

CHARTER

FOR THE ALL COLLEGE ASSEMBLY OF NORTHERN ESSEX COMMUNITY COLLEGE

PREAMBLE

This Charter establishes for Northern Essex Community College an organization, the All College Assembly for the purpose of considering and recommending institutional policy and for the ongoing review of its implementation. Institutional policy includes executive and operating policy as defined in Appendix A.

The Charter of All College Assembly reflects the growth and change of the college. It seeks to establish effective structures for input, discussion, consensus and participation in the evolution of the institutional mission and the creation of collegewide policies to enable the fulfillment of that mission.

The Charter preserves and builds on the spirit of shared governance expressed in the Academic Council Charters of 1970 and 1977 and it recognizes the realities of collective bargaining by employees and the current status of student organizations and policies. Within this context, the All College Assembly may advise on any collegewide policy matter, with the understanding that the content and process for giving of such advice shall not conflict with any applicable collective bargaining agreement or applicable state or federal law.

Specifically, the All College Assembly is designed to complement and not replace or compete with the following:

- 1) The authority of the Massachusetts Board of Higher Education as exercised through the Board of Trustees and the president of the college.
- 2) The legal and contractual relationships which arise from any relevant collective bargaining agreements currently in force or in process of negotiation.
- 3) The Student Senate of NECC, the Student Grievance Procedure and the Statement of Students' Rights and Responsibilities.

This Charter gives life, on paper, to representative participation by employees in the college community.

This participation should at all times be exercised openly, responsibly, conscientiously and constructively. As under the previous organization, the Academic Council, it depends on its members to give life and significance to representative participation in practice.

The purpose of the Assembly is not to perform administration, but to advise on executive and operating policies both before they are adopted and after implementation. In carrying out this purpose, the Assembly shall be proactive as well as reactive.

ARTICLE I

Name

The name of this deliberative and advisory body shall be "The All College Assembly of Northern Essex Community College."

ARTICLE II

Functions and Responsibilities

All functions and responsibilities hereinafter assigned to the Assembly are advisory in nature and are subject to the statutory powers duly vested in the Massachusetts Board of Higher Education and in the Board of Trustees and to those powers delegated by said boards to the president of Northern Essex Community College. In this context, substantive functions are delegated to the Assembly by the president of the college. All recommendations of the Assembly and/or of its committees, properly conveyed in writing to the president of the college, shall be considered accepted after twenty calendar days of receipt unless for compelling reasons, which should be conveyed in writing to the chairperson of the standing committee which has submitted the recommendation, the president of the college fails to concur with the recommendation. The president may, under exceptional circumstances, require of the committee an appropriate and mutually acceptable extension of the twenty-day period. The president retains the right of review and the ultimate responsibility for the decision. In the event of the president deciding not to approve of an Assembly recommendation, the committee that has submitted the recommendation shall meet with the president to discuss their differences. If no agreement or compromise can be reached, the matter shall be reported to the Executive Committee and be included in the annual report to be submitted to the Board of Trustees.

ARTICLE III

Membership

All full-time and part-time employees of the college, with the exception of the president, shall be members of the Assembly.

ARTICLE IV

Meetings

Section 1. Regular meetings of the Assembly shall be called by the chairperson of the Executive Committee for Planning and Policy. Special meetings of the Assembly may be called by the chairperson of any standing committee, when after consultation with his/her committee, he or she is convinced of the need for a meeting. Special meetings shall also be called upon the signed written request of thirty of the members of the Assembly.

Section 2. A meeting notice including time, place and agenda shall be distributed at least five (5) working days prior to a regular meeting. Any proposed action, which would require subsequent approval by the president, shall be distributed with the agenda.

Section 3. For any meeting of the Assembly, a quorum for the transaction of business shall be equal to 10% of the number of full-time employees provided by the college's chief Human Resources Officer on September 15 of each year. For purposes of quorum count, all full and part-time members in attendance shall be counted.

Section 4. A general or special meeting of the College Assembly shall be deemed to have been unassembled if a quorum has not been made within thirty minutes of the announced starting time of the meeting.

Section 5. All meetings of the Assembly and its committees shall be conducted in accordance with those procedures of *Robert's Rules of Order*, which are not in conflict with the Charter.

Section 6. All general meetings of the Assembly and its committees, subcommittees and task forces, shall be public meetings.

Section 7. All general meetings of the Assembly shall be scheduled within a two-hour time block. Each standing committee shall seek one or more alternate time slots in which to conduct its meetings.

ARTICLE V

Student Participation

Recognizing the value of student input, the important role students play, and a commitment of fostering a student-centered environment, the **Assembly** will involve students in its activities by means including, but not necessarily limited to the following:

- a) The chairs of the standing committees shall meet with the student Senate (the students' representative body) a minimum of once a semester to report on Assembly activities, solicit input on specific issues, and identify and discuss issues of mutual concern.
- b) Students may suggest agenda items to committee chairpersons for consideration. The chairs of the standing committees shall invite student input and participation in their activities on an as needed basis.
- c) Students will be encouraged to participate in Assembly

- d) forums held to discuss matters of collegewide concern.
- d) Student representation will be included in the Strategic Planning Process.
- e) The Assembly will support creative opportunities for students to participate in Assembly activities as part of credit bearing; course related projects such as directed studies or cooperative education placements.

ARTICLE VI

Committees

Section 1. General: The Executive Committee of the All College Assembly will maintain an updated registry/inventory of all committees/task forces operating at the college, those mandated by outside agencies, those appointed by the president under his/her authority, those of a non-collegewide nature initiated by the various major divisions within the institution and their respective units/areas, and those of a collegewide nature operated under the aegis of the All College Assembly. Prior to his/her appointment of any new committee, task force, or other working group addressing an issue of collegewide concern, the president shall consult with the Executive Committee concerning the mission and potential membership of said committee or group. Any member of the Assembly or the president shall be able to propose the formation of new standing or ad hoc collegewide committees. The initiator shall forward to the Executive Committee the name of the proposed committee, a description of its powers and functions, its anticipated duration and the proposed method of filling its membership. Within three weeks, the Executive Committee shall respond to such a proposal and may include in its response recommended changes in membership or the method of filling seats, or in the proposed functions of the body. The Executive Committee may point out where functions overlap with those of existing committees or necessary functions are omitted from the proposal. All new standing committees require Charter amendment.

No committee deliberations shall violate applicable collective bargaining laws and agreements or state or federal laws.

Section 2. Reporting Function: Members of standing committees shall give regular reports to the constituency group which they represent. Each committee of the Assembly shall act on any proposals made or matter referred to it within a period of four months or sooner if required by circumstances imposed from outside the college.

Section 3. Terms of Appointment: Each committee of the Assembly shall elect its own chairperson for a term of one year. All committee members serve for a term of two years. When vacancies occur, the chairperson of the committee may appoint temporary replacement members from among the membership of an affected constituency group until such time as the constituency group affected elects a new representative.

Section 4. Minutes of Meetings: The minutes of all committee meetings shall be kept and forwarded to the

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chairperson of the Executive Committee for incorporation into the records of the Assembly.

Section 5. Quorum: For any meeting of a committee, sub-committee or task force of the Assembly, a quorum for the transaction of all business shall consist of one-half of its members. Seats on committees which are unfilled by the electoral process shall not be included in the quorum count.

Section 6. Elections: Members of standing committees shall be elected by secret paper or electronic ballot utilizing eligible voter lists. Said elections shall be conducted as constituency group elections held annually between April 1 and April 15 and elected members shall take office May 1st. Professional staff who are members of an academic area will vote with the professional staff. If any employee is a member of more than one constituency group, he/she may choose which election they wish to participate in as a voter and/or candidate. No person may participate in elections in more than one constituency group during any electoral period. Committees are expected to hold their first meeting by the end of May and elect their chair. All elections of standing committee members shall be conducted by a member of the Executive Committee. All ballots shall be decided by a simple majority of those participating. In the event a nominee does not secure a majority on the first ballot, there shall be a run-off ballot between the top two nominees. All terms of office shall be for two years unless otherwise specified.

There shall be an elected alternate representative for each committee member from each constituency group. Alternate representatives shall be elected to cover during the excused absence of a constituency group member. This representative shall have full membership rights when representing the regular member. Their term of office will be the same as the term of the member they represent. In the event that neither the regular member nor their alternate can be present and their respective absences are excused, the regular member may designate a representative from their constituency group to serve for that meeting only.

Regular attendance at committee meetings is required of all committee members. In the event that a regular member resigns or is otherwise unable to serve, that member's alternate shall immediately fill the regular member's position for the remainder of the member's term. The chair of the applicable committee will promptly request that the affected constituency group elect a new alternate for the remainder of the term. After two consecutive unexcused absences of a committee member, the chairperson of the committee may declare the member suspended. Following such declaration, the chairperson shall temporarily replace the suspended member with a duly elected alternate from the same constituency group and request that the constituency group affected elect a replacement.

Section 7. Constituency Groups: For purposes of committee representation, the college community is divided

into the following constituency groups:

- A) Faculty
- B) Professional Staff
- C) Administrators & Non-Unit Confidential Secretaries
- D) Clerical/Technical & Maintenance/Custodial
- E) Student

Each standing committee of the Assembly shall consist of the following:

- A) Faculty—7 be elected by area as follows:
3 members are to be elected by the faculty at-large and 4 members by academic division, 1 from each of the 4 divisions.
- B) Professional Staff 2
- C) Administrators & Non-Unit Confidential Secretaries 2
- D) Clerical/Technical & Maintenance/Custodial 2
- E) Student Representative 1

8. Standing Committees: The Assembly shall have five standing committees:

A) Academic Affairs Committee

The Academic Affairs Committee shall make curriculum recommendations to the president regarding all proposals for changes, additions, and deletions in all curricula offered by all divisions of the college. In addition, the committee may recommend changes in college-wide academic policy and standards.

The Academic Affairs Committee may establish sub-committees of its own membership. When a sub-committee or the committee as a whole enters into deliberation upon a policy matter, the chair of the committee shall inform the chair of the Executive Committee and the president. The Executive Committee will promote communication among groups considering the matter so that resources can be shared and duplication of effort is minimized. The group shall be formed in a manner consistent with Article V Section 1 above.

The Vice-President of Academic Affairs shall not be a member of the Academic Affairs Committee, but shall serve as a resource to the committee and attend meetings as requested. The vice-president may recommend issues for committee consideration, and shall keep the committee fully informed on the issues it is addressing, and on related potential changes in college-wide policy under administrative consideration. The chair of the committee shall keep Vice-President of Academic Affairs informed of the committee's activities and concerns.

B) The Finance Committee

The Finance Committee shall make recommendations to the president with respect to the allocation of all funds within the proposed and approved budget of the college (providing that such recommendations

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do not violate collective bargaining laws and agreements) and may review at any time the expenditure of all approved allotments of funds within past completed operating budgets. In performing these functions, the Finance Committee shall have timely access to all necessary information through its chairperson or his/her designee.

The Finance Committee may establish sub-committees of its own membership. When a sub-committee or the committee as a whole enters into deliberation upon a policy matter, the chair of the committee shall inform the chair of the Executive Committee and the president. The Executive Committee will insure that no other group duplicates their effort. The group shall be formed in a manner consistent with Article V Section 1 above.

The Vice-President of Administration shall not be a member of the Finance Committee, but shall serve as a resource to the committee, and attend meetings as requested. The Vice-President shall provide the committee with all information needed for the effective execution of its task. The chair of the committee shall keep the Vice-President of Administration informed of the committee's activities and concerns.

C) The Students Affairs Committee

The Student Affairs Committee shall consider and make recommendations concerning all areas of student life including but not necessarily limited to: recruitment, admissions, orientation, advising, retention, student services, diversity issues, student activities, classroom climate and student morale.

The Student Affairs Committee may establish sub-committees of its own membership. When a subcommittee or the committee as a whole enters into deliberation upon a policy matter the chair of the committee shall inform the chair of the Executive Committee and the president. The Executive Committee will insure that no other group duplicates their effort. The group shall be formed in a manner consistent with Article V Section 1 above.

The Vice-President of Enrollment Management shall not be a member of the Student Affairs Committee, but shall serve as a resource to the committee, and attend meetings as requested. The vice-president may recommend issues for committee consideration, and shall keep the committee fully informed on the issues it is addressing and on related potential changes in college wide policy under administrative consideration. The chair of the committee shall keep the Vice-President of Enrollment Management and Student Services informed of the committee's activities and concerns.

D) Executive Committee for Planning and Policy

The Executive Committee shall meet with the president at least two times each semester, to establish committee and Assembly priorities, and discuss ongoing concerns. When appropriate, the Executive Committee will establish sub-committees of its own members, or task forces which may consist of any Assembly members, to resolve

important issues or address policy matters not being addressed by other committees. The Executive Committee will consult with the other standing committees when such matters may overlap with their concerns. The Executive Committee will seek input from all Assembly members, as well as the president, on a regular basis, as to what issues are most important, and will seek the advice of the president and any other interested parties when a task force or sub-committee is to be formed. When a sub-committee or task force is established, it will be given a clearly defined goal, and an appropriate time line for reaching that goal. The subcommittee/task force will make its recommendation to the Executive Committee, which will forward the recommendation to the president. The task force or sub-committee will be dissolved when its task is completed.

The Executive Committee will also select a representative to attend Board of Trustees meetings on a regular basis. He or she will participate annually in an "Education Report", and may also report, on request, on Assembly achievements and concerns at other appropriate times.

Other responsibilities of the Executive Committee shall include but not be limited to the following:

- 1) To participate in the college's long-term planning activities.
- 2) To maintain the college committee and task force inventory.
- 3) To schedule forums or other special events on issues of college-wide interest and importance.
- 4) To request from the president representation on major search committees when formed (for the positions of vice-president, dean and associate dean) and to consult with the president on their formation, and to request consideration from the Board of Trustees for representation on presidential search committees, provided said request is consistent with collective bargaining agreements and state policy.
- 5) To maintain communication with the president and specifically:
 - a) To make recommendations to the president regarding institutional policies of college wide significance not addressed by the Academic Affairs, Finance or Student Affairs Committees, and unrelated to collective bargaining; and
 - b) To communicate to the president constituency group concerns when appropriate.
- 6) To insure that Assembly members are adequately informed of committee activities, and to make suggestions for improving communication among all sectors of the college.
- 7) To assume the functions of other standing committees when they are not in session, if action cannot be deferred until their return.
- 8) To evaluate Assembly functioning on an annual basis, and make suggestions for improvement.
- 9) To prepare an annual written report of Assembly activities

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to be distributed to all Assembly members, the president and the Board of Trustees.

F) Information Technology Committee

The Information Technology Committee shall make recommendations concerning, but not limited to, the following:

1. Communicating major changes in the uses of information technology, as well as a rationale for those changes to the College Community.
2. As appropriate, policies related to the use of Information Technologies by faculty, staff, and students.
3. Procedures to ensure all major technology purchases and moves are properly reviewed by IT and Facilities as appropriate.
4. The redeployment of existing computer equipment.

In addition, the IT Committee shall:

1. Establish, as needed, subcommittees, task forces, or work groups to assist in all responsibilities charged to the committee.

- When a sub-committee or the committee as a whole enters into deliberation upon a policy matter, the chair of the committee shall inform the chair of the Executive Committee and the president. The Executive Committee will insure that no other group duplicates their effort. The group shall be formed in a manner consistent with Article V Section 1 above.

The Chief Information Officer shall not be a member of the Information Technology Committee, but shall serve as a resource to the committee, and attend meetings as requested.

The CIO shall provide the committee with all information needed for the effective execution of its task. The chair of the committee shall keep the CIO informed of the committee's activities and concerns.

ARTICLE VII

Bylaws

Section 1. The Assembly at a special meeting or by written ballot may pass by simple majority such bylaws as promote its effective functioning and its expressed objectives, providing that no bylaw may be passed which is not in accordance with this Charter. The proposed bylaw(s) shall be published in the notice of the meeting.

Section 2. Bylaws may be amended by a simple majority vote of those voting. The proposed amendment shall be published in the notice of the meeting.

ARTICLE VIII

Resolutions

Section 1. The Assembly at a special meeting may pass by simple majority resolutions which are not concerned with the

effective functioning of the Assembly but which are, nevertheless, directly or indirectly concerned with the expressed objectives of the Assembly, or of direct or indirect concern to the Assembly membership, providing that no resolution may be passed which is not in accordance with this Charter.

Section 2. Resolutions may be amended by a simple majority vote of those present and voting.

ARTICLE IX

Secretarial and Material Support

Section 1. The Assembly shall receive from the college adequate, ongoing, professional secretarial support. The secretary shall assist the Chairperson of the Executive Committee and maintain the records of the Assembly, including the minutes of all the meetings of the Assembly and its committees.

Section 2. The Assembly shall be provided with office space.

Section 3. The Assembly shall receive in a timely manner all material support needed and duly requested for the effective discharge of its functions as specified herein.

Section 4. Each of the standing committees of the Assembly shall receive necessary secretarial support from the work area most closely related to its functions.

ARTICLE X

Workload Adjustment

Section 1. In recognition of the Assembly's valuable contribution to the life of the college, the members of the Assembly shall be given time from their normal work to participate in meetings of the Assembly and its committees.

Section 2. Full-time employees who serve, as a chairperson of a standing committee of the All-College Assembly shall have their workload adjusted so that at least six hours a week will be available for committee work.

ARTICLE XI

Amendments

This Charter may be amended in the following manner:

- a. A proposed amendment shall be presented at a meeting of the Assembly.
- b. A written notice of the proposed amendment and the time and place of its presentation shall be sent to all members at least one week in advance of said meeting.
- c. A vote shall be taken within the two weeks immediately following said meeting.
- d. A vote shall be taken on a day designated by the Chairperson of the Executive Committee in consultation with the Executive Committee.
At least one week's notice of such a vote

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- shall be given to all Assembly members.
- e. To be effective the proposed amendment shall be passed by a two-thirds majority of those voting.

11/28/05
 Revised as Amended
 10/06/08
 Revised as Amended
 04/04/11
 Revised as Amended
 02/13/12
 Revised as Amended
 11/19/12
 Revised as Amended

ARTICLE XII
Reporting and Communications

All committee members shall report on committee activities to their constituency groups and solicit input from their constituency groups on a regular basis. For this purpose, the Executive Committee shall develop a reporting plan and oversee its implementation. In addition, the chairperson of each committee shall write a brief written summary of his/her committee's activities at the end of each semester to be distributed to all Assembly members and the president. The chairpersons of Standing Committees shall also prepare a summary of summer activities, if any.

As provided in Article VI Section 8D above at the end of each academic year, the Executive Committee shall prepare, with input from the Academic Affairs, Finance and Student Affairs Committees, an annual report, to be distributed to all Assembly members, the president and the Board of Trustees. The annual report shall summarize Assembly activities, evaluate Assembly functioning and suggest goals and improvements for the coming year.

The chairperson of the Executive Committee shall arrange monthly meetings of the chairpersons of the five standing committees.

ARTICLE XIII
TRANSITION

The proposed revisions will be incorporated into the Charter after (1) they have been approved by 2/3 of those Assembly members voting, and (2) they have been approved by the president.

10/27/90
 Revised as Amended
 10/21/93
 Revised as Amended
 10/17/94
 Revised as Amended
 2/3/95
 Revised as Amended
 5/12/99
 Revised as Amended
 4/9/01
 Revised as Amended
 6/4/2001
 Revised as Amended

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APPENDIX A - DEFINITIONS

Policy: 1) A plan or course of action as of a government, political party or business, designed to influence and determine decisions, actions and other matters; 2) A course of action, guiding principle, or procedure considered to be expedient, prudent or advantageous.

The American Heritage Dictionary

Collegewide Policy: Policy which has a wide ranging scope or impact, an extensive effect on all major units within the institution or direct implications for large numbers of students and/or employees.

3 Major Types of Policies:

Governing Policy: Those policies of mission and program and general operating conditions set by the governing agencies.

Examples: 1) The "governing policy" decision by the Secretary of Administration and Finance, Division of Capital Planning and Operations (DCPO) and Board of Regents to increase the presence of community colleges in large urban centers particularly those with significant minority populations such as the City of Lawrence; and 2) The statewide policy directives regarding required establishment of designated smoking areas in state/public buildings.

Executive Policy: Those policies of fiscal, facility and personnel management established by the president and chief executive officers in response to governing policy.

Examples: 1) The recommendation of an institutional Master Plan; 2) The "executive policy" decision by the president to develop an internal Sexual Harassment Policy for informal resolution of complaints whenever possible; and 3) The decision to establish a child care center on campus.

Operating Policy: Those policies of work environment and expectation set by **vice-presidents**, deans and directors of activities in response to executive policies.

Examples: 1) The development of a marketing plan and the "operational policy" decision to market the college in Spanish newspapers and on local Spanish speaking radio programs, and 2) The decision to seek funding from appropriate agencies in support of disabled students, small businesses or institutional computer needs.