



MANS&C

The Massachusetts Association of Nonprofit Schools and Colleges

LEGISLATIVE REPORT MANS&C Legislative Counsel Testifies at State House



John J. Spillane

As the current session progresses, MANS&C Legislative Counsel John J. Spillane continues to closely monitor a number of bills that would have significant consequences for nonprofit schools, colleges and universities.

Two similar bills, **House 2513 and 2492**, would give communities a 120-day right of first refusal when nonprofit schools and colleges want to sell or convert tax-exempt property for residential, commercial or industrial use.

In testimony submitted to the Joint Committee on Revenue, Spillane said the bills would have a chilling effect on private real estate transactions, forcing them to become overwhelmingly public in nature. “Commercial real estate development does not work in this way,” he said, “especially when a real estate transaction between private parties is in its formative stages.”

Spillane pointed out that as a rule, nonprofit schools and colleges already share information about strategic initiatives involving real estate with local government and consider them potential buyers.

Senate Bill 116 is entitled “An Act to Promote Livable Communities and Zoning Reform,” but three sections of the bill would increase local control over our building projects, including the imposition of a site plan review process. Under current law, site plan reviews are not subject to legal appeal.

In testimony submitted to the Committee on Community Development and Small Business, Spillane pointed out that the bill essentially guts the Dover Amendment, restricts the use of our institutions’ real estate and “violates our members’ vital interests to build out their campuses.”

Spillane added that nonprofit schools, colleges and universities do not have the power of eminent domain. Instead, the Dover Amendment allows them to secure sites at private expense, develop and preserve them under a zoning exemption.

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Circle These Dates!

The MANS&C board has set up its meeting schedule for the 2015-16 school year. All members are encouraged to attend.

- **January 26, 2016**
- **March 29, 2016**
- The Annual Meeting will be held **May 18, 2016** and will feature a guest speaker.

Locations and times for the January, March and May meetings will be announced via email and LinkedIn in the weeks leading up to each meeting.

For additional information, please contact MANS&C President Julaine McInnis at jmcinnis@ursulineacademy.net or 781-494-7707.

MANS&C is Your Voice on Beacon Hill



PRESIDENT'S LETTER

MANS&C's annual membership drive is underway, and I'm pleased to welcome our two new sponsorship members – C.E. Floyd Co. Inc. and 360 Benefit Advisors.

The MANS&C board created the non-voting sponsorship category to give our member schools, colleges and universities the opportunity to network with related corporations, associations, trade groups and vendors.

In turn, sponsorship members make important contacts and gain insight on the issues our institutions are facing. They also learn about new regulations and legislation that affect our members.

As you know, MANS&C has been representing the interests of nonprofit schools, colleges and universities on Beacon Hill for 63 years. We are currently in the middle of another typically challenging session. MANS&C Legislative Counsel John J. Spillane is keeping a close watch on a long list of bills that would, among other things, require our institutions to pay property taxes, increase local control over our building projects and give communities the right of first refusal when we want to sell or convert tax-exempt property.

John has an admirable track record in deflecting bills such as these. He is highly respected at the State House, for both for his skill and the number of prestigious MANS&C members he represents. By joining or renewing your membership today, you will ensure that your concerns are heard by state lawmakers.

If you are weighing the benefits of membership in AISNE or AICUM versus MANS&C, consider this: dual membership will double your influence on Beacon Hill at a very reasonable price. The passage of just one unfavorable piece of legislation could far outweigh the expense.

Applications and information about our dues structure are available online at www.mansac.org for both institutional and sponsorship members. If you have questions or concerns, feel free to contact me at any time. I'm looking forward to hearing from you soon.

Julaine McInnis
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What is the Dover Amendment?

The Dover Amendment dates back to 1950, when the legislature voted to prohibit towns from passing zoning ordinances or bylaws that regulate or restrict the use of land or structures for religious or educational purposes.

Legislators feared that towns might be more likely to place restrictions on religious groups or schools they were biased against. The law was intended to prevent that from happening.

Through the years, additional modifications were made to the law, which takes its name from a 1951 court case involving the town of Dover.

Today, 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 to "reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements."

Under the current law, churches and schools do not need the approval of local review boards for their construction plans. Even though it is not required, however, some schools have voluntarily agreed to requests for local review for the sake of good community relations.

Meet Sen. DiDomenico



State Sen. Sal DiDomenico is vice chairman of the Senate Committee on Ways and Means and serves on Senate President Stanley Rosenberg's leadership team.

First elected to the Senate in 2010, Sen. DiDomenico represents a district that includes Everett, Chelsea, Charlestown, parts of Allston-Brighton, Cambridge and the West End of Boston. He is an advocate of ensuring high quality and accessible early education, improving economic opportunity for working families and providing world-class healthcare for all children and their families in Massachusetts.

During his time in the State Senate, Sen. DiDomenico has filed several major pieces of legislation that have been signed into law, focusing on community development, education, children's health, election laws, human services and public safety.

Before his election to the State Senate, he served as an Everett City Councillor and Chief of Staff to former State Sen. Anthony Galluccio. He spent 12 years working in the hospitality industry at Sonesta International Hotels and Marriott International before entering state government. Sen. DiDomenico is a graduate of Cambridge Rindge and Latin High School and earned his B.A. in Business Administration from Boston College. He and his wife, a special education teacher, reside in Everett with their two sons.

Q & A with Sen. DiDomenico

What are your guiding principles or personal philosophy as a legislator?

I am often asked the question, "What is the most important thing you do as a State Senator?" My answer is very simple, it is helping people. My philosophy as a local official and now as Senator for more than five years has always been to ensure that decisions we make in the Senate chamber and in my district help make lives better for those that we represent.

I am father of two young boys, a husband to a teacher, a son of small business owners and I have my 93-year-old grandmother living in our two-family home in Everett. Listening to individuals in need and hearing about the issues that affect people throughout the commonwealth play a critical role in my philosophy as a Senator. In addition, my own life experiences have framed who I am as a person and a legislator, helping me to make decisions and to assist others. Together, these experiences have shaped my time in the Massachusetts Senate and have encouraged me to always do all that I can to help put others in a position to have better opportunities in the future.

Please outline your legislative priorities in general. This session, is there any issue in particular that you are championing? Why?

During my time in the Senate, my legislative priorities have focused on individuals who need our help the most, with special attention paid to children – the future leaders who will be in a position to help others for years to come.

I know firsthand how important early education is in preparing a child for success in school and in life; I myself am a product

of Head Start, and now, as a father, I understand how crucial early education is in preparing children for the future. My children were fortunate to attend preschool in the Everett Public School system starting at age 3, but I am well aware that not all children in the commonwealth have that same opportunity.

Today, too many children in Massachusetts show up for school unprepared, and too many of them will never catch up. Studies have repeatedly shown that high quality early education helps to establish a strong foundation for future learning and has short- and long-term impacts on young children's educational, social and health outcomes. Yet, unfortunately, an estimated 40 percent of 3 and 4 year olds are not enrolled in any formal preschool program.

This is why I have filed legislation this session aimed at closing the achievement gap and leveling the playing field to ensure that all Massachusetts children have the opportunity to succeed in school and in life. My bills are modeled after a system that has shown success in closing the achievement gap in other states, and will put us on a path to ensure that early education is a right, not a privilege, for every child.

What are some of the ways nonprofit schools, colleges and universities can have an impact on their communities, while still serving their educational mission?

Educational institutions can provide a great home base for community outreach. I love to see schools match their students with local community service opportunities. By giving back to their communities, students not only fulfill their civic duty, but also gain valuable skills that they can take back with them to the classroom, and lessons that will help to shape their character.

Creating tutoring and mentoring programs is also a great way that educational institutions can have a local impact. Many kids benefit from having a role model to look to, and that kind of mentoring relationship can help guide other kids to future success.

What is the best way for our institutions to establish relationships with their legislators?

Students are the greatest asset any school has, and we as legislators love hearing from them. I always say that the State House is the people's house, and I encourage students to reach out to their local representatives to share their thoughts on how we can support them in their educational pursuits and how we can move our commonwealth forward on the issues they care about. Educational institutions can establish strong working relationships with their legislators by encouraging their students to play an active role in the legislative process. Colleges and universities can also invite legislators to participate in campus activities. They can ask legislators to come to events and performances, or ask them to serve on a panel or speak to students about their work.

Our students are the future leaders of our commonwealth, and as legislators we want to do all that we can to provide them and their schools with the support they need. Make sure we hear from you. Let us know how we can help and keep us updated with what you're working on. Legislators want to build an open dialogue with the schools in their district, and by creating strong working partnerships with school representatives, we can work together to ensure that Massachusetts remains one of the leading places in the world to get an education.

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