

EPRA Bylaws

1. Department Name & General Provisions.

In accordance with Article 12 of the UMass-MSP Collective Bargaining Agreement (CBA), these Bylaws have been adopted by a majority vote of the faculty of the Department of Educational Policy, Research, and Administration (the “Department”) in the College of Education (the “College”) at the University of Massachusetts Amherst (the “University” or “UMass”). Federal and state laws, UMass Trustee policies (including, but not limited to, T76-081, the Academic Personnel Policy, aka the “Red Book”), the CBA, and other established university policies will prevail in instances of conflict with these bylaws. These bylaws may not be construed to limit the rights of the Administration as preserved by Article 4 of the CBA. Those rights include, but are not limited to, the management of budgets, the management of curriculum delivery, the management of space and equipment, and the performance of all responsibilities related to personnel actions as prescribed by the CBA and the Red Book. As required by Article 12, these bylaws are subject to review by the Administration and MSP to ensure that the bylaws do not conflict with prevailing laws, policies, and the CBA; such review must occur before the bylaws or their amendments take effect.

Statement of Principles

The Educational Policy, Research, and Administration (EPRA) department promotes scholarship and pedagogy focused on cutting-edge education policy issues in four academic concentrations:

- Educational Leadership
- Higher Education
- International Education and
- Research in Education, Measurement, and Psychometrics.

Faculty and graduate students engage in research, outreach, and learning activities that integrate theoretical perspectives with current issues of policy and practice. The department contributes to scholarly discourse, policy deliberations, and leadership development, relying on advanced educational research and evaluation methodologies. Towards these ends, EPRA maintains both research- and practice-oriented graduate programs of study. EPRA has affiliations with research centers in the College of Education, and works especially closely with the Center for Educational Assessment, the Center for Education Policy, the Center for International Education, and the Center for Student Success Research.

2. Faculty Membership, Rights, Privileges, and Responsibilities.

The Department’s faculty (the “Faculty”) includes all faculty in the Department without regard to bargaining-unit status, tenure status, or full-time equivalency. In general, all members of the Faculty have both the right and duty to participate in governance of the Department, including voting on matters brought before the Faculty, except as specified otherwise below and elsewhere in these Bylaws.

2.1 Non-Unit Faculty. Non-unit faculty (department chair, associate deans, deans, and other non-unit administrators) may not participate as voting members in personnel actions governed by the CBA. Such non-unit faculty members may not serve on core DPCs (or DPCs expanded to become a

committee of the whole) and may not participate as members of the Faculty in promotion and tenure cases. Non-unit faculty may participate in other aspects of academic governance (such as curricular decision-making and faculty searches), provided those faculty do not have separate administrative purview over the same matters.

- 2.2 **Access & Voting Rights.** All bargaining-unit Faculty may have access to relevant information, including core personnel files (but not confidential letters), in order to provide input to the DPC on promotion and tenure cases.
- 2.3 **Graduate Faculty.** Only Faculty who have been designated Graduate Faculty by the Dean of the Graduate School may deliberate and vote on graduate program and graduate curricular matters.
- 2.4 **Part-Time Faculty Appointments Under 50%.** Part-time bargaining-unit non-Graduate Faculty with an FTE less than 50% may have access to relevant information and may deliberate on all non-graduate programmatic and curricular matters but may not vote on such matters.
- 2.5 **Faculty Appointments Greater than 50%.** Bargaining-unit, non-Graduate Faculty with an FTE of 50% or greater, without regard to tenure status, should have access to relevant information and may deliberate and vote on all non-graduate programmatic and curricular matters.
- 2.6 **Duty to Participate in Governance.** Except where the composition of an individual's assigned workload would prohibit such an obligation, all members of the Faculty have a responsibility to participate in governance of the Department and in service to the Department, the College, and the University.
- 2.7 **Rights and Duties of Faculty on Leave.** Faculty on full-time paid leave (including parental leave and sabbatical leave, but excluding sick leave) maintain their rights during the leave to exercise their rights to participate in the governance of the Department. Faculty on full-time paid sick leave and on full-time unpaid leave forfeit their rights of governance for the duration of such leave. Unless the leave is taken in an emergency, faculty on leave must make prior arrangements for students whose grades may be affected by the leave.
- 2.8 **Rights and duties of retired faculty.** Consistent with University policy, retired faculty have neither a duty nor a right to participate in governance.

3. **Standing Committees.**

The Department maintains the following standing committees

3.1 Department Personnel Committee (DPC)

- 3.1.1 **DPC Purview.** All of the Department's Faculty will annually elect a DPC to perform the functions assigned to it by the CBA, including reviewing the Annual Faculty Review and Evaluation of every member of the Department's Faculty; reviewing and making recommendations on all promotion and tenure applications within the Department; reviewing and making recommendations on all reappointments of tenure-track Faculty within the Department; reviewing and making recommendations on all reappointments and promotions of non-tenure-system faculty; participating in Periodic Multi-Year Review of Faculty as prescribed by the CBA; reviewing and determining Pool A allocations of

merit pay among the Department's eligible Faculty as provided for by the CBA; reviewing and making recommendations for anomaly adjustments to salaries as provided for by the CBA; leading the review process for evaluating and potential reappointment of the Chair. The DPC will outline a transparent process through which all faculty in the department, and especially those who will be most affected, can be engaged in all reappointment, tenure, and promotion cases within the DPC's purview as determined by the CBA. However, the DPC will be responsible for the final vote in reappointment, tenure, and promotion cases.

- 3.1.2 Composition & Eligibility.** The DPC will consist of three members, no more than one from each of the four concentrations. At least two of the faculty must be tenured. No more than one pre-tenure or NTT faculty can serve on the DPC each year. If no full professor is serving on the committee and a promotion to full case is being reviewed, a full professor will need to be substituted to the committee. NTT faculty will recuse themselves from consideration of reappointment, tenure, and promotion cases. If any DPC member is recused from consideration of a case, the DPC shall select a substitute to serve on that case. The substitute must meet eligibility requirements and be endorsed by the department by ballot. DPC members are elected to serve a two-semester term, September 1 through August 31. Members can be re-elected, but no one shall serve more than two consecutive terms. All attempts should be made to stagger terms of members so that the DPC always has both new members and continuing members.
- 3.1.3 Means of Election.** By April 1 of each year the Department Chair will ask the DPC to develop a slate of members for the DPC for the following academic year. The DPC will consult with concentration coordinators to determine which faculty are eligible and available for service on the DPC. Using this information about availability, the DPC will develop a slate of candidates following the guidelines for composition of the committee outlined in 3.1.2 and also making a deliberate effort to ensure that faculty with varying views have the opportunity to serve. The out-going chair of the DPC will announce the slate of candidates to the faculty, and within two weeks the Department Administrator will manage an election using a confidential electronic ballot. EPRA faculty vote—up or down—on the whole slate. All of the Department's Faculty except for non-unit faculty are eligible to vote in electing the DPC.
- 3.1.4 Leadership of the DPC.** Within three weeks of the conclusion of the DPC membership nomination process each spring semester, the incoming DPC membership will select a member from among them to chair the committee in the upcoming year. The chair must be a full-time, tenured faculty member in the department. In addition to carrying out regular responsibilities of membership, the DPC chair ensures that the committee adheres to the MSP collective bargaining agreement and Red Book policies, and serves as the primary but not sole contact person between the DPC and Chair. The Chair communicates equally and simultaneously with all members of the DPC, and the DPC chair takes the lead on a unified response to any queries of the Chair.

- 3.1.5 Independence of the DPC.** On personnel actions for which the CBA identifies independent roles for the DPC and the Chair—such as AFR reviews, reappointment, promotion, tenure, PMYRs, merit-pay allocations, and anomaly recommendations—the DPC will operate independently, and the Chair must not convene or deliberate with the DPC, nor may the Chair attempt by any means to influence the deliberations or judgment of the members of the DPC.
- 3.1.6 DPC Meetings and Operations.** The DPC will convene the first meeting of the year in early September to receive the charge from the Department Chair for the academic year and will convene as needed to fulfill the responsibilities of the committee. The DPC requires all eligible members to participate in official business, although DPC member who have recused themselves from participation in a particular matter are not considered eligible members. In voting and in drafting written materials, the DPC may conduct its business electronically. When addressing confidential personnel matters, DPC meetings will not be open to non-DPC members. The DPC should keep a record of its meetings, including policies and procedures, which the Department should retain for five years and should be available to subsequent DPC members.
- 3.1.7 DPC Responses to the Dean’s Queries in RPT Cases.** Under the CBA and the Red Book, a dean must consult with the DPC if she/he is considering making a recommendation that differs from the recommendation of the DPC in reappointment, promotion, and tenure cases for tenure-system Faculty. The DPC must respond in writing.
- 3.1.8 DPC Consideration of Merit Pay.** When the CBA authorizes the award of merit pay and authorizes the DPC to recommend or determine the amounts of merit pay to be allocated to individual members of the Faculty, the DPC must adhere to the CBA’s terms for eligibility and the basis of evaluation for such allocations. The DPC may not exclude from consideration any merit-eligible member of the Faculty based on tenure status, rank, full-time equivalency, or constraint of assigned duties.

3.2 Department Academic Matters (DAM) Committee

- 3.2.1 DAM Purview.** The Department Academic Matters committee (DAM) will ensure the faculty’s primary responsibility in academic matters (e.g., curriculum, subject matter, methods of instruction) and will constitute the first level of review for courses and academic programs for the Department.
- 3.2.2 DAM Composition.** The DAM will be comprised of four faculty, one from each concentration. All full-time faculty of all ranks are eligible. DAM members are elected to serve a two-semester term, September 1 through the end of the spring semester. Members can be re-elected, but no one shall serve more than two consecutive terms. All attempts should be made to stagger terms of members so that the DAM always has both new members and continuing members. The DAM will convene the first meeting of the year in early September to receive the charge from the Department Chair for the academic year and will convene as needed to fulfill the responsibilities of the committee. In voting and in drafting written materials, the DAM may conduct its business

electronically. The DAM should keep a record of its meetings and transactions, which the Department should retain for five years and should be available to subsequent DAM members.

3.2.3 Means of Election. By April 1 of each year, the Department Chair will solicit nominations for service on the DAM from September through May of the ensuing academic year and will confirm the nominees' eligibility and willingness to serve and announce the nominees to the Faculty. All of the Department's Faculty except for non-unit Faculty are eligible to vote in electing the DAM. The election should occur within two weeks after announcement of the nominees. The election should occur by a secret electronic ballot.

3.2.4 Leadership of the DAM. Within three weeks of the conclusion of the DAM membership nomination process each spring semester, the incoming DAM membership will select a member from among them to chair the committee in the upcoming year. The chair of DAM may hold any rank.

3.2.5 DAM Meetings and Operations. The DAM will meet as often as needed to meet their charge, with a minimum of once per semester. When necessary, the DAM will provide recommendations that will be reviewed by the Department Chair who may (a) endorse it or (b) after consultation, formulate a contrary recommendation with written reasons stated in detail. In the event that the decision of the Chair conflicts with that of the faculty, deliberation and discussion between the Chair and committee will ensue with the goal of a joint resolution. In the event that there remains a discrepancy after the deliberation, appeals can be made to the Associate Dean of Academic Affairs.

3.3 Other Ad Hoc Committees. The department chair in consultation with the faculty may determine the need for other ad hoc committees to insure the effective management of the department or for special planning and reviews (such as AQADs). Nominations for serving on committees can be made by peers, or can be self-nominations. Appointments to the committee should be determined by a vote of full-time faculty.

4. Tenure-System Faculty Search Committees & Procedures.

The Department will conduct individual tenure-system faculty searches as follows:

4.1 Appointment of Search Committees for Tenure-System Faculty. When the Provost and the College's Dean have authorized a search for a tenure-system faculty member, the Chair will solicit from among the faculty interest in serving on the search committee. The Chair will appoint members of the committee from among those expressing interest and from other members of the Faculty whose service on the committee would benefit the search process. Committees will consist of four to six members, at least one of whom is a graduate student. In selecting members, the Chair will attempt to compose a committee that is representative of the Department that ensures well-qualified consideration of applicants' credentials, that promotes the achievement of the University's diversity goals, and that will achieve efficient execution of the search. For senior and open-rank searches, the composition of the committee should be weighted toward senior members of the Faculty. The Chair will designate the committee chair from among its members.

4.2 Purview of Search Committees in Tenure-System Searches. Committees charged with conducting searches for tenure-system faculty will collaborate with the Chair and the Departmental Administrator in developing the position description, advertising/recruitment plan, facilities plan, and other elements of the hiring requisition, including developing a transparent process for engaging with Faculty in the concentration in which the new hire will be located, as well as with other faculty who because of their expertise will be most affected by the hire; will work with the Departmental Administrator to fulfill the advertising/recruitment plan; will work with the College's Director of Diversity Advancement and the University's Office of Equal Opportunity & Diversity with regard to promoting the recruitment of a diverse applicant pool; will receive and screen applications; will conduct initial interviews by phone, by Internet video connection, or at professional meetings (as applicable); will propose a campus-interview list; will make available to the Faculty the application materials of approved campus interviewees—provided the Faculty individually agree to maintain confidentiality as described below; will organize campus visits, including public sessions open to all Faculty and students, for approved interviewees; will write a recommendation that reflects the committee's rated or ranked order of candidates and rationale for that rating or ranking (including faculty and student feedback received) and may offer the committee members' independent assessment of the finalists. If the Hiring Authority for the search has asked for an unranked list of acceptable finalists, the committee will limit this list to distinguish between acceptable and unacceptable candidates, and the search committee will use its recommendation to report that information and to describe the strengths and weaknesses of the acceptable finalists. The Search Committee also forwards the Committee's recommendation to the Department Personnel Committee and the Department Chair for review and comment. The Personnel Committee a) may endorse the Search Committee's recommendation; or b) after consultation, may disagree with the recommendation with written reasons stated in detail. The Chair reviews the Search Committee's recommendations and a) may endorse the recommendation(s); or b) after consultation, may disagree with the recommendation with written reasons stated in detail. These comments are then forwarded to the Dean for consideration. The Dean will forward a recommendation to the Provost.

4.3 Access to Confidential Applicant Materials. The Department will place in a secure online location the application materials of candidates who have been approved for campus interviews (but not for other applicants). The Department Chair and any Faculty who wish to view applicant materials may do so only after first signing a confidentiality statement that specifies the following: She/he will not disclose or distribute the contents of such confidential information to anyone outside the Department's Faculty or academic administration. She/he will not disclose or distribute the contents of such confidential information to any of the candidates, including the candidate who may be ultimately employed. She/he will not make a physical (including printed) or electronic copy of any of the materials. She/he will not contact any of the parties who have provided confidential references. She/he will abide by university policies in using the information disclosed in the materials. In particular, she or he will adhere to the university's guidelines on

impartiality/objectivity in the university's non-discrimination policy. Except for applicants' CVs and cover letters, confidential materials should not be made available to students.

4.4 Role of Faculty in Tenure-System Searches & Selection. All tenure-system members of the Department's Faculty have a duty to engage in the search and selection process from the beginning of the campus-interview phase to the end, including providing feedback on candidates to the search committee. In order to fulfill that duty, the Faculty should inform themselves by reviewing candidates' application materials and attending candidates' public sessions. The Department's non-tenure-system faculty are welcome to similarly engage in the search and selection process but they do not have a duty to do so; they are also welcome to join with the tenure-system Faculty in providing feedback to the search committee.

4.5 Conflicts of Interest. A real or perceived conflict of interest between an applicant and a Faculty member engaged in the search process must be disclosed and must be managed, mitigated, or eliminated. The principles underlying the above prescription include: Neither professional nor personal relationships between applicants and evaluators should influence the selection decision. Neither professional nor personal relationships between applicants and evaluators should appear to influence the selection decision. When such relationships exist, the evaluator must disclose the relationship. Management, mitigation, or elimination of such conflicts should occur as follows:

4.5.1 Search committee members engaged in a personal relationship with an applicant must disclose the relationship to others involved in the evaluation of the candidate and must recuse him/herself from any deliberations involving that particular applicant. In most cases, a search committee member with a personal relationship with an applicant who has reached the campus-interview list should recuse him/herself from the committee's work, including deliberations over other applicants.

4.5.2 Search committee members engaged in a close professional relationship with an applicant (multiple collaborations, especially if within the last five years) must disclose the relationship to others involved in the evaluation of the candidate and must recuse him/herself from any deliberations involving the applicant but may vote along with other search committee members on all applicants.

4.5.3 A search committee member with a distant professional relationship (few collaborations or collaborations older than five years) with an applicant who has reached the shortlist need not recuse him/herself from the committee's work but should disclose the relationship to others involved in evaluation of the candidate. The Faculty member may participate in all discussions of that applicant and need not abstain from voting on any applicant.

5. Non-Tenure-Track (NTT) Faculty Search Committees & Procedures.

Searching and hiring of NTT Faculty for appointments of <50% time are left to the discretion of the Chair, with oversight from the DPC. The Department will conduct individual non-tenure-track faculty searches for those being hired for appointment of 50% time or greater, using the same procedures as those described above for tenure-system faculty searches with these exceptions:

5.1 Committee Composition. While the composition of committees for tenure-system faculty searches should be weighted toward tenured faculty (or, in the case of senior searches, faculty of equal or higher rank), committees composed for NTT searches need not favor senior or tenure-system faculty and should include at least one current NTT faculty member if the Department has such a faculty member available whose workload composition would permit such participation.

5.2 Purview of Search Committees in NTT Searches. The purview of the search committee in NTT faculty searches is the same as that for tenure-system faculty searches.

5.3 Role of the Faculty in NTT Searches. The Department's Faculty have a duty to engage in searches for NTT faculty whose appointments are 50% FTE or greater due to the potential for such faculty eventually achieving continuing appointments.

6. Representation by Faculty on College- and University-Level Committees.

Faculty may volunteer for or may agree to be appointed by the Chair to service on college- and university-level committees and in similar roles. Service on the following committees, however, is by election as described below:

6.1 College Personnel Committee (CPC). All of the Department's Faculty will annually elect one representative to the CPC to perform the functions assigned to it by the CBA. Eligibility for service on the CPC will be limited to full-time tenured faculty.

6.2 College Review Committee (CRC). The CRC reviews the promotion applications of Lecturers and Senior Lecturers and is elected at large across the College by Faculty with the goal of representation from across all departments within the college. The Department's Faculty will annually nominate from among themselves one person to stand for election to the CRC.

6.3 College Academic Matters Committee (CAM). The Department's Academic Matters Committee (DAM) will annually appoint a DAM committee member to be the department representative to CAM.

7. Department Meetings.

7.1 Frequency. At least twice per semester and with at least one week's notice, the Chair will schedule and convene general meetings of the Faculty, for the purpose of sharing information, seeking counsel from members of the department, receiving reports and recommendations from standing committees, and conducting other departmental business. At the start of each semester, the Chair will send out a schedule of meetings for that semester. The Chair may call and convene additional special meetings as necessary to address urgent business of the Department. By petition of at least 20% of the Faculty, the Chair will convene additional special meetings to address matters raised by the petitioners.

7.2 Faculty Duty of Participation. All Faculty of the Department, including full- and part-time tenure track and non-tenure-track members, are expected to attend all general faculty meetings and to attend all special meetings unless university-related duties or event conflicts with the special meeting. Visiting and adjunct faculty are invited to attend and participate as non-voting members, although they are strongly encouraged to share their opinions. Section 2 of these bylaws governs voting rights at department meetings.

7.3 Meeting Agendas. The Chair will email the agenda for each regular Department meeting to all faculty members at least 48 hours before the meeting, and will invite faculty members to add agenda items via email to her/him. The Chair will publish the agenda for any special meeting at the time of the meeting's announcement. The Chair will remind faculty in the body of the email if there will be an issue to vote on at the upcoming meeting. The Chair will send the minutes of the previous meeting along with the agenda.

7.4 Rules of Order. The Department will follow a modified Roberts' Rules of Order in conducting meetings of the Faculty. This is in the spirit of a harmonious debate. Should any faculty member determine to dissent then a more formal process will be followed rather than the normal operating procedures outlined.

1. The member makes the motion by stating "I move (state the motion).
2. A second department member must second the motion by stating "I second the motion" or "second."
3. The chair restates the motion.
4. The chair opens the motion up for discussion and sets a time limit for the motion. Should any member disagree with the time allocated to debate they can present a motion to modify the time limit and that motion takes precedence until that motion is resolved.
5. The department members participate in a discussion about the motion.
6. Before the time limit has been reached, if the chair or a department member senses that the debate has run its course, either can check to see if anyone has new points to make, and if there are none, the chair can move to taking the vote.
7. Otherwise, the department chair stops the discussion when the time specified for debate has elapsed. The chair will ask if there is a motion from the faculty to extend debate or table the motion. If there is none, a vote on the primary motion will be taken immediately. The department chair restates the motion and asks if everyone is ready to vote.
 - a. Department members wishing to table the discussion should include in their motion either the time that the issue will be taken up again or describe contingencies (such as gathering key information) that must be met before the issue is again placed on the agenda.
 - b. If the move to table the discussion is seconded, the department chair shall limit the discussion to the timing or contingencies related to revisiting the issue, and if necessary can take a vote on the issue of timing.
 - c. When the issue of timing is settled, the chair asks for a vote to table the discussion. If the vote passes (by simple majority) the discussion is tabled.
 - d. If the motion is not tabled, the department chair calls for a vote on the motion. The vote on the motion follows the department chair calls for a vote on the motion. The vote on the motion follows the departmental process for votes as described in the bylaws.

7.5 Quorum. The Department may meet and act on the business of the Department with a quorum consisting of at least half of the Faculty who are not on leave. Leave is defined as any leave that does not require participation in department business.

7.6 Voting. On matters requiring a vote of the Faculty, voice votes on any matter are acceptable unless any individual member of the Faculty requests otherwise, in which case the vote must

occur by confidential electronic ballot. Except as otherwise specified in these bylaws, a simple majority of all faculty eligible to vote, including those not present at the meeting, will suffice to carry a motion.

7.7 Minutes and Recordkeeping. Unless the Faculty request otherwise and a member of the Faculty volunteers for this duty, the Department's administrative assistant will attend all meetings of the Faculty to take minutes, which will be circulated to the Faculty no later than two weeks after the meeting. The Department will maintain records of all meetings, including minutes and votes, for at least five years.

7.8 Student Members. Student representatives from each concentration will be selected to attend the department meetings as non-voters. Student representatives cannot be present during a department meeting where while any confidential personnel matter is discussed. The role of the student representative includes raising any issue that any student within the department would like discussed among the faculty of the department and to report back to the students within the concentration any information that is shared in the department meeting. Additionally, student representatives should be consulted regarding their opinions of the matters discussed within the meetings where relevant, and be treated with the respect afforded any faculty member.

8. Department Specifications for Reappointment, Promotion, and Tenure (RPT).

All standards and most procedures related to reappointment, promotion, and tenure of Faculty are governed by the CBA and the Red Book. The following additional terms do not alter or interpret those standards and procedures but instead set department-level specifications where the CBA and Red Book permit local control.

8.1 External Reviews of RPT Cases.

8.1.1 Personnel Actions Requiring External Reviews. All promotion and all tenure cases for tenure-system faculty require external reviews (as specified in the Red Book and CBA). Reappointments of tenure-system faculty during their probationary periods do not require external reviews. Neither reappointments nor promotions for non-tenure-system faculty require external reviews; however, as permitted by the CBA's Article 21, Lecturers may request external reviews.

8.1.2 Number of External Reviews. The Department Chair will make a good-faith effort to secure at least eight "arm's-length" external reviews for every promotion and/or tenure case that requires external reviews. An "arm's length" reviewer is defined as a scholar who is not a current or former advisor, mentor, personal friend, or relative of the faculty member undergoing review, and with whom the faculty member undergoing review has not collaborated on grants, publications, or conference sessions within the previous 5-7 years. The Chair may solicit and add to the file any number of reviews from reviewers "close" to the candidate. Such close reviews are especially helpful in cases where the reviewer can describe the candidate's particular contributions to collaborative work.

8.1.3 Identification and Solicitation of External Reviewers. The CBA charges the Chair with soliciting external reviewers. The candidate may also suggest external reviewers, some or all of whom may be solicited by the Chair. The Chair is strongly encouraged to consult

with the DPC (who may consult with other members of the faculty) in identifying appropriate external reviewers but may not delegate the solicitation process to others. Similarly, the Chair may receive assistance in describing the “standing” of each external reviewer in the candidate’s file, but the Chair is ultimately responsible for ensuring that that description clearly and completely makes the case for why each external reviewer is well positioned to perform the review; this description should be crafted for academic audiences who are unfamiliar with the pertinent scholarly field. Under most circumstances, the solicitation of external reviews should occur no later than three months before the candidate’s file submission deadline.

8.1.4 Qualifications of External Reviewers. In general, external reviewers should be well recognized scholars or professionals in the candidate’s field, should hold the rank of Professor, should have active scholarly programs, and should be at institutions that are at least peers of UMass. External reviewers who do not meet these criteria may be appropriate and acceptable, but in describing the “standing” of such reviewers, the Chair should carefully explain why such reviewers are appropriate for the task of commenting on the candidate’s having met the relevant standards.

8.1.5 Candidate’s Rights Regarding External Reviewers. Before making such solicitations, the Chair must show the solicitation list and solicitation message to the candidate, who may comment on but may not demand changes to the list or message. The list should include some of the external reviewers suggested by the candidate. If the candidate identifies a conflict of interest with any of the proposed reviewers, the Chair should assess whether a true conflict exists and, if one does, should eliminate, mitigate, or manage the conflict.

8.2 Internal Reviews of RPT Cases.

8.2.1 Identification & Solicitation of Internal Letters from UMass Faculty & Staff and Professional Colleagues in the Community. The candidate, the Chair, and the DPC may identify potential internal letter writers from UMass Amherst faculty or staff or members of the community. The candidate and the Chair may solicit such letters, and the DPC can suggest potential names to the Chair. Such letters are not required and should not be regarded as substitutes for external reviews. Internal letters may be especially helpful in cases where the writer can describe the candidate’s particular contributions within the department, on campus, or in the community.

8.2.2 Identification and Solicitation of Student Input. The Chair may solicit confidential comments from individual students. Written, signed comments from individual students—especially from those for whom the candidate has served as an advisor, mentor, or collaborator—are especially helpful in identifying the candidate’s work outside the classroom. Such reviews should be individually solicited. The Chair may also solicit comments from groups of students; responses to such non-individual solicitations are never protected by the candidate’s waiver of access rights, and any “group solicitations” should advise potential respondents that their responses will not be confidential.

8.3 Waiver of Rights of Access to Review Letters. A candidate for RPT may waive or decline to waive her/his rights of access to internal and external review letters that have been individually solicited. The decision whether or not to waive those rights belongs exclusively to the candidate, and neither the Chair nor any other member of the Faculty should pressure the candidate to decide one way or another.

8.4 Participation of Faculty in RPT Cases. Section 2 above describes the permissible participation of the Faculty beyond the DPC in the consideration of RPT cases.

8.5 Evaluation of Teaching Effectiveness for Reappointment, Promotion, and Tenure (RPT). DPC evaluation of RPT candidates' teaching shall consist of reviews of SRTIs and any other information the candidate submits.

8.6 Contributions to Program & Curriculum Development. Applications for RPT should include evidence of the candidate's contributions to program and curriculum development (if any).

8.7 Evidence of Effective Service for RPT. Applications for RPT should include evidence of the candidate's contributions to service. The CBA and Red Book require that all tenure-system Faculty engage in service. In assigning service roles, the Chair and tenured faculty members shall be mindful of pre-tenure faculty members' need to develop a research agenda and off-campus recognition. NTT faculty are required to engage in service only if it is part of their assigned duties. The CBA requires that service to the faculty union and service outside the Department be considered at the department level as part of any Faculty member's AFR or evaluation for RPT purposes. In general, the consideration of service should be inclusive, acknowledging the contributions that candidates make both inside and outside the Department and inside and outside the university. The extent to which service outside the university is relevant to a case for RPT depends on the pertinence of that service to the individual's professional profile or to advancement of the university's mission. Service may include that provided in governance or management of the Department, the College, the University, or the profession; that representing outreach to extend knowledge beyond the university/professional community; and that intended to promote community engagement as a benefit both to the university community and to the off-campus community. Especially important is evidence of leadership (or, for pre-tenure faculty, growth towards leadership) in making service contributions.

9. Annual Faculty Review and Evaluation

The CBA's Article 33 requires use of the bargained AFR form by every member of the Faculty who is 50% FTE or greater. Faculty who fail to submit an AFR in a timely manner may be subject to discipline. The DPC and the Chair should substantively and candidly conduct their evaluations of each Faculty member's AFR and may supplement the AFR submitted with information that is not in the AFR but that is relevant to the Faculty member's performance of her/his assigned duties. Such supplemental information may not be added for any other purpose, and such information may be added only if it is reliable and from a known source; anonymous letters regarding the Faculty member's performance may not be added. (For example, the Chair may not append to the AFR a letter of warning that has been added to the Faculty member's personnel file but could add students' letters of complaint about the Faculty member's teaching, which may have resulted in the letter of warning.) The Chair

may add summaries of information received directly from other Faculty and students even if that information has been conveyed confidentially; however, the Faculty member under review always has the right to refute or qualify such information in writing, which must be appended to and permanently filed with the AFR.

10. Department Chair

10.1 Role of Department Chair. The department chair is responsible for creating a collaborative and engaging environment for the faculty to thrive. The Chair sets a tone through dynamic leadership, a positive vision for the department, strong positive mentoring, and equitable treatment of all in the department. The Chair is also responsible for ensuring proper procedures are followed at the departmental level. Other roles and responsibilities include: advocating for faculty resources, overseeing allocation of resources, coordinating administrative matters related to personnel actions, keeping faculty informed of their rights and responsibilities, appointment of administrative positions, ensuring compliance with University policies and collective bargaining agreements, evaluation of staff, and developing and maintaining long range planning. Specific expectations for department chairs in the College of Education are outlined in the College's Governance Document. [See also 3.5 and 6.4 of the Redbook]

10.2 Relationship of Department Chair to Concentrations. The chair is inherently a faculty member in one of the concentrations, and will function as such. However, the Department Chair will not have voting power within any particular concentration. The chair will meet regularly with the coordinators of all four concentrations to disseminate information and facilitate communication between the chair and the concentrations. While the department chair is the head of the EP&L doctoral program, the concentration faculty are responsible for the admissions process. The department Chair may recommend admission of a prospective student to the concentration, but may not admit a student without the consent of the concentration faculty.

10.3 Selection of Department Chair. There are two possible routes for the selection of the Department Chair: an external search, or an internal appointment from within the department. The process for each is outlined separately.

10.3.1 External Selection. In the event that a Department Chair is to be hired external to the existing department, the Dean, after consulting with the Department Personnel Committee (DPC) shall appoint a Search Committee that includes a majority of members from the department as well as representatives of closely related departments. The Search Committee presents its recommendation to both the department and the Dean, and if a majority of the department accepts the recommendation and the Dean agrees, then the Dean shall proceed with the appointment with the concurrence of the Provost. If a majority of the department accepts the recommendation, but the Dean does not, the Dean shall meet with the department to achieve a resolution. If that fails, the matter shall be referred to the Provost for resolution. If a majority of the department rejects the recommendation,

the Dean shall meet with the department and the Search Committee to try to resolve the matter. If no resolution is achieved, the Dean may re-open the search with the same or different search committee or simply refer the matter to the Provost for resolution. [as indicated in Senate document no. 90-029A]

{http://www.umass.edu/senate/fs_docs/SEN_DOC_NO_90-029A-SEARCH_PROCEDURES.pdf}

10.3.2 Internal Selection. In the event that the Department Chair is to be appointed from within the department, nominations should be made to the DPC. Once the nominees are determined, the faculty will vote by secret ballot on the selection, and results shared with the faculty. A recommendation will be made to the Dean as a result of the vote. If a majority of the department accepts the recommendation and the Dean agrees, then the Dean shall proceed with the appointment with the concurrence of the Provost. If a majority of the department accepts the recommendation, but the Dean does not, the Dean shall meet with the department to achieve a resolution. If that fails, the matter shall be referred to the Provost for resolution. If a majority of the department rejects the recommendation, the Dean shall meet with the department to try to resolve the matter. If no resolution is achieved, the Dean may re-open the search with the same or different search committee or simply refer the matter to the Provost for resolution. [as indicated in Senate document no. 90-029A]

10.4 Term of Office for Chair. The appointment of a faculty member as Chair of a Department should normally be made for a period of three years. The reappointment process at the end of the term reverts to the internal process of Chair selection described above.

10.5 If the Chair wishes to be reappointed to another term in that position, she/he should notify the DPC by the first scheduled meeting of the DPC in the academic year the term expires. The Department's Faculty, led by the DPC, will conduct a review of the Chair during the fall semester of the final year of the appointment. The DPC will follow the procedures prescribed by Senate Document #82-021, beginning the process no later than October 15 during the final year of the Chair's appointment.

10.5.1 As an initial step, the Chair will prepare a written self-evaluation of administrative achievements during the current appointment and will provide that document to the Faculty no later than October 15th.

10.5.2 Survey. The DPC will prepare and distribute four confidential surveys no later than November 1st: (1) one to all college staff; (2) one to all undergraduate majors and all graduate students within the department; (3) one to Chairs of Departments within the College and to Administrators outside of the Department who have interacted with the Head; and (4) one to the Department's Faculty. Each survey will include specific questions regarding overall performance, both administrative, interpersonal, and management of departmental interactions. These surveys will provide space for extended comments. Raw data and summaries of responses to these surveys will be reviewed by the DPC, will be redacted to protect the identities of all respondents, and

will be included with the DPC's report to the dean but will not be available to faculty, staff, students or the department chair.

- 10.5.3 Meetings with Constituencies.** The DPC will offer to meet with any of the above groups listed in 10.5.2 to receive confidential assessments of the Chair's performance. Summaries of information gathered in such meetings will be included with the DPC's report to the dean but will not be available to faculty, staff, or students.
- 10.5.4 Meeting with the Chair.** After most data collection is complete, the DPC will invite the Chair to meet to discuss the initial findings of the data collection process. The Chair may decline to meet.
- 10.5.5 Draft Report.** No later than December 15th, the DPC will complete and distribute to the Faculty a draft report (excluding raw or any other confidential data that could compromise the confidentiality of those contributing to this process), including a summary of findings, an assessment of areas of success and of needed improvement, and a non-binding recommendation regarding whether the Chair should be reappointed. The report should assiduously limit its assessment to areas within the purview and control of the Chair.
- 10.5.6 Concluding Meeting of the Faculty.** No later than the end of the second week of the spring semester, the DPC will convene the Faculty to discuss the draft report and to receive recommendations for revision of the document.
- 10.5.7 Final Report.** The DPC will finalize its report and will then submit it to the Dean, simultaneously providing a copy to the Chair (excluding raw or any other confidential data). The Dean may ask to meet with the DPC to discuss the report, but neither the DPC nor the Dean is obliged to meet.
- 10.5.8 Chair's Response.** The Chair may prepare and submit to the Dean a written response to the final report.
- 10.6 Resignation of Department Chair.** A chair wishing to resign writes a letter of resignation to both the Dean and the Department. Should the Dean and the Department disagree on its acceptance, the matter shall be referred to the Provost.
- 10.7 Removal of Department Chair.** The Chair may be removed from office outside the normal review process by following the procedure outlined in Senate Document 90-029.
- 10.8 Absence of Department Chair.** In the event that the Chair is out of the office for an extended period, signatory power is transferred to another department Chair. In the event of urgent matters that cannot wait until the Chair returns, the matter is referred to the Associate Dean of Academic Affairs.
- 10.9 Interim Chair Appointments.** In an emergency, the Dean, in consultation with the Department Personnel Committee (DPC) shall appoint an interim Chair. The normal term should not exceed one year. The appointing authority may extend the term of office [See Senate Doc. 90-092C] The process for determining a "consensus candidate" for the position of interim chair should include nominations and self-nominations to a department appointed search committee or

DPC, along with a letter of interest and CV. A list of nominations will be presented at a Department meeting, with nominations from the floor accepted. A secret ballot will be used to determine the successful candidate. The DPC or search committee can determine if a run-off ballot is needed. The successful candidate's name will be forwarded to the Dean, who upon approval, will make the appointment.

11. Implementation of these Bylaws

If approved in a secret ballot by at least a two-thirds' majority vote of a quorum of the full-time Faculty, not counting abstentions, these bylaws are adopted and take effect on [date]. The terms of these bylaws supersede existing policies or practices of the Department to the extent that they address or conflict the matters addressed by such policies and practices. However, if ongoing processes would be unreasonably disrupted by implementation of these bylaws, individual provisions of these bylaws may be deferred until those processes are complete, provided that such deferral lasts no longer than one year beyond the effective date cited in this paragraph. Deferral of individual provisions will not result in deferral of other provisions. Should the bylaws not be approved, the department shall convene a meeting to discuss any disagreements in order to facilitate an amended document and re-vote.

12. Amendment of these Bylaws

By majority vote, the Faculty may elect an ad hoc committee to review and propose amendments to these bylaws. Additionally, amendments may be proposed by any elected standing committee or by ten percent of the total full-time faculty membership, before the last department meeting of the academic year. The proposed amendment(s) must be discussed at a department meeting, and must be circulated in writing prior to the meeting at which the discussion occurs. After discussion, and amendment if necessary, the proposed bylaws amendment must again circulate as a written referendum before a final vote of the department full-time faculty, by secret ballot. Adoption of any such amendments, including their dates of effectiveness, requires a two-thirds' vote of a quorum of the full-time Faculty, not counting abstentions.