (voice mail only)
Pmarkunas@aol.com

Susan McCarthy, design and layout
Salem State College

MSCA Officers

C. J. O'Donnell, MSCA President
c/o Massachusetts Maritime Academy
Buzzards Bay, MA 02532
(508) 830-6684
(508) 830-6699 Fax
msca@comcast.net

Amy Everitt, MSCA Vice President
c/o Salem State College
Salem, MA 01970
(978) 542-6366
amy.everitt@salemstate.edu

Nancy George, MSCA Secretary/Webmaster
c/o Salem State College
Salem, MA 01970
(978) 542-7182
skinut97@yahoo.com

Glenn Pavlicek, MSCA Treasurer
c/o Bridgewater State College
91 Burrill Avenue
Bridgewater, MA 02325
(508) 531-2793 or (508) 531-2794
(508) 697-9421 Fax
pavlicek@bridgew.edu

Chapter Presidents

Jean Stonehouse, President
Bridgewater State College Chapter
(508) 531-2271
jstonehouse@bridgew.edu

Sean Goodlett, President
Fitchburg State College Chapter
(978) 665-3303
sgoodlett@fsc.edu

Robert Donohue, President
Framingham State College Chapter
(508) 626-4875
rdonohue@framingham.edu

Samuel Schlosberg, President
Massachusetts College of Art & Design Chapter
(617) 879-7588
sschlosberg@massart.edu

Dana Rapp, President
Massachusetts College of Liberal Arts Chapter
(413) 662-5197
D.Rapp@mcla.edu

Gerald Concannon, President
Massachusetts Maritime Academy Chapter
(508) 830-5000 ext. 2272
gconcannon@maritime.edu

Amy Everitt, President
Salem State College Chapter
(978) 542-6366
amy.everitt@salemstate.edu

Kenneth Haar, President
Westfield State College Chapter
(413) 572-5339
KennyHaar@comcast.net

Anne Falke, President
Worcester State College Chapter
(508) 929-8722
Afalke@worcester.edu



Salem State art professor John Volpacchio poses with two glass eagles designed and created through Tori Arakelian's community service project.

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