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President's Letter



For the second year in a row, MANS&C will welcome the state's second-highest elected official as the guest speaker for our Government Relations Meeting.

Lt. Gov. Timothy P. Murray will address our members and their guests at the annual event on Wednesday, April 18. Last year's speaker was Lt. Gov. Kerry Healy.

With the opening of the new legislative session in January, this is an especially important meeting for our member institutions. Although the texts of the new bills are not yet available, their titles indicate that many could adversely affect nonprofit schools and colleges in Massachusetts. Some of them, although well-meaning, would be costly; others would impose burdensome new regulations and threaten our independence under the Dover Amendment.

By welcoming our new lieutenant governor, we will have the opportunity to hear his point of view and express our concerns to him. By sharing ideas with him, we can help the administration understand the important role our institutions play in their communities and the critical importance of our independence from government control.

Measures pending in the state legislature are not the only potential problems facing our nonprofit schools and colleges. In these fiscally challenging times, many of our communities are struggling with tight budgets and looking at our institutions as potential sources of financial relief.

A number of our cities and towns are once again raising the issue of voluntary payments or payments in lieu of taxes.

Worcester City Counselor at Large Gary Rosen, for example, is calling for the city's colleges and other tax-exempt institutions to voluntarily pay 18 percent of what individuals or for-profit institutions would pay if they owned the same property.

Writing in the publication InCity Times, Rosen said: "To not even try to negotiate with the colleges (some of whom have very large endowments) and nonprofits, before we ask homeowners, restaurant and hotel patrons and all of the other common tax targets to ante up more money, is a dereliction of our duties to the real estate taxpayers in the city of Worcester."

Rosen does indicate that if the tax-exempt institutions say, "No thank you, we are already doing so much for the city," he would accept that.

His statement indicates that nonprofit schools and colleges may be able to fend off incursions on their tax-exempt status by presenting the facts on their financial and social contributions.

I urge each of you to assemble information on the numerous contributions your schools and colleges make to your local communities. And I invite each of you to join us at the Government Relations Meeting on Wednesday, April 18, as we open a dialogue with our new lieutenant governor.

Bruce T. Amsbary

MAN&C Meeting to Feature Speech by Lt. Gov. Murray



Massachusetts' newly elected lieutenant governor, Timothy P. Murray, will be the guest speaker on Wednesday, April 18, at the MANS&C Government Relations Meeting. The event begins at noon in Sargent Hall at Suffolk University Law School in Boston.

Murray was a three-term mayor of Worcester before his election last fall to the state's second-highest office. As mayor and chair of the school committee, he worked to improve

Timothy P. Murray

city schools while facing significant reductions in state aid. Under his direction, school-community partnerships were forged to lower dropout rates, launch school-based health initiatives and expand after-school programs. Worcester's University Park Campus School, a partnership between the city and Clark University, was recently named one of the top 100 public high schools in the US by Newsweek.

Murray was first elected to the Worcester City Council in 1997 and became mayor in 2001. Before his election, he was involved in a wide range of community organizations and activities, including the Worcester Public Library, Historical Museum, Community Action Council and Working Coalition for Latino Students, as well as Preservation Worcester.

He is a graduate of the Worcester public schools and St. John's High School in Shrewsbury.

Murray went on to earn a bachelor's degree at Fordham University. He put himself through law school, attending night classes at the Western New England School of Law in Springfield while working days as a substitute teacher and an advocate for homeless families.

For more information about attending the MANS&C Government Relations Meeting, contact Julaine McInnis at 508-650-5015 or jmcinnis@walnuthillarts.org.

How Does a Bill Become Law in Massachusetts?



John W. Spillane

For outsiders looking in, the legislative process in Massachusetts can seem like a maze. To better understand what happens on Beacon Hill, let's follow a bill as it makes its way through the legislature.

Lawmaking begins in the House or Senate clerk's office, where our bill, accompanied by a petition, is filed and recorded in a docket book. The clerks give the bill a number and assign it to an appropriate joint committee.

The legislature's 26 committees include both House and Senate members and focus on specific areas, including education, higher education, healthcare, transportation and so on.

Our bill's committee schedules a public hearing on it and the other bills it has been assigned, which gives the public an opportunity to speak out on them. MANS&C's veteran legislative counsel, John Spillane, regularly testifies before committees on bills that would affect our schools and colleges.

Once the committee has heard all the testimony and reviewed our bill's merits, it issues a report on our bill. The report recommends how the full House or Senate should vote on it – "ought to pass," "ought not to pass" or "as changed." The report goes to the clerk's office.

Bills with favorable reports appear in the Journal of the House or Senate clerk, depending on which branch it has been reported to. This is said to be the "first reading" of our bill.

Next, favorably reported bills either go to another committee or are referred without debate to the Senate Committee on Ethics and Rules or the House Committee on Steering, Policy and Scheduling. Bills that relate to a city or town are automatically placed in the calendar, called the Orders of the Day, for a second reading.

After its second reading, our bill is open to debate, amendment and motions in the branch to which it has been sent. If it receives a favorable vote, it is sent to the Committee on Bills in the Third Reading. State Sen. Stephen Brewer, the chairman of this committee in the Senate, was a guest at the MANS&C board meeting in October.

Legislative Report

The new 2007-2008 legislative session that got underway in January is already providing some challenges for nonprofit schools and colleges, according to MANS&C Legislative Counsel John W. Spillane.

One bill would require nonprofit institutions with large endowments to pay property taxes; others touch on zoning issues that could potentially erode our Dover Amendment rights.

The Dover Amendment gives local planning boards only limited power to derail a building permit application from a nonprofit school, college or university. The law stipulates that buildings may be subject only to "reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements."

More details about these two bills and other measures of concern will come to light in the next few weeks once the text of the bills has been published and they are assigned to committees, Spillane said.

The bills that MANS&C is following fall into a number of categories, including wellness issues, the resale of sporting event tickets, private school transcripts, the MCAS tests and school bus legislation. We also will be watching bills in the following categories to determine whether they would have an adverse impact on our member institutions:

- CORI reform
- Educational parity
- Teacher licensing and testing
- Bullying
- School safety
- Student privacy
- 529 college savings plans
- The liability of charitable corporations

In the past, MANS&C has successfully turned away bills that would erode our Dover Amendment rights and impose costly or burdensome new regulations on nonprofit schools and colleges. MANS&C will continue to closely monitor all bills that would threaten the historic independence of our institutions.

As always, the major mission of the legislature is to create and pass a state budget. Gov. Deval Patrick recently proposed a \$26.7 billion state budget, which is now being reviewed by the legislature. Once the House and Senate pass their own versions of the budget, the differences will be ironed out in a conference committee by mid-May.

In the budget, scholarship appropriations are of particular concern to our institutions. MANS&C will scrutinize the entire budgetary process from start to finish to ensure that the interests of nonprofit schools and colleges are protected.

The committee on Bills in the Third Reading in either branch examines the technical points in the bill, its legality and constitutionality and whether it duplicates existing law. The committee issues a report and sends the measure back to floor of the House or Senate, as the case may be, for additional debate and, possibly, amendments. This is said to be the bill's third reading.

There, senators or representatives vote on "passing the bill to be engrossed." If approved, our bill is then sent to the other branch of the legislature, where the process is essentially repeated.

If the second branch amends our bill, it goes back to the original branch where action was first taken to see if members there approve of the changes that were made. If not, a conference committee hammers out a compromise and sends it back to both

branches for approval on a yes or no vote with no debate.

If our bill is enacted it is sent to the governor, who may sign it into law, veto it or return it to the legislature with recommended changes. Both branches may act on the governor's change or take no action. If no action is taken, the bill dies.

The governor also may allow the bill to become law without his or her signature by holding it without taking action for 10 days while the legislature is in session. If the legislature is not in session, the bill dies if no action is taken within that time frame. This is called a pocket veto.

If our bill is signed by the governor or the legislature overrides his or her veto with a two-thirds recorded roll call vote, our bill becomes a law – usually in 90 days. If the House and the Senate vote an emergency preamble, the bill becomes law immediately.

Good Neighbors Walnut Hill Students Discover the Power of the Arts through Community Service



Walnut Hill Students at the Johnson School
© Mikki Ansini

It has an international reputation for educating talented young artists, but Walnut Hill School also is teaching its students about the importance of community involvement.

Students are active in the school's Community Service Association, which organizes clothing drives, volunteers in a local soup kitchen and coordinates Daffodil Days for the American Cancer Society. A group of student musicians performs on Sundays in nursing homes, hospitals and other locations.

Through its Community Academy, Walnut Hill also offers students in Boston's western suburbs the opportunity to take part in enriching after-school programs in theater and dance.

Walnut Hill's commitment to its community is most evident in its innovative partnership with the nearby Johnson Elementary School in Natick and the Marshall School in Dorchester. Stephanie Perrin, head of school, believes the program is part of Walnut Hill's obligation to engage with and support public education.

"Walnut Hill believes every private school should have a public purpose, some way of contributing actively to public education," Perrin said.

Because of budget constraints, the Johnson School is able to meet only the minimum state guidelines for music and visual arts at the elementary school level. Students receive 40 minutes of music and 40 minutes of art instruction per week.

Under the supervision of Walnut Hill faculty member Steve Durning and Academic Dean Julie Faulstich, 13 Walnut Hill students meet weekly with 50 third-graders at the nearby school. The students are creating and will perform a short musical on the theme of "respect in the community." Along the way, they'll play theater games, practice how to project, design simple sets and learn songs and dances.

"It's good for the students," Durning said of the Johnson partnership. "It's like being a camp counselor, in a way. Kids like being helpful to others but there aren't many opportunities for them to do that because of their busy academic schedules. It also allows the students to learn about philanthropy and fundraising for people other than themselves."

"Walnut Hill is viewed by many in the community as an untapped resource at this point, and I think what's so encouraging is that Walnut Hill is eager to develop stronger ties with the community," said Richard King, director of fine arts education for the Natick Public Schools.

The Johnson School program grew out of longstanding partnership with the Marshall School in Dorchester. This year, 13 Walnut Hill students are serving as teachers, mentors and role models for a group of third- to fifth-graders at the school. The youngsters were elected from their classrooms as a kind of student government with the goal of making their school a better place.

With the Walnut Hill students' guidance, they staged a short musical that focused on the importance of art in school and how art can help them solve their problems. They also created posters involving the word "Respect."

The Walnut Hill students organized fundraisers and used the proceeds to buy t-shirts for the elementary school musical cast.

The partnership has been turned into an elective for the Walnut Hill students, according to Durning, its coordinator. "Back in their classroom, they draw on their experiences at Marshall in discussions about larger community issues, including urban poverty and discrimination," he said.

Perrin believes that, for Walnut Hill students, the program offers a great way of getting into the habit of stepping outside themselves and seeing that we are all connected in some way. Another benefit is that they see their own teachers in a very different way.

"Walnut Hill students also come to understand from direct experience the power of the arts to awaken imagination," Perrin said. "And they get the deep pleasure of doing meaningful work in an area of life they know a lot about, of sharing their passion for the arts in a new way."

MANS&C Membership Drive Continues

There's still time to send in your 2007 dues to gain all the benefits of MANS&C membership. Through e-mail, the MANS&C Web site (www.mansac.org) and the MANS&C Quarterly Newsletter, members receive:

- Regular reports and position statements 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
- Articles of interest on issues facing nonprofit schools and colleges in Massachusetts

All of these benefits are available at a low-cost dues structure that has remained level for the past several years.

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