

SENATE No. 605

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the rights of faculty members at the university of Massachusetts .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Patricia D. Jehlen	Second Middlesex
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00724 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE RIGHTS OF FACULTY MEMBERS AT THE UNIVERSITY OF MASSACHUSETTS .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 75 of the General Laws is hereby amended by striking out section
2 4, as appearing in the 2004 Official Edition, and inserting in place thereof the following
3 section:—

4 Section 4. The trustees shall determine the time and place of their meeting. Nine members shall
5 constitute a quorum. Meetings of the board of trustees shall be subject to the provisions of
6 sections 11A and 11A½ of chapter 30A; provided, however, that in addition to the purposes set
7 forth in said section 11A½, the trustees may hold an executive session to consider the award of
8 honorary degrees. The trustees may further hold an executive session to consider the award of
9 tenure to a member of the faculty, if the member who is being considered for tenure in such
10 executive session has been notified in writing, by the trustees, at least 48 hours prior to the
11 proposed executive session; provided, however, that notification may be waived upon agreement
12 of the parties; and provided, further, that the trustees shall hold an open meeting if such member

13 requests that the meeting be open. If an executive session is held, such member shall have the
14 following rights: (a) to be present at such executive session during discussion or considerations
15 which involve such member; (b) to have counsel or a representative of his own choosing present
16 and attending for the purpose of advising such member and not for the purpose of active
17 participation in said executive session; and
18 (c) to speak on his own behalf.