



**Franklin  
Cummings  
Tech**

# **Franklin Cummings Tech College Senate Charter and Bylaws**

First Drafted October 3, 2019,  
Second Draft, October 14, 2020  
Final Draft, October 22, 2020  
Ratified on the 26th day of October, 2020  
Amended with Franklin Cummings Tech name/logo, May 11, 2023  
Revised Draft, September 23, 2023  
Final Revised Draft, October 18, 2023  
Ratified on the 3rd day of November, 2023

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## **I. Membership and Duties of the Franklin Cummings Tech College Senate**

### **A. Purpose of the Franklin Cummings Tech College Senate**

The Franklin Cummings Tech College Senate was founded in the summer of 2020 and is the official Senate representing both faculty and staff at the Benjamin Franklin Cummings Technical Institute (hereafter referred to as Franklin Cummings Tech) with its initial Charter and Bylaws officially ratified by majority vote of faculty and staff on October 26, 2020.

The purpose of the Franklin Cummings Tech College Senate is to provide a forum for faculty and staff participation in the decision-making process of Franklin Cummings Tech and a Senate through which faculty and staff can function in an advisory role in the formation of educational policy at Franklin Cummings Tech.

According to the current (2021) Franklin Cummings Tech Employee Handbook, the College Senate “fosters cooperation and communication among faculty, staff, and administration and makes recommendations to the President or the appropriate administrator for consideration.”

In light of recent trends in the general field of higher education, we have highlighted below the rationale for reformulating the original charter of the Franklin Cummings Tech Faculty Senate as a College Senate representing both faculty and staff with an additional set of bylaws. This reformulation reflects a renewed commitment to inclusiveness to help to foster a wider participation by everyone at Franklin Cummings Tech. Previously, the original bylaws of the Franklin Cummings Tech College Senate included sub-divisions of faculty, non-faculty staff members, and members of the Performance and Accountability Council or PAC<sup>1</sup>.

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<sup>1</sup> Members of the Performance and Accountability Council (PAC) are members of the Franklin Cummings College Senate and as a group may elect a member of the PAC to serve as Senate Officers in a manner similar to that of individual departments. Those on the PAC who are not elected Senate Officers will be actively sought out for advice around teaching and learning and any other professional issues and concerns they have that relate to the college’s mission.

## **B. Definitions**

For the purposes of this document there are definitions which will pertain to Members and Officers of the Senate. They are as follows:

Faculty: Teaching members of the college, unless otherwise specified.

Staff: All non-faculty members of the college, unless otherwise specified.

Senate Member: Any person, faculty or staff, that is presently employed full or part time (including adjunct faculty) by Franklin Cummings Tech. These members may participate in discussion, guidance, and voting on all Senate matters. This is broken down into two groups, the Faculty Senate and the Staff Senate as defined below.

Senate Officer: The elected Senate Officer from each department or group of departments as described below in §E6. The Senate Officers shall set agendas and work directly with the administration.

Faculty Senate Member: A non-elected member of the faculty that is on the Faculty Senate.

Staff Senate Member: A non-elected member of the staff, specifically anyone that is not a faculty member, that is on the Staff Senate.

Faculty Senate Officer: Member of the Faculty Senate that is elected from each department or group of departments (including adjunct faculty) as described below in §E6. The Faculty Senate Officers shall set agendas for the faculty senate meetings and work, in concert with the Staff Senate Officers, directly with the administration.

Staff Senate Officer: Member of the Staff Senate that is elected from each department or group of departments as described below in §E6. The Staff Senate Officers shall set agendas for the Staff Senate meetings and work, in concert with the Faculty Senate Officers, directly with the Administration.

Faculty Officer Senate Co-Chair: One of two co-chairs that will run the Faculty Senate. This person must be an elected Faculty Senate Officer. This co-chair will be chosen by the members of the Faculty Senate as described in §G9.

Staff Officer Senate Co-Chair: One of two co-chairs that will run the Staff Senate. This person must be an elected Staff Senate Officer. This co-chair will be chosen by the members of the Staff Senate as described in §G9.

### **C. Rationale for the formulation of the Franklin Cummings Tech College Senate**

The following issues have recently arisen in higher education, some of which are particularly relevant to Franklin Cummings Tech's circumstances in the 2020's.

1. The emerging trend of technology colleges as the wave of the future thus necessitating a participative model for curriculum-making, instructional design, institutional partnerships, and onsite governance.
2. The importance of ongoing cross-departmental collaboration to maintain accreditation by the New England Commission for Higher Education (NECHE).
3. The change in sustainability of higher education institutions in the era of Covid-19.
4. Industry-wide recognition that participative governance and democratic processes in higher education offer the best mission and operational support in successful and sustainable educational institutions.
5. The need for faculty and staff participation in the development of education and workplace policies related to issues that impact student, faculty and staff well-being and safety, including those concerning Covid-19.
6. The establishment of a pro-active faculty and staff input as a professional identity to assist in the operational sustainability of the college in any potential plan for merging with another institution.

### **D. The Functions of the Franklin Cummings Tech College Senate**

The Franklin Cummings Tech College Senate shall:

1. Actively work to establish a culture in which faculty and staff leadership is encouraged and expected.
2. Actively aid the Administration and with the administration, all other stakeholders in the establishment of differentiated roles for faculty and staff leadership in college governance, curriculum development, research, and teaching standards.
3. Plan and run in-service meetings and professional development in cooperation with the administration and appropriate committees (e.g., Faculty Development

Committee) in accordance with the faculty contracts, labor laws, and education industry standards.

4. Represent the faculty and staff in matters concerning college policy, workplace concerns such as safety and cleanliness, professional norms and processes, and educational issues.
5. Present to all stakeholders including the Administration, Board of Trustees, Industry Partners, faculty-led committees, all teams and departments, staff members who work on student activities, student-run organizations, and other onsite and offsite partner organizations any faculty and staff considerations on building procedures, college climate initiatives and educational policy at the discretion and or request of these stakeholders and partners.
6. Collaborate with the Administration in development of general hiring policies to ensure that these policies are operating in accordance with the highest of industry standards and the educational mission of the college.
7. Help improve communication among faculty and staff across departments, particularly with information from the Administration, with the goal of allowing employees to better understand key initiatives and be able to identify possible areas of collaboration, synergy, improved operations, or cost savings. Identify and implement a timeframe for information transfer so as to maintain up to date information within the larger community.

#### **E. Membership, Eligibility, and Processes for Voting in the Franklin Cummings Tech College Senate**

1. All outcomes of voting processes shall be decided by a simple majority vote, including the voting processes of Franklin Cummings Tech Senate Officer elections, revision and/or amendments of the Franklin Cummings Tech Senate Charter and/or Bylaws, special resolutions, and initiatives. No quorum will be necessary; however, clear, and obvious steps shall be taken on an ongoing basis to ensure that the faculty and staff are made aware of opportunities for participation, volunteering, voting, open meetings, and providing input and feedback.
2. A Senate Charter Committee will be formed as a joint subcommittee of the overall Senate which will then oversee and facilitate all voting processes. This committee includes Faculty Senate Officers, Staff Senate Officers, and Senate Members from both the faculty and staff who work together to oversee the election process and all other processes that involve voting including revisions and amendments to the Bylaws, special resolutions, and any other initiatives that require a voting process.

3. The majority vote rule will also be applied to internal votes among elected Franklin Cummings Tech Senate Officers unless they decide together on a different standard during their term and agree to be open about that standard with unelected Senate Members.
4. Only those eligible to vote shall be eligible for membership (see below).
5. All full-time and part-time (adjunct) faculty are automatically members of the Franklin Cummings Tech College Faculty Senate and are, therefore, eligible to vote in all elections, polls, policy positions and other matters related to the senate. All full-time and part-time staff, and members of the Performance and Accountability Council (PAC) are automatically members of the Franklin Cummings Tech College Staff Senate and are, therefore, eligible to vote in all elections, polls, policy positions and other matters related to the Senate.
6. Each department/program/team/council shall elect or appoint two representatives to serve as Senate Officers, one from the faculty to be the Faculty Senate Officer and one from the staff to be the Staff Senate Officer. Smaller departments/programs may choose to have a single Faculty or Staff Senate Officer, or the faculty may choose to combine with other departments/programs for the purposes of faculty representation or the staff may choose to combine with other departments/programs for the purpose of staff representation (e.g. the Development Office may choose to combine with the Business Office to elect/appoint a single nominee to run to serve as a Senate Officer). The faculty and staff of any given department do not need to choose representation styles in sync with each other. For example, the faculty of a given department may choose to elect a representative from their department to represent them while the staff may choose to join with another department to choose their representative.
7. For individuals that are both adjunct faculty and full time staff in designation, they may choose to represent either the faculty or the staff and Faculty Senate Members or Staff Senate Members as issues arise. They may be elected to become a Faculty Senate Officer OR a Staff Senate Officer but not both, independent of the issue. If elected to become a Senate Officer, they may run for two consecutive terms in their respective roles (Faculty or Staff Officer) but may not run again for EITHER Faculty Senate Officer or Staff Senate Officer in the next two terms (total of six years).
8. The Performance and Accountability Council (PAC) shall, for the purposes of representation in the Senate Officer group, be considered as one department which shall nominate one member from the PAC to serve as their Senate Officer for the normal term of three years. As with other departments, the PAC may choose to combine with other departments to have a single representative Senate Officer for both (See §E6 above).

9. The name of each representative/Officer nominee (for a single department/program or combination of small departments/programs at the discretion of the electors) for either the Faculty Senate Officer or the Staff Senate Officer must be submitted to [SenateCharterCommittee@franklincummings.edu](mailto:SenateCharterCommittee@franklincummings.edu) so that each representative is eligible for the college senate's general election.
10. All Faculty Senate and Staff Senate members are eligible to vote in the Franklin Cummings Tech College Senate election of officers to the Franklin Cummings Tech College Senate.
11. Voting on the general election for Senate Officers to the Franklin Cummings Tech College Senate shall be open to all eligible members of the faculty and staff of Franklin Cummings Tech.

#### **F. Elections for the Franklin Cummings Tech College Senate**

1. Elections for the Franklin Cummings Tech College Senate must be held by the end of October of each Senate election year.
2. The term limit for all elected Officers, both Faculty and Staff Senate Officers, of the Franklin Cummings Tech College Senate, including co-chairs, shall be three academic years. No individual shall serve for longer than two consecutive terms unless their department is only a single person in size, in which case they will be encouraged to join another department for representation when at all possible. Individuals that have served two consecutive terms that wish to serve again later may do so after a period of no less than two terms, or six years.
3. If a Senate Officer, either faculty or staff, vacates a seat prior to the end of their three year term, then a Special Election shall be held and overseen by the Senate Charter Committee within one week of the vacation of the Senate seat. Newly elected Senate Officers filling the vacated seat shall serve out the remainder of the term until the following election. If the newly elected Senator serves more than half of the original seat term this shall be considered a full term when considering re-election and shall only be eligible to run for office one more consecutive time but if the newly elected Senator serves less than half of the original seat, this shall not be considered a full term and the Senator may run for two more consecutive terms.
4. The Senate Charter Committee will run elections for Senate Officers every three years and in the event that special elections must be held if a seat is vacated, and a new Senate Officer needs to be elected to serve out the remainder of the outgoing Senate Officer's term.
5. Each department/program's faculty and staff may choose any method to nominate or appoint a Senate Officer from the faculty and staff (one each) to the Franklin Cummings Tech College Senate. After the nomination/appointment period (no

- longer than a week), the names of the nominee(s) shall be submitted to any members of the Senate Charter Committee in person or through email at [Senate CharterCommittee@franklincummings.edu](mailto:CharterCommittee@franklincummings.edu). The faculty and staff will vote to confirm each candidate. Each candidate of a department/program (or combination of departments/programs) must receive a simple majority of submitted votes to be confirmed.
6. There shall be two representatives (Senate Officers) for each department/program (or combination), one Faculty Senate Officer and one Staff Senate Officer regardless of the number of faculty or staff members in any individual department/program. A single Senate Officer (either faculty or staff) can represent more than one department, team, or program, if that is the wish of Senate Members in each department, team, or program who have nominated the person to represent them. Departments that are made up only of faculty or only of staff will have only one representative, which will be faculty or staff representatives as appropriate.
  7. All faculty and staff members are eligible to vote for Franklin Cummings Tech College Senate members and to run for a seat to serve as a Senate Officer on the Franklin Cummings Tech College Senate.
  8. After the election of Officers of the Franklin Cummings Tech College Senate, the Officers shall vote on two co-chairs; one Faculty Officer Senate co-chair and one Staff Officer Senate co-chair.
  9. Faculty Officer and Staff Officer Senate co-chairs can be any Senate Officer of the faculty or staff respectively but must be employees who are nearest to their program's service delivery. For example, the Chair of an academic department or the Director of an academic program is very close to the action of delivering the actual product of the college (educating students), and thus has a strong likelihood of having helpful insights into the needs, concerns, issues, rights, and ideas of the employees who work with them delivering educational services to students in addition to having insight into the challenges, successes, and other factors that directly impact the educational mission of their prospective departments and programs and the college at large. Therefore, a Chair or Director of an academic program may serve as a co-chair of the Franklin Cummings Tech Senate. Likewise persons in senior leadership positions within departments may also serve as Senate co-chairs.
  10. Faculty Officer or Staff Officer Senate co-chairs cannot be in positions of formal leadership on college-wide committees, teams, or councils that have the authority to formally influence performance evaluations, promotions, hiring, salaries, communication rights, and other areas (e.g. Faculty Development Committee/Faculty Promotion Committee/Faculty Academic Advisory Committee, Deans who assess faculty and/or staff performance, Director of Success Coaches, Marketing department and other employees who have the formal



authority to decide on which emails and other forms of communications are allowed to be sent out to the faculty or staff lists, etc.).

11. A nominee who is in a "Director" or "Chair" (or similar) position of a department that only has one person in the department (and whose duties do not potentially or directly influence the salaries, promotions, and performance assessments or evaluations of faculty or staff) is not considered to be in a supervisory position and therefore can be a Faculty Officer or Staff Officer Senate co-chair of the Franklin Cummings Tech College Senate.

## **G. Procedural Guidelines for Franklin Cummings Tech College Senate Meetings**

1. After election, the confirmed Senate Officers (both faculty and staff) of the Franklin Cummings Tech College Senate will create their own process for nominating/electing/appointing/confirming the co-chairs (one faculty, one staff) of the Senate for each current academic year.
  - The co-chairs of the Franklin Cummings Tech College Senate represent all members of the senate including all part-time and full-time members of the faculty and staff and shall determine the agenda for all Franklin Cummings Tech College Senate meetings, initiatives, resolutions, and projects. The co-chairs should determine the agenda with the explicit aim of representing to the best of their ability the interests, concerns, ideas, and rights of all members of the staff and faculty.
  - In addition to representing all faculty and staff, the co-chairs will also represent the cohort of employees indicated by the name in their title. Thus, the Faculty Officer Senate co-chair of the Franklin Cummings Tech Senate will be the lead representative of the Faculty Senate, and the Staff Officer Senate co-chair will be the lead representative of the Staff Senate. These two Senate subcommittees of the Franklin Cummings Tech College Senate will hold separate meetings at least once a semester to provide the opportunity for both faculty and staff members to present their concerns in a forum that uniquely serves their own interests.
  - The co-chairs shall actively check in with and seek input from the Administration, members of both full-time and part-time (adjunct) faculty and staff, faculty-led committees, all teams and departments, staff members who work on student activities, student-run organizations, and other onsite and offsite stakeholders on a regular basis. This will help to ensure that the agenda of the meetings reflects the professional concerns, ideas and expertise of the entire staff and faculty, the current conditions of larger society, the educational mission of Franklin Cummings Tech and the interests, ideas and concerns of the student population.

- To be successful in this endeavor, the co-chairs must intentionally seek to establish relationships with all stakeholders and to check in with various stakeholder groups when possible. This may include formal meetings and informal check-ins with individuals and stakeholder groups at the discretion of these individuals and stakeholder groups.
  - The Officers of the Franklin Cummings Tech College Senate, both the Faculty Senate and the Staff Senate Officers, shall meet as a group, at least once per semester and additionally as matters warrant. Minutes of this meeting shall be taken by recording then transcribed and shared with the Faculty Senate members, the Administration and general community in a timely manner. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
2. The Senate Officers of the Franklin Cummings Tech College Senate, both the Faculty Senate Officers and the Staff Senate Officers, shall meet as one, together with the Administration of Franklin Cummings Tech at least once per semester, and additionally as matters warrant. Minutes of this meeting shall be taken by recording then transcribed and shared with the Faculty Senate members, the Administration and general community in a timely manner. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
- When the Faculty Senate meets with the Administration, the Franklin Cummings Tech College Senate shall speak informally with the Administration or, if needed, present written positions of the faculty with a request for a written response from the Administration providing the reasoning behind the administration's positions and decisions around the issue(s) and/or policies discussed at the meeting. Minutes of this meeting shall be taken by recording then transcribed and shared with the Faculty Senate members, the Administration and general community in a timely manner. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
  - The Faculty Senate shall meet once a semester with the PAC at a meeting where the agenda is co-decided by both groups. This meeting is to facilitate transparency and open communication within the college. Minutes of this meeting shall be taken by recording then transcribed and shared with the Faculty Senate members, the Administration and general community in a timely manner. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
  - The co-chairs of the Franklin Cummings Tech College Senate and the President/CEO shall jointly decide the agenda and on who chairs the meeting, depending on the issues and policies being discussed.

3. The Officers of the Franklin Cummings Tech College Senate, in coordination with the Administration, shall endeavor to meet with one or more members of the Board of Trustees at least once each academic year to share and/or discuss student stories, academic department accomplishments, and/or concerns, resolutions, initiatives, and policy positions. Meetings shall be at the discretion of the Board of Trustees.
  - The Officers of the Franklin Cummings Tech College Senate shall hold at least one meeting a semester with all members of the faculty and staff (including full and part time) and additional meetings when matters warrant. Minutes of this meeting shall be taken by recording then transcribed and shared with the Faculty Senate members, the Administration and general community in a timely manner. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
4.
  - The Officers of the Franklin Cummings Tech College Senate shall report any updates from meetings with the President/CEO, the Performance and Accountability Council (PAC), the Board of Trustees, or other joint meetings with councils/committees to the faculty and staff at the open meetings and/or through written communication (i.e. email or letter).
  - After soliciting feedback from the general faculty and staff at the open meetings, the Officers of the Franklin Cummings Tech College Senate will determine the next steps to accomplish the desired results.
  - If, after soliciting feedback from general faculty and staff, the Senate Officers of Franklin Cummings Tech College Senate are unsatisfied with a plan of action or response from the above decision-making bodies (or other stakeholder groups) or determine that additional actionable steps are necessary, they may choose to communicate with or appeal to additional stakeholder groups or appropriate parties. All communications will be handled in an open and transparent manner. If meetings are held, they will be open to all parties including the Administration and the Board of Trustees and minutes will be taken by recording and disseminated to the Administration and the community at large in a timely fashion. A copy of the minutes of the meeting shall be retained for a minimum of 7 academic years.
  - All members of the college's stakeholder groups can submit agenda items for consideration to any elected Officer of the Franklin Cummings Tech College Senate. Items can be submitted in person or by email to any Officers of the Franklin Cummings Tech College Senate.
5. The Franklin Cummings Tech College Senate shall appoint a liaison to present proposals and positions on college-related issues, educational policy and

professional concerns as the need arises to college departments, committees, teams and councils and to the President/CEO, Performance and Accountability Council, Board of Trustees or other stakeholder groups. Presentations by the liaison will be at the discretion of these groups. Other methods of communication will be by letter or email.

#### **G. Procedural Guidelines for Duties of the Franklin Cummings Tech College Senate**

1. The newly elected Officers of the Franklin Cummings Tech College Senate shall collaborate with outgoing Officers to facilitate a smooth transition of representation on the day following the announcement of the election results. The following transitional steps must take place:
  - a. Passwords for [FcTechSenate@franklincummings.edu](mailto:FcTechSenate@franklincummings.edu) and [FcTechSenate@gmail.com](mailto:FcTechSenate@gmail.com) must be shared with newly elected Senate Officers.
  - b. Passwords for [SenateCharterCommittee@franklincummings.edu](mailto:SenateCharterCommittee@franklincummings.edu) and [SenateCharterCommittee.fcotech@gmail.com](mailto:SenateCharterCommittee.fcotech@gmail.com) must be shared with newly elected Senate Officers and non-elected Senate Members who choose to volunteer for that committee.
  - c. Franklin Cummings Tech outgoing Senate Officers must share information about works-in-progress, including initiatives, resolutions, or any unfinished business with the incoming Senate Officers.
2. The Franklin Cummings Tech College Senate Officers shall check in with faculty and staff in all departments, programs, and teams to learn about issues, concerns, and positive developments that need to be either acknowledged or resolved and seek to find the most productive paths for acknowledgment and resolution.
3. The Franklin Cummings Tech College Senate shall create and maintain updated information on an updated digital platform of the Franklin Cummings Tech College Senate's activities, communications, and/or positions on college policy. If approved and agreed upon by a majority of Senate Officers, the most appropriate platform for the sharing of the senate's activities, policy positions, resolutions, initiatives, and communications is a web page on the official website of Franklin Cummings Tech. The URL for this webpage is (<https://franklincummings.edu/about-us/college-senate/>).

## **H. Procedural Guidelines for Revising the Charter and Bylaws**

1. Due to continuous change in the educational landscape, and in the circumstances faced by community colleges and small private colleges like Franklin Cummings Tech in particular, it is necessary to institutionalize and re-affirm every three years both the norms and procedures that can best ensure productive faculty and staff participation in college policy decisions, the college's professional and workplace culture, and the governing procedures for the college's decision-making process.

Thus, we have created a section in the Franklin Cummings Tech College Senate Charter and Bylaws for the revision of the bylaws to ensure that the charter and bylaws represent the current realities faced by the college, its students, its faculty and staff, its current leadership, its surrounding communities, contemporary context and circumstances, and society at large.

2. The Franklin Cummings Tech College Senate Charter and Bylaws shall be reviewed and/or revised every three years, beginning in September, of 2023.
3. The Franklin Cummings Tech College Senate shall revise its Charter and Bylaws through an open, democratic process facilitated by the Senate Charter Committee.
4. As stated above, the Senate Charter Committee is a joint subcommittee of the Franklin Cummings Tech College Senate composed of Faculty Senate Officers, Staff Senate Officers, Faculty Members and Staff Members. Together, Senate Officers and Senate Members, both faculty and staff, will collaborate on this subcommittee to oversee Senate elections, the revision process of the Franklin Cummings Tech College Senate Charter and Bylaws, and any special amendments, resolutions, or initiatives that require a vote by all members of the senate. (e.g., Senate Charter Committee must vote on finalized drafts after public comment/revision period before presenting it for a vote by all faculty and staff).
5. As in all voting requirements stated in section F of the Franklin Cummings Tech College Senate Charter and Bylaws, the outcomes of the vote shall be decided by a majority vote of eligible voters. As stated in section F, all members of the Franklin Cummings Tech full-time and part-time faculty and staff are automatically members of the Franklin Cummings Tech College Senate at the date of hire, and thus, are eligible to vote.
6. The Senate Charter Committee must announce in early June, through email and/or a printed letter, the upcoming Charter and Bylaws revision process to provide

faculty and staff members the summer to look over the Charter and Bylaws to consider potential changes.

7. The Senate Charter Committee must announce in late August or early September through email and/or a printed letter the dates of the upcoming Charter and Bylaws revision process and the 14-day open comment/revision period.
8. The Senate Charter Committee must announce the availability of the open document at least two days before the document becomes editable.
9. The Senate Charter Committee must announce through email and/or a printed letter at least once in the middle of the 14-day comment/revision period the number of days left for faculty and staff to participate in the revision of the Charter and Bylaws.
10. The Senate Charter Committee must hold an open meeting at least once during the 14-day comment/revision period to provide an opportunity for open debate among any and all full-time and part-time faculty and staff members who wish to participate. This meeting must be chaired by at least one member of the Senate Charter Committee. Preferably, this meeting should be co-chaired by a Senate Officer and a Senate Member.
11. All eligible members of the Franklin Cummings Tech College Senate are eligible to participate in the revision of the Franklin Cummings Tech College Senate Charter and Bylaws and in the voting process on the finalized revision that the Senate Charter Committee votes on (if revisions are suggested).
12. If after a 14-day period of public comment available to faculty and staff (preferably in electronic form), no revisions/edits are proposed by any eligible members of the faculty and staff of Franklin Cummings Tech, then the most current Charter and Bylaws of the Franklin Cummings Tech College Senate shall be reinstated and re-ratified as the most up-to-date version.
13. Senate Officers can choose to initiate a vote among all members of the Senate (both elected and non-elected) to pass resolutions, public statements, policy positions, and initiatives during their three-year term. The voting process on any of these categories must be overseen by the Senate Charter Committee, which comprises both Senate Officers and Senate Members.

14. Senate Officers can choose to initiate any amendments to the Charter and Bylaws during their three-year term. The voting process on any proposed amendment(s) must be overseen by the Senate Charter Committee, which comprises both Senate Officers and Senate Members.



## **II. Norms and Procedures for Professional Communication and Proposals**

### **A. Norms for Professional Communication**

The Franklin Cummings Tech College Senate is committed to the principle of *mutual accountability*, in which all stakeholders in a college with a participative leadership culture are accountable to one another.

Therefore, the Franklin Cummings Tech College Senate will strive for transparency and inclusion through all forms of communication, both written and verbal. We will also strive for full disclosure of the reasoning behind our beliefs, choices, ideas, and decisions. We encourage the administration, faculty and staff members, the Franklin Cummings Tech Board of Trustees, and all other stakeholders in the mission of Franklin Cummings Tech to do the same.

All communications representing the Franklin Cummings Tech College Senate will aim to be written in a non-adversarial, professional tone and in the most inclusive language possible. While written communications of the Franklin Cummings Tech College Senate will likely include reference to professional roles and functions in most cases to (e.g. Administration, Department of Electrical Engineering, the Board of Trustees, these communications may at times refer to specific individuals operating in these roles and functions when warranted.

In all communications, the Franklin Cummings Tech College Senate will strive to operate from the principles of charity and mercy. This means that these communications will strive to refrain from statements that unfairly compromise professional reputations or that promote perspectives and interpretations that are unsubstantiated, unfair and unproductive.

The rule of thumb that will guide all communications by the Franklin Cummings Tech College Senate is simple: we will work to build and strengthen, not tear down, and destroy.

### **B. Formal Proposals Presented through the Franklin Cummings Tech College Senate**

1. The Franklin Cummings Tech College Senate encourages all faculty and staff to bring issues, concerns, complaints, innovations, ideas, and proposals for reforms related to professional culture and other issues to the Franklin Cummings Tech College Senate.
2. The Franklin Cummings Tech College Senate may address and/or propose action on, but not limited to, the following issues:



- Ideas for college reforms (e.g. curricular changes, college discipline policies, learning culture initiatives, etc.).
- Proposals or suggestions for procedural improvements (e.g. scheduling, student assignments, placements, etc.).
- Proposals for in-service professional development (e.g. whole-college literacy approaches, behavioral intervention workshops, restorative justice presentations, etc.).
- Proposals for structural improvements or aesthetic changes to the college building(s).
- Initiatives for establishing or changing norms for collaboration, interdisciplinary learning, and collegiality.
- Professional concerns regarding workplace related issues including safety and issues related to decision-making processes at the college.

### **C. How to bring your proposals to the Franklin Cummings Tech College Senate**

1. Email one or more of the elected officers of the Franklin Cummings Tech College Senate. If possible, and depending on the issue or circumstances, cc at least one other colleague and/or administrator to keep communications open and transparent.
2. Send an email to [FCTechSenate@franklincummings.edu](mailto:FCTechSenate@franklincummings.edu) if you wish to direct your concern(s) to the staff as a whole. At the Franklin Cummings Tech College Senate Officers' discretion and with your permission, and perhaps with minor revisions that are mutually agreed upon, the Franklin Cummings Tech College Senate can send the email directly to the Franklin Cummings Tech list-serve from the Franklin Cummings Tech College Senate email account to represent the faculty and staff and to respect any requests for anonymity.
3. Visit with the Co-chairs or any other elected member of the Franklin Cummings Tech College Senate to request item(s) to be placed on the agenda.

### **D. Norms and procedures for formal proposals and all other professional writing generated and/or published through the Franklin Cummings Tech College Senate**

1. Proposals, letters, emails, and memos presented through the Franklin Cummings Tech College Senate to the Franklin Cummings Tech community can be written by any Senate Officer.

2. The Senate Officers of the Franklin Cummings Tech College Senate reserve the right to revise/edit all proposals, letters, emails, and memos representing the Franklin Cummings Tech College Senate for clarity, grammar and to modify potentially offensive and/or slanderous content. Writer(s) will be consulted before the final version is sent out to the college community and/or published on the Franklin Cummings Tech College Senate web page. All content that will be published on the Franklin Cummings Tech website will undergo a legal review prior to posting.
3. The Franklin Cummings Tech College Senate disallows “flaming/trolling” (writing that is intentionally offensive or instigative) in all communications and will remove these statements prior to sending to faculty and staff.
4. Formal proposals should be written in a clear, structured, professional style with reasoning and evidence, and, if possible, with relevant research that supports the proposed ideas(s).
5. Formal proposal(s) may include content that:
  - connects the mission and/or vision statement of Franklin Cummings Tech.
  - refers to relevant education law(s) on the City, Commonwealth, or Federal level.
  - seeks to promote reasonable standards of ethics, human rights, consideration, dignity, equity, physical/mental health of students, instructors, all other faculty members, staff members and administrators.
  - points to research or current data that supports the proposed reforms (e.g. recent findings in behavioral psychology, workplace ethics research, cognitive theory, etc.).
  - proposes policies around organizational governance that refer to professional roles and duties rather than the specific names of individuals (when possible), to emphasize the functional aspects of the role(s) in place of specific personalities—unless *severe ethical and/or legal violations* are in consideration.
  - uses rhetorical techniques that are suitable for the occasion and to the audience the proposal seeks to reach. Sometimes a proposal will be written in the first-person plural (we) if after a period of open comment, it aims to represent the entire staff and faculty. Other times, a proposal will represent an individual voice or a small collective, which will require an alternative approach.
  - utilizes flow charts, diagrams or other visuals that can facilitate the understanding of the target audience; however, this is not required.

## **E. Conflict Resolution and Mediation Process**

The Franklin Cummings College Senate has established a process for resolving conflicts or disputes that may arise among elected Officers of the Franklin Cummings Senate and non-elected members of the Senate (all faculty and staff members).

Please note that in all cases that involve the potential violation of legally protected rights, the Senate Officers shall direct all involved parties to *follow the procedures laid out in the FC Tech Employee Handbook; any and all official guidelines established by the college; and the procedures and processes established by the Human Resources Department.*

Furthermore, in the potential circumstances described above, all elected Senate Officers shall recuse themselves from any and all involvement in the conflict resolution and direct all parties to approach Human Resources and/or members of the Administration.

In the event that a professional and/or personal conflict arises that does **not** constitute the potential violation of employees' rights to a safe work environment and/or does **not** constitute the potential violation of legally protected rights against sexual and other forms of discriminatory harassment, and wherein all parties have expressed the desire to participate in a mediation process outside of Human Resources or involvement with Administration, *Senate Officers shall reach out to the Senate Charter Committee to begin a conflict resolution process*, as this subcommittee includes both elected Senate Officers and non-elected Senate Members who are likely not to be involved in any internal disputes and/or conflicts involving Senate Officers. The College Senate shall **not** be the determiner of whether an issue is or is not a legally protected right. In all instances, the legal department will be consulted first to ensure that there are no legally protected rights involved in the dispute.

### **Senate Charter Committee Action Steps for Conflict Resolution**

If all Senate Officer parties involved in a dispute or conflict (that does not include potential violations of legally protected rights) choose to participate in a conflict resolution process through the Senate, they shall reach out to the Senate Charter Committee to initiate the process.

The Senate Charter Committee shall take the following steps to initiate the conflict resolution process:

1. Members of the Senate Charter Committee cannot be directly involved in conflict resolution or mediations involving elected Senate Officers or non-elected Senate Members. The role of the Senate Charter Committee is to recruit others into the process and not to be involved in any other way.

2. The Senate Charter Committee shall seek to recruit one or two Appointed Mediators who are non-elected Senate Members and are willing to engage in a mediation or conflict resolution process with all parties.
3. All parties of the conflict or dispute must agree upon the Appointed Mediator(s). In the event that no Appointed Mediator(s) are agreed upon, the Senate Charter Committee shall advise all parties to seek conflict resolution through other channels, including private communications and conflict resolution processes between and among the parties in the conflict or dispute, reaching out to Human Resources or Administration or any other channels or processes chosen by the parties.
4. In the event that one or more non-elected members of the Senate Charter Committee are involved in the dispute in some way or have potential conflicts of interest, they shall recuse themselves from any involvement in the conflict resolution process, including the selection of Appointed Mediator(s).
5. The Appointed Mediator(s) shall follow the guidelines below in the mediation process:
  - Maintain strict confidentiality between and among all parties of the mediation process throughout the entirety of the process.
  - Engage in “shuttle diplomacy” in the beginning of the process to get a sense of what the dispute is about from all perspectives with an eye to fairness and impartiality. For the purposes of this document, “Shuttle Diplomacy” shall be defined as the action of an outside party in serving as an intermediary between or among the principals in a dispute, without direct principal-to-principal contact.
  - Avoid “triangulation” where unnecessarily negative perceptions are shared with each party, thus potentially deepening the conflict; instead share the most positive mutual perceptions of each party to help de-escalate the conflict and to lay the ground for respectful conversations, going forward.
  - Work out with all parties the best way to proceed, including venues, number of meetings, and lengths of meetings (e.g. Microsoft Teams, in-person meetings on campus or at another location, number of meetings, agreed-upon time limits for meetings and the process as a whole).
  - Keep the mediation informal and refrain from writing any formal reports or agreements, as these types of processes are more appropriately handled by the Human Resources Department and/or members of the Administration.



### **III. Preventing Academic Bullying and other forms of Harmful Workplace Behaviors**

#### **A. Research and Resources Related to Workplace Bullying**

While Section II above addresses the need for productive norms of communication and good-faith professional behaviors in conducting the business of the Franklin Cummings Tech College Senate as well as processes for informal conflict resolution for the Senate Officers, Section III necessarily addresses the need to raise awareness around forms of communication and behaviors that can undermine the relationships, mutual trust, and operations of the college.

Organizational behavior [scholars and industrial psychologists](#) sometimes use the informal phrase “*this is how we do business here*” as shorthand for what to expect in how business is conducted, and workplace relationships are negotiated within an organization, committee, workplace, or community.

Section III promotes the recognition of communication norms and workplace behaviors that Franklin Cummings Tech Senate Officers and non-elected members should seek to prevent in all working relationships and written/verbal communications.

The shorthand version of this commitment is, “*we don’t do that here.*”

A small private college like Franklin Cummings Tech greatly depends on positive and productive working relationships to accomplish its unique mission. Due to this, it is important for the Franklin Cummings Tech Senate and its elected representatives to maintain awareness of both productive and unproductive ways to carry on the Senate’s work. This awareness can potentially help the college to thrive in carrying out its important mission to “*deliver a transformative technical and trade education that leads to economic advancement.*”

In recent years, much research has emerged detailing the adverse effect that workplace bullying and mobbing behaviors can have on organizational goals and institutional morale. For a comprehensive survey of the landscape of research in this area, we direct Senate Members and other members of the Franklin Cummings Tech community to the [Workplace Bullying Institute \(WBI\)](#) website. This site features international scholarship and workplace health and wellness advocacy across many different fields and can serve as a resource for the college in learning about and preventing the types of behaviors that are known to undermine the mission of organizations in both the private and public sectors.

Another resource is the [New Workplace Institute Blog](#), written and compiled by Suffolk Law University scholar of employment law, David Yamada, who, along with Gary Namie, Ph.D. (the founder of the Workplace Bullying Institute) was named one of [the 30 Most Influential Industrial and Organizational Psychologists Alive Today](#). Yamada, who was also awarded the international Bruce Winick Award for [outstanding contributions to the field of therapeutic jurisprudence](#) at the International Congress on Law and Mental Health in Rome, conducted a [virtual presentation on academic bullying](#) at Suffolk University in 2022 and has written extensively on his blog and elsewhere on the topic of workplace bullying, including [the specific signs to be on the lookout for](#).

For information about where to turn to for help in the event of workplace bullying or academic bullying in particular, senate members and members of the larger Franklin Cummings Tech community are encouraged to visit Yamada's resources page, [Need Help? Guidance for workers and employers](#).

## **B. Franklin Cummings Tech College Senate's Commitment to Raising Awareness**

As an important stakeholder group in the college's governance structure, the Franklin Cummings Tech Senate needs to maintain positive and productive relationships with all stakeholder groups.

To be effective, both Senate officers and Senate Members (both faculty and staff) need to develop and share awareness around the types of covert and overt behaviors that can undermine the work we are all trying to do.

As elected representatives of all faculty and staff, the Senate Officers of Franklin Cummings Tech College resolve to uphold the highest levels of discourse and behavior to serve as a collective model for the rest of the college community. This also includes the commitment to openly maintaining and sharing awareness of the types of communications and behaviors that will not be tolerated in the carrying out of the Senate's work in contributing to strong and trustworthy participative governance structures and processes and a healthy workplace culture at Franklin Cummings Tech.



## **IV. Franklin Cummings Tech College Senate Aspirational Statement on Freedom of Speech and Academic Freedom**

### **A. Aspirational Statement on Freedom of Speech and Academic Freedom Vs. Affirmation or Official Endorsement**

The Charter and Bylaws of the Franklin Cummings Tech College Senate reflect the highest aspirations of community, workplace, educational, and organizational norms, and values, including the Institutional Values laid out on the official website of Franklin Cummings Tech. To that end, the Charter and Bylaws have aimed throughout to emphasize the most positive, fair, productive, and informed ways to relate to all other individuals and stakeholder groups in the college community in both written and verbal forms.

The aspiration to communicate from the highest levels of knowledge, humanity, and fairness reflects the Franklin Cummings Tech College Senate's desire to authentically honor the Senate's charter to serve the mission of the college by honoring the intrinsic dignity and rights of all individual members and stakeholder groups of the college community.

One of the ways to honor the Senate charter most authentically and, by extension, the mission of Franklin Cummings Tech is to affirm and uphold the principles of Freedom of Speech and Expression and the principles of Academic Freedom that the college has already affirmed in the Employee Handbook and Student Handbook.

Given the current debate in American society around the question of what constitutes Freedom of Speech and Expression and Academic Freedom and what constitutes the most effective atmosphere for the pursuit of knowledge, civilizational advancement, and the greater good, including what some call social justice or human rights, many colleges and universities and individual departments and committees within institutions of higher education across the United States have either officially adopted or affirmed both Freedom of Speech and Expression and Academic Freedom in the form of a public statement or resolution.

Due to the need for such an important topic to be robustly debated and thoroughly processed throughout the college community and the impending deadline for formal ratification of the revised Franklin Cummings Tech College Senate Bylaws, this section on the principles of Freedom of Speech and Expression and Academic Freedom must remain aspirational. That is, the work of the Senate aspires to honor these principles in the work carried out under the official charter even in the absence of a formal resolution that affirms or officially adopts these principles.

In the future—potentially during the three-year term of the Franklin Cummings College Senate under the newly ratified Bylaws—there may be a public declaration of commitment to these principles by the College, the Senate, or other stakeholder groups in the form of an *affirmation* or formal *adoption*. For now, until such time that an official affirmation or adoption of these principles is publicly articulated, the Senate will continue to honor these principles from an aspirational stance as it conducts its work.

## **B. Further Considerations and Context for the Senate’s Aspirational Statement on Freedom of Speech and Academic Freedom**

Throughout the United States, there is a growing movement towards the affirmation or the official adoption of the principles of Freedom of Speech and Academic Freedom by various governing bodies of institutions of higher education. Many of these institutions have been directly influenced by the University of Chicago in their adoption of these principles.

In 2015, the University of Chicago released [an official statement of commitment to the principles of Freedom of Speech and Expression and Academic Freedom](#). The ideas outlined in this statement became known as the Chicago Principles. To date, 82 colleges and universities in the United States [have officially adopted the Chicago Principles](#) while many other colleges and universities have publicly declared their own versions of the Chicago Principles, which has been well-documented by many free speech advocacy groups, including the Foundation for Individual Rights and Expression (F.I.R.E.).

Since the late 2010’s, F.I.R.E. has compiled a list of colleges and universities that have either affirmed or officially adopted [a version of the Chicago Principles](#). These statements have been either affirmed or officially adopted by one of the following governing bodies of each college or university:

- The College
- The University
- The Board of Trustees
- The Faculty Senate
- The Board of Regents
- The Board of Governors
- Faculty Governance,
- Board of Visitors
- Individual departments and/or colleges

The list below is excerpted from a larger list compiled by the Foundation for Individual Rights and Expression (F.I.R.E.) and comprises colleges and universities in the Greater Boston region and New England that have either affirmed or officially adopted a statement of commitment to the principles of freedom of speech and expression and academic freedom— including the statement of affirmation at the [Massachusetts Institute of Technology \(MIT\)](#), which was affirmed by Faculty Governance in December of 2022.



1. [Princeton University](#): Officially Adopted in April 2015\*
2. [University of Maine System](#): Affirmed by Board of Trustees in March 2017.
3. [Smith College](#): Affirmed by Board of Trustees in February 2018.
4. [Suffolk University](#): Officially Adopted in July 2018.
5. [Brandeis University](#): Officially Adopted in October 2018.\*
6. [Boston University](#): Affirmed by Board of Trustees in October 2020.\*
7. [University of Massachusetts Boston](#): Affirmed by the College of Science and Mathematics Faculty Senate in April 2022.
8. [Massachusetts Institute of Technology](#): Affirmed by Faculty Governance in December 2022.\*

*\*\*Please note that according to F.I.R.E., the asterisk indicates that multiple campus stakeholders approved the statements.*

### **C. Franklin Cummings Tech’s Stated Commitment to Freedom of Speech, the 1st Amendment, and Academic Freedom**

*The following information has been extracted from the FC Tech Employee Handbook, the FC Tech Student Handbook, the NECHE-self disclosure report, and publicly available statements and reports.*

This section partly draws its inspiration from the recently affirmed commitment to Freedom of Speech and Academic Freedom by the faculty of the Massachusetts Institute of Technology. In December of 2022, 163 MIT faculty members signed a statement as open signatories supporting the official adoption of the Chicago Principles of Free Speech by the Massachusetts Institute of Technology (MIT).

“We, the undersigned MIT faculty members, urge that the Institute improve its written commitment to academic freedom and free expression by officially adopting the Chicago Principles, as articulated in a 2014 University of Chicago [report](#). The Principles have been adopted by Princeton, Johns Hopkins, Columbia, BU, and 78 other [universities and colleges](#).”

As Franklin Cummings Tech has already articulated a commitment to academic freedom and a governing body of another internationally recognized institute of technology has already formally declared its commitment to these principles in the form of a public statement of affirmation, the Senate’s aspirational statement is not far away from the eventuality of formally adopting these principles in the future, which is likely to occur through a formal voting process at a later time.

There is already formal precedent at the college.

In the Franklin Cummings Tech Employee Handbook, the following statement on page 50 reflects the college’s support for academic freedom (which exists alongside faculty duties and obligations).

“Academic freedom derives from the nature of the quest for knowledge. It is essential to the full search for truth and[for] its free exposition, applies to both teaching and research, and shall not be abridged or abused. Academic freedom does not relieve the faculty of those duties and obligations that are inherent in the employer-employee relationship.”

Additionally, in the Employee Handbook’s description of the college’s policy and procedures for addressing sexual misconduct, the college reaffirms on page 66 that nothing in the policy “shall be construed to abridge academic freedom, principles of free speech, or... [Franklin Cummings Tech’s] educational mission.”

The dedication to academic freedom can also be found on page 90 in [the NECHE self-study public disclosure report](#). The New England Commission of Higher Education (NECHE) re-accredited Franklin Cummings Tech in 2022 in part due to this self-study and the college’s plans for continual improvement based on its contents. In this report, the college declares a commitment to academic freedom, making reference to the Franklin Cummings Tech Employee Handbook:

“Academic Research and Integrity – ... [Franklin Cummings Tech] promotes the freedom to teach and study, examine data, and question assumptions. The college’s Academic Freedom Policy is clearly spelled out in the Faculty Academic Policies and Practices section of the ... [Franklin Cummings Tech] Employee Handbook, which all faculty and staff must review and sign each year.”

The college goes even further in its affirmation of academic freedom in the [...\[Franklin Cummings Tech\] Student Handbook](#). On page 29, the college addresses the problem of online harassment and misconduct and states that “the policies of [Franklin Cummings Tech] are written and interpreted broadly to include online and cyber manifestations” of any of the behaviors prohibited by the college.

The college’s commitment to creating a safe environment, in the digital age in which online harassment is rife, rightly emphasizes that online activities should not interfere with the college community’s mission and the right of its students and employees to feel free to pursue their work without the added stress of disruptive online communications. For this reason, the college affirms the need for its community members to practice “good digital citizenship”.

The following description from the student handbook describes what “good digital citizens” should avoid:

“Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the ... [Franklin Cummings Tech] community.”

The college goes further in the student handbook in not only discouraging discriminatory harassment but *in the protection of academic freedom*.

On page 31 of the student handbook, in section 15, the college lays out its policy on discriminatory harassment in the following passage:

“Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment... [Franklin Cummings Tech’s] harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include relevant, but controversial or sensitive subject matters protected by academic freedom.”

Once again, in its formal policy, the college re-affirms the protection of free speech and even invokes the 1st Amendment in its commitment:

“When speech or conduct is protected by academic freedom, and/or the first amendment it will not be considered a violation of ... [Franklin Cummings Tech] policy, though supportive measures will be offered to those impacted.”

Finally, in its further explanations around discriminatory harassment, Franklin Cummings Tech makes clear distinctions between what constitutes harassment (especially against “any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law”), and the right the college reserves to address conduct even in a case that:

- 1) does not rise to the level of creating a hostile environment, or
- 2) that is of a generic nature and not based on a protected status.

An important element is that the college affirms that “addressing conduct that doesn’t rise to the level of harassment or creating a hostile environment “will not result in the imposition of discipline under ... [Franklin Cummings Tech] policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other informal resolution mechanisms.”

This indicates that there is some room left for freedom of speech and expression and for interventions around employees’ speech and expression that—while meriting reasonable intervention—does not necessarily rise to a level that requires “the imposition of discipline” under the college’s policies.

#### **D. Summary of Senate’s Aspirational Statement on Freedom of Speech and Academic Freedom**

In 2023, at the time of this newly ratified document of the Franklin Cummings Senate Charter and Bylaws, the college created an updated vision statement:

“To achieve economic and social impact through dynamic and entrepreneurial curricula that develop diverse tech talent for our region and to help graduates thrive by building generational wealth.”

When considering the current era in which social issues are placed front and center in nation’s conversations, the increasing polarization and the coarsening of public discourse, and Franklin Cummings Tech’s commitment as a [Minority Serving Institute \(MSI\)](#) to creating career opportunities for students from marginalized groups, generational wealth for our students’ communities and families, a diversified workforce in the Greater Boston region and beyond, the public articulation of unambiguous support for the Chicago Principles or a modified version of those principles would offer both formal and informal mechanisms for the freedom of thought, speech, and conscience.

And for an institute of technology that has a vision for building a more diverse workforce and a more inclusive society, the freedom to deliberate, study, look into, think about, analyze, and to consider multiple variables in determining the right action forward in the areas of technology and society itself must be protected.

It is the hope of the Franklin Cummings College Senate that any changes to official policies and/or the employee and student related documents mentioned in this section in the areas of Freedom of Speech, Academic Freedom, and the 1st Amendment include the participation of the Senate and other stakeholder groups so that such a decision on a monumental issue reflects the highest principles of shared governance in accordance with the accreditation standards elucidated in the [New England Commission for Higher Education \(NECHE\)](#) .

A genuinely collaborative process towards the discovery and rediscovery of the best philosophy and highest practices related to Freedom of Speech, Academic Freedom, and the 1st Amendment would be a firm recognition that this freedom, in the words of the college’s own articulated policy, “is essential to the full search for truth and it's free exposition.”



## **V. Conclusion: Franklin Cummings Tech Senate Charter and Bylaws**

The Franklin Cummings Tech College Senate is dedicated to building partnerships with all other stakeholders in our college community, including the President/CEO, other members of the Administration, the Board of Trustees, industry partners, students, and parents of students who are participating in Early Access to College programs.

By collaboratively working to establish and promote a healthy workplace culture at the college, a democratic approach to institutional governance, and a successful teaching and learning environment at Franklin Cummings Tech, we believe that the Franklin Cummings Tech College Senate can contribute greatly to the overall advancement of technology education and to the multiple fields of technology in which our educational institution plays a vital role.

We believe that the Franklin Cummings Tech can make a life difference for its students and their communities and a societal difference in the multiple fields of technology for which we train our students. With the participation and collaborative partnerships between all members of the community, including, students, faculty and staff, administration, the Board of Directors, community partners, partner educational institutions, school districts and parents whose children are participating in Early Access to College (EAC) programs, the Franklin Cummings Tech College Senate plays a significant role towards that mission.

And, in the current era of anxiety and great and vast change, collaboration is a key component for achieving technological breakthroughs, a sustainable societal vision, and vital communities.



## VI. APPENDIX

### Original Franklin Faculty Senate Charter & Copyright Law and Fair Use

#### A. Original Franklin Faculty (FFS) Senate Charter (Approved in 2013-2014)

##### *Mission:*

The FFS represents all full time faculty members in efforts to ensure a quality learning environment at Franklin Cummings Tech.

##### *Membership:*

The FFS shall consist of 4 or 5 full time faculty members with voting privileges. Two faculty members from the same department cannot serve on the senate at the same time unless the department consists of 5 or more full time faculty members. Candidates will be nominated or self-nominated and all full time faculty members will vote on the membership. Appointments are two year terms. A senate member may apply for additional terms which must be voted on by the faculty.

##### *Duties:*

The FFS shall hold meetings every 2 to 3 weeks or as needed, maintain minutes of all meetings, and keep the Franklin Cummings Tech community informed of its actions and recommendations.

The FFS shall discuss matters of academic importance as they pertain to students and faculty including academic facilities, academic support services, working conditions, personnel issues, financial decisions and governance.

The FFS shall meet once a month with all academic department chairs.

Up to two members of the Senate can sit in on PAC meetings to represent faculty interests.

Once a month, the FFS will meet with one or more members of the Board of Trustees to share student stories and academic department accomplishments.

Every year, the FFS will evaluate its charter and make appropriate changes which must be approved by the faculty and the President.

***Senate Chair:***

A Chair of the FFS will be elected from its members by the entire faculty. The Chair of the FFS will be responsible for adhering to the guidelines for Franklin Cummings Tech faculty committees. This person will be granted 3 hours of release time from his/her teaching load.

**B. Further Considerations for Franklin Cummings Tech College Senate Communication Norms**

1. The Franklin Cummings Tech College Senate page will have a professional aesthetic and a simple, accessible design.
2. All contents will be professional and cordial.
3. Roles and functions will be referred to instead of individual names, in keeping with the principles of professionalism and personal neutrality
4. All proposals in the final draft, letters, Franklin Cummings Tech College Senate emails, newsletters and other writings generated by the Franklin Cummings Tech College Senate are to be published and archived on a Franklin Cummings Tech College Senate web page. Any other writing may be published only with the written consent of the author(s). This page may be either public or privately available within the faculty and staff and made available to all faculty and staff.
5. The web page's contents will contain only political content that is directly related to the political process of Franklin Cummings Tech.

We define political process as the process by which individuals and groups negotiate the ways and means through which the collaborative efforts of various stakeholders (i.e. individuals and groups) work towards the success of an organization's goals.

When larger political movements come to bear on the current situation, this will be communicated plainly with the continued focus on how this impacts the college's mission, the delivery of the curricula and programs, student and worker's rights, and other operational imperatives of the college.

6. The Franklin Cummings Tech College and staff will be consulted throughout the process of building the web page.
7. The Franklin Cummings Tech College Senate reserves the right to have the final decision regarding the Franklin Cummings Tech College Senate web page's

contents in matters of faculty and staff positions on education and workplace policies—whether public or private—while striving to comply with the highest values of professional discourse.

8. No person(s) or groups will be slandered or “flamed” (offensive or inflammatory writing) in any way.
9. All facts, figures, proposals and claims will be accompanied by research and/or substantiated evidence.
10. The Franklin Cummings Tech College Senate Charter and Bylaws will be made available publicly within the Franklin Cummings Tech college community (and publicly, should the elected Officers decide) through our web page.

### **C. Franklin Cummings Tech College Senate’s Copyright Policy**

Under the Fair Use Copyright Law, any and all words, phrases, parts and sections of the Franklin Cummings Tech College Senate Charter and Bylaws can be copied and distributed by College Senates and all other teacher organizations in the United States with or without permission or attribution. We encourage other college senates and all other teacher organizations to adopt the Franklin Cummings Tech College Senate Charter and Bylaws, all, or in part, with or without permission or attribution.

### **D. Fair Use Copyright Law in the United States**

**Source:** U.S. Copyright Office,  
Revised, September 2010

“One of the rights accorded to the owner of copyright is the right to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 118 of the copyright law (title 17, U. S. Code). One of the more important limitations is the doctrine of “fair use.” The doctrine of fair use has developed through a substantial number of court decisions over the years and has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work



3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for, or value of, the copyrighted work

The distinction between fair use and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

The 1961 Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law cites examples of activities that courts have regarded as fair use: “quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author’s observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported.”

Copyright protects the particular way an author has expressed himself. It does not extend to any ideas, systems, or factual information conveyed in the work.

The safest course is always to get permission from the copyright owner before using copyrighted material. The Copyright Office cannot give this permission.

When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of fair use would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered fair nor advise on possible copyright violations. If there is any doubt, it is advisable to consult an attorney” (U.S. Copyright Office, 2010).