

Reviewing MANS&C's purpose and goals

The Massachusetts Association of Nonprofit Schools and Colleges (MANS&C) comprises private, independent schools, colleges and universities throughout the state.

Our principal purposes are monitoring and responding to issues arising in the state legislature and regulatory agencies that directly affect our members. By joining together, we can be better informed and exert more influence in matters of mutual concern.

Our legal counsel, John W. Spillane, articulately represents our interests at the State House and before state regulatory agencies. He also keeps our members informed about issues that concern them.

Mr. Spillane's duties include:

- ◆ monitoring proposed and pending legislation and regulations that would affect our members' interests,
- ◆ developing actions or strategies to address important issues,

- ◆ representing MANS&C at legislative and administrative hearings, committee meetings and in personal meetings with legislators and state officials, and
- ◆ maintaining close contact with key officials at all levels of state government.

MANS&C Strengths

While other organizations inform private schools, colleges and universities about particular issues, MANS&C represents their collective concerns. No other statewide organization has such a broad constituency in the vital area of private, independent education in Massachusetts.

MANS&C works closely with presidents and heads of school, as well as with chief financial officers and business managers in our member institutions. These offices usually are responsible for legislative and regulatory compliance. They also assess the financial implications of public policies and programs.

Membership Benefits

In addition to having a strong voice in state government, MANS&C members receive a number of other benefits, including:

- ◆ regular reports identifying legislation that may affect members,
- ◆ status reports on legislation,
- ◆ information about activities in the executive branch of state government,
- ◆ bulletins and calls for action when needed,
- ◆ regular meetings with state legislative leaders,
- ◆ a quarterly newsletter, and
- ◆ access to www.MANS&C.org, which lists MANS&C positions on key legislative, useful links and other important information.

Legislative leader offers advice to MANS&C members

The majority whip of the Massachusetts Senate has advice for nonprofit schools and colleges: Make contact with your state legislators and local officials before any problems arise.

"Please invite the legislators from your area to your school and discuss your issues with them, because if you don't tell them, they won't know," State Sen. Joan M. Menard said at the MANS&C board's Sept. 23 meeting at the Wellesley College Club.

Sen. Menard also urged nonprofit schools and colleges to educate their local neighborhoods about the positive contributions the institutions make to their communities. "When money is tight, they start looking at new ways to tax you," she said. "But if you establish credibility with people, they believe you."

Board members also shared their concerns with Sen. Menard about issues facing nonprofit schools and colleges, including



(l. to r.) Debbie Martin, John W. Spillane, Sen. Menard and Bill Conley at MANS&C board's September luncheon.

attacks on the Dover Amendment and moves in the legislature to restrict the use of 14-passenger activity vehicles.

The senator was a teacher and special education director in Somerset before her election to the state House of Representatives in 1978. "In my heart, I am still a teacher," she said. "My whole life has been in education."

Sen. Menard has a long history of

breaking gender-based barriers and advancing the cause of women in politics. When elected to the Massachusetts Senate in 1999, the Fall River Democrat became only the 25th woman to serve in that legislative body. She was appointed majority whip in 2003.

As a state senator, Sen. Menard is concerned chiefly with childcare, education, disability pension reform, domestic violence and senior pharmacy assistance programs.

She represents the senate's First Bristol and Plymouth district and also serves on the New England Board of Higher Education.

Before her election to the Senate, Sen. Menard served in the state House of Representatives for 21 years. In 1993 she became the first female chairperson of the Massachusetts Democratic Committee. Five years later she became vice chairperson of the Democratic National Committee.

Meet Bill Conley, MANS&C's new vice president



William J. Conley brings a different perspective to his new position as vice president of the MANS&C board—one hammered out in his 30 years with the U.S. Marine Corps, nearly 28 of them on active duty.

The Marines taught him to multi-task, stay calm under stress, analyze situations and pinpoint the real problem, he says. He also developed an ability to instill confidence in his subordinates

and to be a decisive and dynamic leader.

When asked about MANS&C's strengths, Conley talks about the organization's ability to monitor closely the state legislature and regulatory agencies and to keep members apprised of key issues. He also cites MANS&C's ability to marshal opposition to legislation that would restrict the rights of schools and colleges or represent unfair burdens for them.

Conley, a retired colonel, isn't the only Marine in his family. Two of his sons are lieutenant colonels, and his son-in-law is a major in the Marines. One son and his son-in-law are currently stationed in Iraq. His other three children took different paths in

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From the President



As you will see in the Legislative Report in this newsletter, MANS&C achieved impressive success on Beacon Hill this past year.

Legislators set aside several pieces of troublesome legislation, thanks in large part to the efforts of our hardworking legislative counsel, John W. Spillane, and you, our members.

Three bills under consideration would have seriously damaged the rights of nonprofit schools and colleges under the Dover Amendment, which protects our institutions from discriminatory zoning bylaws and ordinances passed by local communities. Other bills would have added significant financial burdens to our members' operating budgets or imposed lengthy, complex new processes for you to follow.

We also were very concerned about Floor Amendment 241, a last-minute insertion into the proposed state budget. The amendment involved procedures for sharing information about students who have been convicted of certain violent or sexual offenses and contained procedures that would have been difficult for our members to comply with. Shortly after MANS&C board members corresponded with key legislators on the issue, the amendment was dropped from consideration.

Even though the formal legislative session has ended, we are not dropping our guard. Troublesome bills still may crop up during the informal session that continues through the end of the year.

John will continue to keep a watchful eye on the State House in the coming months to make sure our members' interests are well represented.

As always, MANS&C's interactions with state officials this year did not stop at the State House door. We all realize the importance of the personal touch in the political arena. In an effort to give our members the opportunity to build relationships with key state legislators, we welcomed several legislative leaders at formal and informal MANS&C gatherings throughout the year.

Last October, Sen. Stanley C. Rosenberg was our guest at a meeting at Deerfield Academy. Sen. Rosenberg holds the influential post of president *pro tempore* of the State Senate. At our Government Relations Luncheon in December, our members and guests had the pleasure of hearing from Sen. Frederick E. Berry, a 20-year veteran legislator who is considered the dean of the State Senate. And one of the brightest new stars at the State House, Sen. John A. Hart, was the guest at our April board meeting.

All three senators provided their behind-the-scenes perspective on the statewide political and economic forces affecting nonprofit schools and colleges today. Their insight will be very useful as we watch events unfold at the state legislature in the coming session.

Throughout the year, MANS&C also brought you useful news by e-mail, in our newsletter and on our Web site, www.mansac.org. We informed members of a major reduction in the fee for Criminal Offender Record Information (CORI) filings, and we provided you with background on a controversial proposal that would require Worcester colleges to make payments in lieu of taxes to the city.

On the issue of voluntary payments, we passed along the insights of Andover Town Manager Reginald "Buzz" Stapczynski and Jim Saltonstall, business manager of the Middlesex School in Concord, who spoke at last November's meeting of the Association of Independent Schools of New England.

As the fall approaches, we are drawing up a new list of speakers and events that will reflect our continuing commitment to our members. The events that will occur in state and local government in the coming months could have serious effects for nonprofit schools and colleges.

It is crucial that we have the strongest voice possible in those discussions.

—Debbie Martin

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life: One is a teacher who married a Marine, one a mortgage broker, and one a scientist. Conley also has eight grandsons.

A Worcester native, Conley is a graduate of Worcester State College and has a master's degree in management and human resources from Webster University in St. Louis. He also has a master's degree in military arts and sciences from the U.S. Army Command and General Staff College and is a graduate of the Naval Justice School and the Naval Postgraduate School Aviation Safety Course.

"In MANS&C, we're able to combine our resources and become an effective voice to protect and promote legislation that serves our better interests."

During his time in the Marines, Conley was stationed all over the United States, as well as in Japan, Panama, Vietnam, Korea, the Philippines, Norway, Denmark and Germany. Two months after retiring as a colonel in September 1989, he took on a series of new challenges as director of administrative services at the College of the Holy Cross. His responsibilities have expanded through the years and now include human relations and risk management, insurance and claims, and the graphic arts, purchasing and warehousing, and telecommunications departments. He also is the college's affirmative action officer.

A MANS&C board member for three years, the affable and insightful Conley believes the organization's robustness stems from its members' similar interests and goals.

"In MANS&C, we're able to combine our resources and become an effective voice to protect and promote legislation that serves our better interests," he says. "Banding together gives us the

resources to do more than we would be able to do on our own."

Conley sees two threats to nonprofit schools and colleges these days.

First is the fact that state and local governments are searching for new revenue as the economy continues to stagnate. "Nonprofits have become a focal point of capturing additional tax base," Conley says. "Protecting our financial status will always be a concern for us."

His second concern is what he calls "well-intentioned legislation that will seriously inhibit or add costs to the operations of nonprofit schools and colleges."

As an example, Conley cites House Bills 79 and 411, which would have changed the law that allows nonprofit schools to operate 14-passenger activity vehicles for field trips and other activities. If passed, HB 79 would have reduced the capacity of eligible vehicles to 10 passengers. HB 411 would have removed the special status given to nonprofit schools and colleges in the existing law and would make additional sweeping changes.

Another example Conley cites is a proposed budget amendment designed to protect schools from receiving violent students without their knowledge. The measure, which failed to make it to the floor, would have placed tremendous compliance burdens on nonprofit schools.

"The devil is in the details," Conley says. "Measures like these may pass and then you find out that you are in a position where you almost can't comply. As individual schools and colleges, we don't all have the resources to fight these things on our own."

Legislative Report

The state legislature closed its formal session on July 30 without taking action on a number of key bills MANS&C had opposed. Bills may still be considered in the informal session, which began Aug. 1, but only if there is no opposition to bringing them to the floor. The informal session ends Dec. 31, 2004.

In the formal session, MANS&C was successful in prompting the removal of a section in **Senate Bill 1250: An Act to Promote Livable Communities and Zoning Reform**. This section would have required religious groups and nonprofit educational institutions to go through a site plan review to obtain a special permit for construction projects.

The following bills, all of them opposed by MANS&C, were sent for further study or never made it out of committee and to the floor for debate:

Senate Bill 1174: An Act to Promote Land Use Reform in Massachusetts

This bill would have expanded the power of municipalities in regulating building construction proposed by schools and churches, jeopardizing our Dover Amendment rights.

Senate Bill 2063: An Act Relative to the Real Estate Tax Exemption

Under this measure, nonprofit colleges would have had to pay real estate taxes or enter into payment-in-lieu-of-taxes agreements with their local communities on all real estate not used strictly for academic purposes.

Senate Bill 84: An Act Relative to Adult Fitness Facility Services

This bill considered colleges and universities to be in competition with local adult for-profit fitness facilities and would have subjected them to a cumbersome regulatory process.

House Bill 79: An Act Relative to Motor Vehicles Used to Transport School Children and

House Bill 411: An Act Relative to Amending the Law Relative to School Buses and the Operation Thereof

These bills would have made major changes to the law that allows nonprofit schools and colleges to operate 14-passenger activity vehicles for school field trips and other activities.

Floor Amendment 241 would have expanded the authority of local school superintendents over nonprofit schools and created burdensome reporting procedures regarding students convicted of certain violent or sexual offenses.

In addition, **House Bill 1699: A Bill Relative to Group Insurance for Certain Small Businesses**, never came up for debate during the session. This bill, which had the support of the Association of Independent Schools of New England (AISNE) and MANS&C, would have changed group insurance requirements for schools with 50 or fewer employees.

MEMBERS' SURVEY COMING

MANS&C's Economic Impact Survey of members has entered the Internet age. This fall, members will receive the survey by e-mail and then answer the questions and file the results in a few quick and easy steps. The new system will be ready for use within a few weeks, according to MANS&C President Debbie Martin.

The survey gathers information on capital expenditures, payroll size, operating budgets and numbers of students, among other things. The information will be used in MANS&C's efforts to promote the interests of nonprofit schools and colleges at the State House. The survey will be offered by SurveyMonkey in conjunction with the National Business Officers Association.

