

## Student Grievance Procedures...

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munity Colleges regarding proposed revisions in the Student Grievance Procedure in use since 1997, with discussion intensifying from January until March 2001, according to Chair of the Day Negotiating Team and MCCC Vice President Rick Doud. "We recently received a letter from General Counsel to the Community Colleges, Attorney Kenneth A. Tashjy, stating that negotiations are at impasse," reported Doud. Some of the colleges have already begun to publish and implement a revised student grievance procedure, "the last best offer." According to Massachusetts Public Law 150E governing collective bargaining, the "last best offer" may be implemented by the employer when negotiations are formally declared at impasse.

This new recommended process is problematic in on three key points, according to Team Chair Doud, in a June 15, 2001, report to the MCCC Board of Directors.

One concern is the extension of time limits on student grievances to 30 days after the course ends, rather than 30 days after the student reasonably should have known that a violation of their rights may have existed. These policies seem to violate existing provisions of the BHE/MCCC contract. The reporting of grievances up to thirty days after the semester ends violates superceding language in the existing contract setting the limit at thirty days after a person would reasonably have known a problem existed.

A second concern regarding the new SGP is the final standard of proof. At Step Four, or the formal level, where a committee reaches a decision on culpability of the responding party, the standard of proof is that the evidence need be "fair and reasonable." Our negotiators would have preferred a standard of "clear and convincing evidence." The "clear and convincing" standard has more legal precedents, while the "fair and reasonable" standard is largely subjective, according to Joe Rizzo, MCCC DCE Grievance Coordinator.

The third concern, according to Doud, is the Student Grievance Committee Hearing Procedures. "The old SGP allowed each party to examine and re-examine witnesses. The

new SGP permits each party to question witnesses only through the Student Grievance Committee."

Another significant, if uncontroversial, change in the new SGP is the removal of incidents of sexual harassment and physical assault complaints from the jurisdiction of the student grievance process. These situations are covered by state or federal laws.

The MCCC would like to see a more uniform policy for processing student grievances in the interest of fairness to both its members and the students they serve. Some student grievances may have merit, but lack of a uniform procedure of redress of complaints suggests inherent unfairness, and leaves the processing of grievances in such a quagmire that a complaint is at risk of failing to be processed with fairness and equanimity.

The MCCC is pursuing continued discussions with the Office of the Community Colleges on the issues outlined herein. There is hope that some of the areas of disagreement may be ironed out, however, it is a concern that some campuses have already taken measures to adopt the SGP revision. ■

## The MCCC Fall Leadership Meeting

**Monday, September 10, 2001 has been set as the date for the MCCC Fall 2001 Leadership Meeting. Positive reports about last year's meeting at the Best Western Royal Plaza Marlboro resulted in that location being chosen to serve for this next Leadership Meeting as well. The Best Western is most readily accessible from 495, exit 42b west on Route 20, Marlboro.**

This annual meeting invites 4-6 chapter leaders to an academic year kickoff that includes updates and some training for key chapter roles. The agenda is not yet set for this Fall, but Chapter Presidents are advised to start lining up their teams for the meeting. Numbers of attendees from each chapter will be sought in August. ■

## Delegate Assembly...

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Co-chairs Joe LeBlanc and Sandy Cutler presented for the Strategic Action Committee. They thanked the membership for support of SAC's recent activities, and stressed the role of coalition of the BHE, college presidents, and the MCCC in achieving contract funding.

Motions altering composition and operations of the Day and DCE Grievance Committees were considered and failed, but substitute proposals on these matters passed. One member of the executive Committee will serve on the DCE Grievance Committee as a non-voting member. The day grievance Committee shall be composed of one representative per chapter, determined by the chapter, the Day Grievance Co-ordinator shall be the chair of the Day Grievance Committee, and one member of the executive Committee will serve on the Day Grievance Committee as a non-voting member.

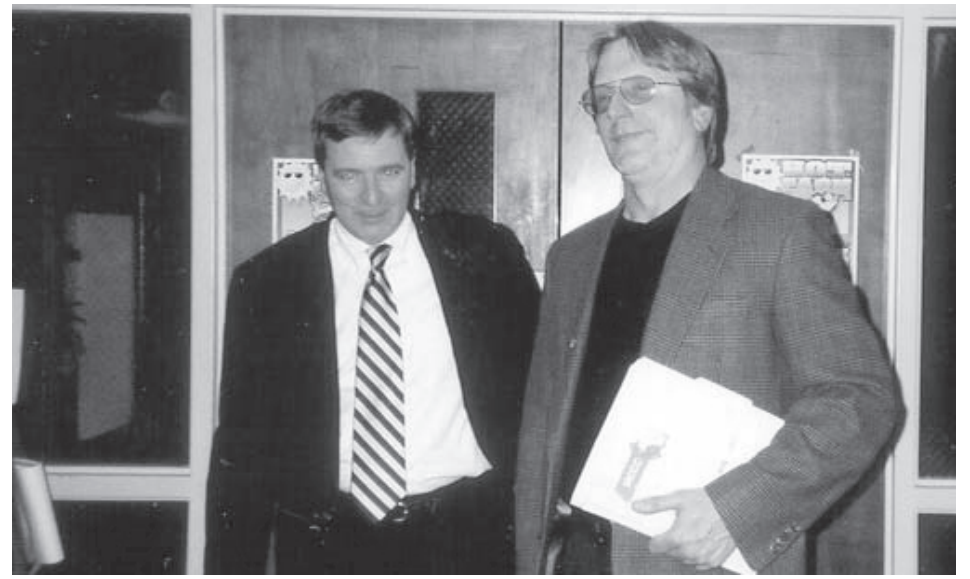
Subsequent motions for bylaw changes were voted down consistent with the recommendations of the Bylaws and Rules Committee and the Board of Directors.

Under New Business, Yoav Elinevsky of Mount Wachusett proposed a motion asking the MCCC to support six positions. The motion passed. What follows are the six positions:

- *The MCCC calls upon the Congress of the United States to make prison inmates eligible to receive Pell Grants to allow them to enroll in community colleges and universities to help them transform themselves into productive members of our society.*
- *Until the federal government acts,*

*Continued Next Column*

## Scenes From April 27-28 Classification/Retirement Workshop at Quinsigamond Community College



*BHE Director, Peter Tsarras and MCCC Vice-President, Rick Doud*



*Dr. Bob Marsh, Data Management for Classification Study*



*Attending Classification/Retirement Workshop, Joan Hagopian, NECC; Jeannine Press, NECC; Sarah Hovsepian, QCC*

*the MCCC calls upon the state of Massachusetts to provide grants for inmates in the state to take courses at our community colleges.*

- *Students and/or parents with income below the median income should be able to deduct 100% of their tuition and fees for courses at the state community colleges from their taxable income.*

- *Students at the state community colleges should be granted an extension of the time they are allowed to stay on welfare.*

- *Students at our community colleges whose income is below the poverty line should be given vouchers to enable them to have free public transportation to and from the college and day care services.*

- *The MCCC endorses legislation that would count education towards the work requirement for welfare recipients.*

Michael Dubson, author of *Ghosts in the Classroom*, was the last speaker. He listed recent victories for adjuncts at UMass Boston and at state and private colleges, urging that community colleges to be next. He mentioned pending legislation of importance to adjuncts, including the pension bill due to come up in the legislature next week. His goals include

half-time appointments for long time adjuncts; pro-rated pay; health insurance and pension options; professional development opportunities; and on-campus facilities. He noted that adjunct elevation should not threaten full timers. "If teaching is a profession, then all teachers need to be treated as professionals, and all teachers need the resources and the support to do the work," he argued, to the enthusiastic applause of the delegates.

Count of delegates to the MCCC 2001 Delegate assembly by College

- Berkshire - 1
- Bristol - 5
- Bunker Hill - 5
- Cape Cod - 3
- Greenfield - 3
- Holyoke - 7
- Massachusetts Bay - 4
- Massasoit - 11
- Middlesex - 9
- Mount Wachusett - 8
- North Shore - 15
- Northern Essex - 8
- Roxbury - 3
- Quinsigamond - 11
- Springfield Technical - 11 ■

## MCCC News

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The **MCCC News** is a publication of the Massachusetts Community College Council. The **Newsletter** is intended to be an information source for the members of the MCCC and for other interested parties. The material in this publication may be reprinted with the acknowledgment of its source. For further information on issues discussed in this publication, contact Peter Flynn, Northern Essex Community College, Haverhill, MA 01830, e-mail [pflynn@seacoast.com](mailto:pflynn@seacoast.com).