

October 11, 2013

**Memorandum of Agreement
Mandatory Reporting Policy and Procedures
for the Massachusetts Community Colleges**

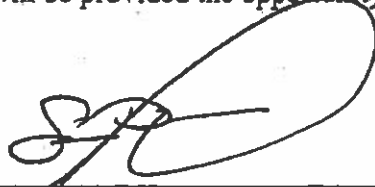
This Agreement is entered into by and between, The Department of Higher Education/the fifteen public Community Colleges and the Massachusetts Community College Council/MTA/NEA, Day and DCE Units. The parties to this agreement, in recognition of purpose of Mass. G.L. c. 119 and pursuant to the Affirmative Action Policy agree to the following:

1. It is acknowledged that children (a person under the age of 18) may be students at the College, or may be engaged in activities sponsored by the College or by third-parties utilizing College facilities. In such instances, where a unit member has reasonable cause to believe, or actual knowledge, that a child is suffering physical or emotional injury, resulting from among other causes, sexual abuse, the unit member and the College is obligated to comply with the mandatory reporting requirements established by M.G.L. Chapter 119, Section 51A-E. In such cases, the employee is directed to immediately report the matter to the College's person designate under c. 119 as "person in charge of reporting abuse" as indicated in the Affirmative Action Policy.
2. The "person in charge of reporting abuse", in consultation with other officials, shall contact the Commonwealth's Department of Children and Families (DCF) and/or law enforcement. If person designate under c. 119 as "person in charge of reporting abuse" is not available, the unit member(s) must contact the College's alternate "person in charge of reporting abuse". Each College is responsible for providing an alternate designee "person for the reporting of abuse" so that such a designee is available at all reasonable times. The College is responsible for making unit members aware of the reporting procedure.
3. Although not required under this policy, an employee may also contact local law enforcement authorities or the Department of Children and Families directly in cases of suspected child abuse or neglect.
4. Colleges shall provide any unit member, who, in the course of his/her employment, interacts with minors with information concerning those individuals under the age of 18 in a manner consistent with state and federal law. No employee may be held responsible by the employer for a failure to report when there is no reasonable basis of knowing that a student or campus visitor is a minor.
5. The Colleges shall provide training regarding the Affirmative Action Policy, including the mandatory reporter component to all new and existing unit members. Unit members will not be expected to participate in training on a

volunteer basis and will be compensated for participation as either part of their assigned workload or as an additional assignment consistent with the terms of the applicable collective bargaining agreement.

6. State law also maintains mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. The Massachusetts Department of Higher Education/Community College policy in this regard will utilize the same mandatory reporting and training procedure, if applicable, as provided herein applicable to children for the reporting of the actual or possible abuse of the elderly and disabled. The MCCC/MTA will receive notice of implementation of this policy, if one is created, and relevant procedures as applicable and will be provided the opportunity to bargain over the impact.

For the DHE/Colleges:



Date:

12/16/2013

For The MCCC/MTA:

Joseph T. LeBlanc

Date:

10/28/13