

APPENDIX R
POLICY ON HANDLING ANONYMOUS COMPLAINTS

The Board of Higher Education, acting by the Council of State College Presidents (“the Board”), and the Massachusetts Teachers Association, acting by the Massachusetts State College Association (“the Association”), agree as follows:

1. The administration of each University shall not take adverse action against any unit member on the basis of anonymous complaints, including complaints where the complaining individual is known but does not want their his/her identity disclosed, whether such complaints are made orally or in writing. However, a university may take adverse action if, unless the unit member agrees to the adverse action, there are more than two anonymous complaints against the unit member concerning the same or similar issue and the University is able to identify the individual(s) who made the complaints and their relationship to the University.; With the exception of adverse action taken as a result of more than two anonymous complaints of the same or similar issue, no record of any adverse action so taken on the basis of anonymous complaints shall be placed in the unit member’s personnel file or used in connection with the making of any decision under Article VIII, VIII-A, ~~VIII-B~~, VIII-C, IX, XII, XII-A, ~~XII-B~~, XIII, XX or XX-A of the parties’ collective bargaining agreement.
2. Adverse action means any negative employment action ~~administrative action~~ based on a suspicion, belief or conclusion of inappropriate conduct or wrongdoing by a unit member.
3. Routine requests and inquiries to the Chair, which the Chair is able to immediately resolve, shall not be considered a complaint under this Appendix R.
43. This agreement does not prohibit the administration from orally informing the unit member of the fact that such a complaint has been made and disclosing the nature and substance of the complaint; nor does it prohibit the administration from informing any member of the bargaining unit concerning his/her legal obligations.
54. In the event the Chair receives more than two anonymous complaints of the same or similar nature, such complaints shall be reported to the Chair’s respective Dean and the Chair shall consult with the Dean on appropriate action to be taken. is policy is consistent with and not limited by the attached Memorandum of Agreement made the 3rd day of December 1996.
65. A student complaint is not anonymous when the complaint is in writing, signed and the student authorizes the disclosure of their identity to the member of the faculty about whom they made the complaint. For the purposes of this agreement, an email whereby

the student authorizes disclosure of their identity shall be regarded as signed by the student.

7. Nothing in this Policy governs the manner in which complaints that are not anonymous may be used or dealt with. This policy is consistent with and not limited by the attached Memorandum of Agreement made the 3rd of December 1996.

87. This Policy shall have no application to complaints falling under the state universities' Equal Opportunity, Nondiscrimination and Title IX -Plan.

978. Annually, during the month of September, each University shall distribute this Policy and the attached Memorandum of Agreement to each of the following persons: the Vice President for Academic Affairs, all Deans who hold academic positions, including all School Deans and/or Directors, the Library Director, Library Program Area Chairs and all Department Chairs.