

# SENATE . . . . . No. 605

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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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  
5   members shall constitute a quorum. Meetings of the board of trustees shall be subject to the  
6   provisions of sections 11A and 11A½ of chapter 30A; provided, however, that in addition to the  
7   purposes set forth in said section 11A½, the trustees may hold an executive session to consider  
8   the award of honorary degrees. The trustees may further hold an executive session to consider  
9   the award of tenure to a member of the faculty, if the member who is being considered for tenure  
10   in such executive session has been notified in writing, by the trustees, at least 48 hours prior to  
11   the proposed executive session; provided, however, that notification may be waived upon  
12   agreement of the parties; and provided, further, that the trustees shall hold an open meeting if  
13   such member requests that the meeting be open. If an executive session is held, such member  
14   shall have the following rights: (a) to be present at such executive session during discussion or

15 considerations which involve such member; (b) to have counsel or a representative of his own  
16 choosing present and attending for the purpose of advising such member and not for the purpose  
17 of active participation in said executive session; and (c) to speak on his own behalf.