

**Department of Management Bylaws**  
**University of Massachusetts Amherst**  
**Approved: April 7, 2017**

1. **Preamble:** 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 Management (the “Department”) in the Isenberg School of Management (the “School”) 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 Collective Bargaining Agreement (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.
  
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 the Department Personnel Committee (DPC) and may not vote as members of the Faculty in promotion and tenure cases at the unit level. 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 *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.
  - 2.3 *Part-Time Faculty Appointments Under 50%.* Part-time bargaining-unit non-Graduate Faculty with a 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.

- 2.4 *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.
- 2.5 *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 School, and the University.
- 2.6 *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 participate in the governance of the Department. For Faculty on full-time paid sick leave and on full-time unpaid leave, it is at the discretion of the individual as to whether he or she maintains rights of governance for the duration of such leave.
- 2.7 *Quorum.* The Department may meet and act on the business of the Department with a quorum consisting of at least half of the tenure-track faculty. A quorum with regard to tenure and promotion decisions shall be achieved when at least half of the faculty eligible to vote on the matter are in attendance.

3. **Standing Committees:** The Department maintains the following standing committees:

3.1 *Department Personnel Committee (DPC).*

- 3.1.1 DPC Purview. The DPC will perform the functions assigned to it by the CBA, including review and recommendation in tenure and promotion cases; comment on matching offers prior to their implementation; conducting the Annual Faculty Review and Evaluation of every member of the Department's Faculty; reviewing and making recommendations on all reappointments of both tenure-track and non-tenure system Faculty within the Department; reviewing and making recommendations on all 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 and making recommendations for pool B 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 potential reappointment of the Chair.
- 3.1.2 DPC Role in Tenure and Promotion. For cases involving tenure and promotion, the DPC shall hold a meeting with the tenured faculty members of the department to deliberate the case. All faculty members (including those in the DPC) at rank or higher for the case under consideration shall be allowed to vote on the case. The DPC will then summarize the will of the faculty and report this recommendation to the

Department Chair as specified in the CBA. The DPC may call upon the Department Chair as well as department faculty serving on the School Personnel Committee, to attend the meeting in an advisory capacity. However, they may not actively participate in the meeting nor will they be allowed to vote.

- 3.1.3 Composition & Selection. The DPC will consist of four tenured faculty members: three members and one alternate. Members serve on the DPC for a four-year term; normally the first year as an alternate, and the remaining three years as a member, with one of those years serving as committee chair. When possible DPC member terms are staggered. Selection to serve on the DPC shall be by a raise-of-hands vote of the faculty following an open discussion.

### 3.2 *Curriculum Committee*

- 3.2.1 The Curriculum Committee is responsible for all curriculum-related matters within the Department, and will meet on an as-needed basis. It will be comprised of at least three members elected by the faculty, with eligibility limited to tenure stream faculty and full-time lecturers. At the beginning of each academic year, members of the Curriculum Committee will select their own committee chair. Selection to serve on the committee shall be by vote of the full faculty.

### 3.3 *Search Committees*

- 3.3.1 When new tenure-track faculty positions are approved by the Dean's office, a 3 to 4 person search committee will be established by the Department Chair. Faculty who are not on the search committee are encouraged and expected to participate and provide input into the candidate interview and selection process. At the conclusion of campus interviews, the DPC shall hold a meeting with Department Faculty to discuss the candidates. All faculty members (including those on the Search Committee) at rank or higher for the position under consideration shall be allowed to vote. The DPC will then summarize the vote of the faculty and report, unless otherwise specified, a rank-order of the candidates with its recommendation to the Department Chair.
- 3.3.2 For non-tenure track searches (full-time lecturers), a 3-4 person search committee will be established by the Department Chair. Once the search committee has conducted its interviews, it will forward to the Department Chair its recommendations, including a rank order of the candidates.
- 3.3.3 For Department Chair searches involving interim appointments and/or the hiring of a chair from outside the university, the Department defers to the policies outlined in Senate documents 90-029 and 90-029C. For Department Chair appointments from among the current faculty, the following procedure will be followed. The Department Personnel

Committee will solicit nominations from the Department faculty. After a solicitation period of not less than two weeks, the DPC will hold a meeting of the faculty to discuss the nominees. The DPC will then summarize the preferences of the Department, and report these to the Dean.

**4. 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:

**4.1 School Personnel Committee (SPC)**

- 4.1.1 All of the Department's Faculty will elect one representative to the SPC to perform the functions assigned to it by the CBA. The term of service on the SPC shall be for four years. Eligibility for service on the SPC will be limited to full-time tenured faculty who have achieved the rank of Professor. If no faculty member at the rank of Professor is able to serve, then the representative must be elected from the group of Associate Professors. Selection to serve on the SPC shall be by a raise-of-hands vote of the faculty following an open discussion.

**5. Department Specifications for Promotion and Tenure.** 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.

- 5.1 *Letters for Tenure and/or Promotion.* During the tenure and/or promotion decision process of a tenure-stream department member, the Department Chair shall solicit six (or more) letters from external, independent (i.e., "arm's-length") reviewers evaluating the faculty member's application for tenure and/or promotion. The Chair will show the list to the candidate for comment, not veto, before making the solicitations. The solicitation letter will also be shown to the candidate prior to solicitation. The composition of the list of external, independent reviewers solicited shall reflect both the faculty member's recommendations as well as the Department Chair's selections in accordance with university policy. In addition, the faculty member may optionally put forward the names of non-independent reviewers to be solicited for letters. Non-independent reviewers shall be identified and disclosed as such in accordance with university policy.

**6. Implementation of these bylaws:** By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect on April 7, 2017. The terms of these bylaws supersede existing policies or practices of the Department to the extent that they address or conflict with the matters addressed by such policies and practices.

7. **Amendment of these bylaws:** By majority vote, the Faculty may elect an ad hoc committee to review and propose amendments to these bylaws. Adoption of any such amendments, including their dates of effectiveness, requires a two-thirds' vote of the Faculty.