

MANS&C Quarterly

Massachusetts Association of Nonprofit Schools and Colleges

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www.mansac.org

President's Letter

A few weeks ago I was given the honor of serving as president of MANS&C for the coming year.

As a veteran member of the executive board, I have seen first-hand MANS&C's many accomplishments on Beacon Hill. As president, my goal is to make MANS&C an even stronger, more effective voice for nonprofit schools and colleges at the State House.

In every legislative session, countless well-intentioned but ill-advised bills are filed that would place financial burdens on our institutions and threaten the independence that is the bedrock of nonprofit schools and colleges in Massachusetts. Every year, MANS&C turns back these threats, thanks to the personal influence of our experienced and well-respected legislative counsel, John W. Spillane, and the efforts of our members in contacting their legislators on key issues.

MANS&C will continue to be a forceful and strategic advocate for independent education at the State House. We will remain on the alert for ill-advised bills that attack our Dover Amendment rights, place undue economic burdens on our members or single out nonprofit educational institutions in other ways.

My predecessors as president, Debbie Martin and Bill Conley, worked closely with the board to build strong relationships with key state officials and legislative leaders.

We are going to maintain that momentum. MANS&C will continue to hold its annual Government Relations Meetings and will periodically invite key elected officials to MANS&C board meetings. These meetings provide important opportunities for our members to exchange ideas with state leaders and to share with them our interests and concerns.

To strengthen our influence, MANS&C will continue to expand our membership and showcase the educational, cultural and economic contributions our institutions make locally and statewide. Our impact on Beacon Hill can become wider still by working closely with other organizations to inform legislators about our concerns and show them how we benefit our communities.

I hope we can work together to make MANS&C an even more effective proponent of our institutions. Your input will be welcome as we proceed. If you have questions, suggestions or concerns, please feel free to contact me at b.amsbary@rivers.org or 781-235-9300, ext. 221.

-- Bruce T. Amsbary, President

Lt. Gov. Healey Discusses Healthcare with MANS&C Members

The state's pioneering new healthcare law will take years to implement and will require a new mindset in Massachusetts but it is a "huge step in the right direction," according to Lt.



Lt. Gov.
Kerry Healey

Gov. Kerry Healey. "We all want a private system where we can get the best healthcare, and this is close," she said.

Healey made her remarks at the annual MANS&C Government Relations Meeting April 20 at Suffolk University Law School in Boston.

The new law arose out of the administration's move to contain rising healthcare costs, the lieutenant governor noted. "The biggest problem was the more than 500,000 people who view the emergency room as their primary care outlet," she said.

Of the 500,000, the state signed up a number of low-income people who qualified for Medicaid, as well as children and working adults with disabilities who were eligible for the Common Health program, Healey said. The new healthcare law was created to meet the needs of the remainder of Massachusetts residents who had no healthcare coverage.

Details are still being worked out for the new law, which will set up a market-based system that will require everyone to carry a minimum level of insurance from private companies, enforced through the

MANS&C BOARD ELECTS NEW OFFICERS

At its annual meeting on May 18, the MANS&C executive board elected new officers for the coming year.

They are:

Officers

Bruce T. Amsbary, President
Roberta B. Whiting, Vice President
Barry F. Monahan, Secretary
Julaine McInnis, Treasurer

Board Members

William J. Conley
Michael L. Feeley
Deborah Martin
William F. Phinney
Maggie Striebel
James R. Tracy
Lee Wicks

AISNE representatives

Steve Clem
Carol Peterson

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Headmaster Marty Doggett hands a check for the new squad car to Newbury Police Chief Michael A. Reilly. Selectman Joe Story looks on.

Good Neighbors

Governor's Academy Donations Benefit Police, Local Schools

The Governor's Academy in Byfield won the thanks of the Newbury Police this June when the school donated \$30,000 to buy the police department a new, fully outfitted squad car. One of the department's three patrol cars had been damaged in severe flooding that hit the area in May.

"Words can't express our gratitude," Newbury Police Chief Michael Reilly told Headmaster Martin Doggett.

The school – known as Governor Dummer Academy up until July 1 of this year – regularly makes contributions to the local police and fire departments and emergency squads in appreciation of their hard work. Two years ago, the Academy gave \$10,000 to the Byfield Fire Department for its new fire station.

"Over the years, we have been committed to being a good neighbor," Doggett said.

Donations to the police and fire departments and emergency squads are not the only contributions this historic school has made to its community. Doggett recently presented more than 20 used laptop computers to the Newbury Elementary School. The students will use the computers in the classrooms for projects and research.

In June, The Governor's Academy also welcomed area teachers to a multi-day workshop on the Modular Object Oriented Dynamic Learning Environment, known as Moodle. The academy has been using Moodle, an international Internet teaching program, for four years.

The Academy also plays host to the Fireman's Ball, the Great Chef's fundraiser for Anna Jaques Hospital and fundraisers for the local elementary school, all free of charge. The school's tech group also has built sets for the elementary school for the last few years.

Students take an active role when the Academy hosts the New England Special Olympics Fall Soccer Tournament every year. They also work in the Boston Food Bank one weekend morning a year and organize, publicize and help run the two American Red Cross Blood drives that the Academy holds annually.

In addition, students take part in independent community service projects, working in hospitals, local schools, after-school and day care centers, nursing homes and counseling centers.

The academy instills its motto – "not for self, but for others" – in its students by requiring them to take part in community service in order to graduate.

To include the activities of your school or college in this column, please send them to the MANS&C communications specialist, Ann Hall, at annhall68@comcast.net.

Lt. Gov. Healey cont. from page 1

state tax return. Premiums would be set on a sliding income scale.

"I am here to help you in whatever way I can to make your institutions thrive."

In other matters, Healey, the Republican candidate for governor this fall, said she would like to institute a charitable tax deduction in Massachusetts that would benefit nonprofit organizations. She noted that 70 percent of voters approved that measure in the 2000 elections, but the legislature has ignored the mandate.

The lieutenant governor called nonprofit schools and colleges in Massachusetts "our brain trust" but added that Beacon Hill rarely draws on them to help create public policy.

"If I have the opportunity to [be elected governor]," she said, "I would bring together the academic community with the government so we can draw on that intelligence and expertise. It's important that we have more discussion."

She urged MANS&C members to become more involved in the political process, adding, "I am here to help you in whatever way I can to make your institutions thrive."

A Beverly resident, Healey has two children who attend Shore Country Day School.

She received a bachelor's degree in government from Harvard College in 1982 and went on to receive a Ph.D. in political science and law from Trinity College in Dublin, Ireland.

Before being elected lieutenant governor in 2002, Healey was chairman of the state Republican Party and a law and public safety consultant. She also is the author of four books.

John W. Spillane: *Experience and Influence on Beacon Hill*

One of the most respected and recognized figures at the State House, John W. Spillane will reach two milestones in the coming year. He will celebrate his 25th year as MANS&C's legislative counsel and his 50th anniversary of practicing law in Massachusetts.

In his years with MANS&C, John has compiled a lengthy list of achievements while promoting the interests of Massachusetts nonprofit schools and colleges on Beacon Hill. He has been instrumental in turning back numerous bills that would have eroded our Dover Amendment rights and imposed burdensome requirements on our institutions.

John's achievements are grounded in his comprehensive knowledge of the issues facing nonprofit schools and colleges and his close personal ties with legislators and state officials.

A political veteran, John served as an advance man for John F. Kennedy in his presidential campaign and has been active in the campaigns of many Congressional candidates and state legislators. He also has been an advisor to State Senate presidents and Speakers of the House.

John is a Worcester native and has been a key figure in city politics and in the Boy Scouts for many years. He is a graduate of the College of the Holy Cross and is active in its alumni organizations, serving on the college's President's Council and as a Life Regent and a member of the Fitton Society. He also is a member of the Assumption College President's Council and is on the board of trustees of Anna Maria College.

John is a member of the Equestrian Order of the Holy Sepulchre, holding the rank of Knight Grand Cross, and is chancellor of the order's Northeastern Lieutenancy.

He is a Fourth Degree member of the Knights of Columbus and serves as general counsel to the organization's Massachusetts State Council. In addition, he is a member of the prestigious Clover Club of Boston, a trustee of Higgins Armory in Worcester and a trustee of the Worcester Club.

John's four sons – each of whom was an Eagle Scout – are in practice with him in his law firm, Spillane Spillane, which has offices in Worcester and Hyannis.

MANS&C Kicks Off Membership Drive

MANS&C members will receive membership renewal requests in their mailboxes in the coming weeks, as the organization kicks off its annual membership drive on Sept. 1. This year, MANS&C also will make a special effort to reach out to new members.

Members are asked to renew their membership promptly and to talk with non-member colleagues about the benefits of MANS&C membership.

"At the State House, MANS&C has a long history of successfully turning back bills that are detrimental to nonprofit schools and colleges," MANS&C President Bruce T. Amsbary said. "Our success is due to two factors – the untiring efforts of our legislative counsel, John W. Spillane, and the large number of highly respected institutions that belong to MANS&C. On Beacon Hill, there truly is strength in numbers."

MANS&C also offers its members a low-cost dues structure that has remained level for the past several years. No other organization provides such a cost-effective, yet successful way to influence the decision-makers at the State House.

Membership provides many benefits. Through e-mail, the MANS&C Web site (www.mansac.org) and the *MANS&C Quarterly Newsletter*, members receive:

- Regular reports about new state legislation that affects nonprofit schools

and colleges

- News about activities within the executive branch of Massachusetts government
- Bulletins on the status of important legislation and calls for action by member institutions
- Helpful information on the economic importance of MANS&C members to their communities and useful tips on how to improve ties with local communities

MANS&C members also meet with key legislators and government leaders who are guests at board meetings and MANS&C's annual Government Relations Meetings. Through these face-to-face meetings, members can share mutual concerns about important issues, learn the inside story on what's happening on Beacon Hill and develop personal relationships with lawmakers that can be of lasting benefit to their institutions.

In addition, the MANS&C Web site, www.mansac.org, and the *MANS&C Quarterly Newsletter* provide members with position statements on important legislation and articles of interest. The Web site also includes useful links to state legislators and Massachusetts laws.

For more information about membership, contact MANS&C Treasurer Julaine McInnis at 508-650-5015 or jmcinnis@walnuthillarts.org.

Save the Date

MANS&C will hold its annual Government Relations Meeting and luncheon November 15 at Suffolk University Law School in Boston. These meetings offer members the rare opportunity to meet and speak with high-level state officials and legislative leaders. Lt. Gov. Kerry Healey was the speaker at the last Government Relations Meeting in April.

The speaker for the November meeting will be announced in the coming weeks. Members will be informed via e-mail about registration details.

Legislative Report

MANS&C achieved some important victories when the state legislature wrapped up its 2006-2007 formal session on July 31. At the session's end, no action had been taken on a number of bills that would have been detrimental to nonprofit schools and colleges. MANS&C also managed to turn back one particularly troublesome amendment to House Bill 3637, which effectively killed the measure for the remainder of the year.

Bills still may be considered in the informal session, which began August 1, but only if there is no opposition to bringing them to the floor. The informal session ends December 31.

MANS&C's experienced legislative counsel, John W. Spillane, will continue to keep a close eye on these bills in the coming months.

Senate Bill 168 – An Act to Promote Land Use Reform in Massachusetts

This bill would require our institutions to either obtain a special permit for new construction of 7,500 square feet or more, or submit to local zoning requirements governing frontage, ingress and egress, drainage, landscaping and buffering, and traffic management. The bill also provides for mediation after filing a land-use appeal.

Current status: MANS&C kept this bill in committee through the end of the formal session.

Senate Bill 777 – An Act Relative to Establishing a Campus Rape and Sexual Assault Prevention Advisory Council

This bill would set up Rape and Sexual Assault Prevention Advisory Councils on the campuses of public and nonprofit colleges and universities in Massachusetts to support campus organizations that work with rape and sexual assault victims.

Current status: The reference to nonprofit schools and colleges was removed at MANS&C's insistence, and the bill remained in committee through the end of the formal session.

Senate Bill 1162: An Act Relative to the Sale of Certain Tax-Exempt Property

Under this bill, local municipalities would be given the right of first refusal when a nonprofit organization considers selling some of its tax-exempt real estate. If the city or town agrees to buy the property at the asking price or at the highest bona fide offer, the organization would be required to sell it to the municipality.

Current status: The bill was set aside for additional study and no action was taken on it in the formal session.

House Bill 1220: An Act Relative to Home Schooling

House Bill 1258: An Act Relative to the Adams Scholarship Program

HB 1220 would allow students in private and parochial schools, as well as home-schooled students, to voluntarily take the Massachusetts Comprehensive Assessment System (MCAS) examinations and qualify for free tuition at public schools of higher education under the Adams Scholarship program. HB 1258 would allow students in nonprofit secondary schools to take the MCAS tests.

Current status: HB 1220 was set aside for study and HB 1258 remained in committee. No action was taken on either bill during the formal session.

House Bill 1259, 1260 and 1261 relate to making students accountable for their actions or colleges liable for their students' actions

House Bill 1263: An Act Relative to Over Enrolling of Students in Institutions of Higher Education

HB 1259 would appoint a special commission to study the issue of making college students liable for their actions and behavior. HB 1260 would make students accountable for their actions while attending college. HB 1261 would make all private higher educational institutions liable for the actions of their students. HB 1263 would prohibit colleges from enrolling

more students than can be accommodated in dorms. It also would require institutions to pay a tax on each over-enrolled student and to pay for municipal responses to dormitories or student apartments if problems arise.

Current status: All of these bills were set aside for study and remained so in the formal session. These bills may reappear in the next legislative session, however. MANS&C will continue to closely monitor them.

House Bill 1397: An Act Protecting the Public Health and Environment from Select Toxic Biological Agents

Recently revised, HB 1397 permits the siting of Boston University's new level 4 biomedical lab but would place major restrictions on the construction, renovation and expansion of other level 2, 3 and 4 biomedical laboratories in Massachusetts. It also increases scrutiny on level 2 and 3 laboratories, which never have posed a risk to their communities. Thousands of level 2 and 3 laboratories exist in Massachusetts, many of them at nonprofit schools and colleges.

Current status: This bill was set aside for study and not acted upon in the formal session.

Senate Bill 1735 and House Bill 3449 – An Act to Provide for the Public Inspection of Records Made or Received by Special State Police Officers at Educational Institutions and Hospitals

These bills, which have the same language, would stipulate that all records, reports or other documentary materials or data collected by campus police are public records.

Current status: No action was taken on either of these bills during the formal session.

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House Bill 1978: An Act Relative to School Buses and the Operation Thereof

HB 1978 would remove the special status granted to nonprofit schools and colleges and make sweeping changes to the law governing the use of 14-passenger school activity vehicles.

In 1996, through the efforts of MANS&C the legislature exempted 14-passenger school activity vehicles from regulations governing full-sized school buses when they are used by private schools for athletics or school-related events and driven by teachers, coaches, directors or caregivers. The measure was implemented under the direction of Daniel Grabauskas, who was registrar of Motor Vehicles at the time.

His successor, Registrar Kimberly Hinden, reaffirmed that the vehicles were to be considered private passenger motor vehicles rather than school buses when used in this way. The vehicles meet federal safety standards.

Current status: Because of MANS&C's vigorous opposition, the bill was set aside for study and was not acted upon in the formal session.

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House Bills 2317, 2389 and 2416 all relate to the taxation of real property

HB 2317 would require nonprofit schools of higher learning to make payments to their communities equal to the amount they would have paid in property taxes. HB 2389 creates a complex formula for nonprofit schools and colleges to pay local property taxes. HB 2416 would give voters or city councils the right to decide whether voluntary payments are equitable.

Current status: All of these bills were set aside for study through MANS&C's efforts and were not acted upon in the formal session.

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Senate Bill 2531: An Act Relative to Municipal Zoning, Subdivision Control and Planning

This bill strengthens the regulatory powers of local governments for municipal subdivision and planning. Under existing law, municipalities may review site plans. This measure gives them the authority to substantively disapprove them and sets up an appeal process.

Current status: Because of MANS&C's efforts, this bill was set aside for further study and remained in committee when the formal session ended.

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House Bill 2567: An Act Relative to Cities and Towns and Tax-Exempt Properties

This bill would give local communities the right of first refusal when nonprofit schools and colleges want to sell their tax-exempt real estate or convert it to residential, commercial or industrial use. The bill also would apply to real estate that is no longer tax-exempt but had been within the last two years.

If the real estate is being sold, cities and towns would have 120 days to match the offer after receiving the purchase and sale agreement. When real estate is being converted to other use without being sold, communities would have the option to purchase it at the fair market price as determined by an impartial appraisal.

After a public hearing, the city or town may assign its option to purchase to a nonprofit conservation organization or to the commonwealth.

Current status: Through the opposition of MANS&C, the bill was set aside for study and was not acted upon in the formal session.

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House Bill 3637: An Act Relative to Enhancing the Health of School Children

Under this bill, nonprofit schools would have to inform parents that, unlike public schools, they are not required to conduct certain health examinations on their students. The schools also would be required to annually obtain physicians' statements from parents saying that the examinations have taken place.

Current status: This bill went through a number of changes in recent months. An amendment tacked on just before the end of the session required private schools to notify all of their students that private schools were not bound by this legislation unless parents or guardians communicated to the school that they wanted their children examined. The Senate passed the amended bill.

MANS&C prevented the House from concurring with this amendment, which killed the bill in the full formal session. Although this matter can be taken up in the House in the informal session, one vote in the House requesting non-concurrence will effectively kill the bill through the balance of the year.

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MANS&C Legislative Counsel John W. Spillane, second from left, with board member Debbie Martin, left, State Sen. Joan M. Menard and board member Bill Conley

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