

## **University Without Walls Bylaws**

### Statement of Principles

Effective governance supports structures and practices that help to create a collegial environment and efficient procedures with which to conduct the affairs of the Program. Nothing in this document should be construed as contrary to University policies, the MSP Collective Bargaining Agreement or applicable laws; rather it is to facilitate the work of the Program as it is outlined in the MSP Collective Bargaining Agreement (CBA). The University Without Walls major is a self-sustaining program comprised of Non-Tenure Track (NTT) faculty and adjunct faculty.

### Program 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 of the University Without Walls located in the Provost's Office at the University of Massachusetts Amherst. 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 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.

### Program Representation in Massachusetts Society of Professors

At least one faculty member shall be elected by majority vote of the full time faculty to be the Program MSP representative. The representative shall be responsible for reporting relevant information on MSP activities to the faculty. The MSP representative will facilitate meaningful communication between the Union and its members and report on Union initiatives at each faculty meeting.

## **I Director**

### Roles and responsibilities

1. Ensure proper University procedures are followed at the Program level.
2. Advocate for faculty resources, oversee the allocation of resources, coordinate administrative matters related to personnel actions, keep faculty informed of their rights and responsibilities.
3. Appoint administrative positions and initiate a strategic planning process for the Program in accordance with University guidelines and schedules.
4. Oversee all administration functions of the Program including marketing, admissions, recruitment, technology resources, and evaluation of staff, facilities and faculty performance.
5. Act as the liaison between University administration and the faculty and is responsible for ensuring administration guidance on program initiatives and development is articulated to the faculty as well as building relationships with other campus units and advocating for UWW students throughout the University.
6. Due to the self-sustaining nature of the Program, the Director is responsible for operational statistics and research that contribute to the sustainability and solvency of the program. This responsibility includes the development of recruitment and acceptance goals, integrity of the admissions process, strategic marketing and program development initiatives and the Program budget. The Director is responsible for establishing statistical projections and results that are shared with program members, faculty and administration. The Director will develop a statistical scorecard of metrics in conjunction with the faculty that measures a variety of student and program performance indicators. This report will be distributed on a monthly/quarterly basis.
7. Communicate program developments and initiatives and student progress measurements to the faculty on a regular basis.
8. Hold regular meetings with an Advisory group comprised of the Chief Academic Advisor, Marketing Manager, selected administrative personnel and representation of faculty for the purpose of exchanging information and new initiatives.
9. Convene regularly scheduled Faculty Meetings at least once a month during the academic year.
10. The Director will have a limited teaching capacity in the Program as determined by program needs.
11. Scheduling of UWW courses according to enrollment projections and actual numbers. Course enrollments and assignments are

made in conjunction with principles of equity and fairness determined by the Faculty.

12. Reports on UWW Curriculum as required by administration
13. Develops measures and data for student evaluation of curriculum

### Selection, term of service, resignation and removal of Program Director

The Director will be selected by the Vice Provost for Undergraduate and Continuing Education after a search is conducted. Search and appointment procedures are outlined in Senate Document 90-029 and 90-029A. All UWW faculty will have the opportunity to meet with the final candidates. Feedback and recommendations for the selection will be given to the Vice Provost (Hiring Authority) via the Program Personnel Committee. The Director is a 12 month position that is not in the MSP bargaining unit. The Vice Provost will determine the length of the Director's contract and reappointment for an additional period of time will be approved by the Vice Provost in consultation with the Personnel Committee.

### Review of the Director

- a. The Program's Faculty will conduct an annual informal method of review of the Director that will be shared with the Director. The review process will be designed by the PPC.
- b. The Faculty will conduct a formal review of the Director upon reappointment and this review will be shared with the Director and sent to the Vice Provost. The method of review will be established by the PPC.

## **II Program Chief Undergraduate Advisor (CUA)**

### Roles and Responsibilities

This position reports directly to the Director. The incumbent is responsible for the following:

- Maintaining advisee assignment equity and respond to student requests for new advisors.
- Overseeing the admission and application process of new students.
- Assigning part time instructors to UWW courses. This responsibility includes payment and oversight of instructor performance. The

incumbent will establish standards of performance with part time instructors and is responsible for instructor rotation and termination.

- Maintaining the UWW tracking data bases for Prior Learning credits and degree plans. Ensure operational systems are in place for processing course waivers, entering Prior Learning credits, Special Transcript credits and degree plans.
- Oversees the processing of all reactivations, Section 30 requests, supporting documentation for student progression, academic probation and student dismissal reports including the Dean's Contract and the drafting of letters of support for student to the Committee on Admissions and Records (CAR) and the General Education Variance Committee.
- Act as a liaison for all academic departments regarding UWW student matters and performance, signature authority of all CPE transactions.
- Oversees the duties of the Academic Advisors.
- Establish procedures and monitoring of potential UWW graduates through the Grad Tracking system.
- The CUA will have a limited teaching capacity in the Program as determined by program needs.

#### Term of Office and Resignation for Chief Undergraduate Advisor.

The Chief Undergraduate Advisor is selected by the Personnel Committee in conjunction with the Director. Depending on the bargaining unit status of the position, the term of office will be determined through voluntary rotation or regular University and contract hiring processes.

### **III Faculty membership, rights, privileges, and responsibilities**

#### Program Faculty

The UWW faculty includes all full- time and contract faculty. All full-time members of the faculty have the right to vote on matters brought before them. Unit faculty are responsible for the teaching and advising of UWW students. Teaching workloads, responsibilities and rotation will be collectively determined by faculty with oversight by the Director. Faculty are required to demonstrate teaching effectiveness through several modes of evaluation that may include SRTIs. Advising responsibilities include the development of individualized degree plans in conjunction with academic advising for all students assigned to the faculty member. Faculty are required to teach online and stay current on University online platform

enhancements. Faculty are encouraged to pursue professional development opportunities in their field and that contribute to the advancement of UWW. The Director will determine professional development funding and a process for allocation of funds will be developed by the Program Personnel Committee.

- *Rights and Duties of Faculty on Leave.* Employees on medical leave are not required to participate in governance. Faculty on full-time paid leave (including parental leave but excluding sick leave) maintain their rights during the leave to exercise their rights to participate in the governance of the Program. Faculty on full-time paid sick leave and on full-time unpaid leave have the right to 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.
- *Access & Voting Rights.* All bargaining-unit Faculty may have access to relevant information and may deliberate on all promotion cases.
- *Participate in Governance.* Except where the composition of an individual's assigned workload would prohibit such an obligation, all members of the Faculty have the opportunity to participate in governance of the Program and in service to the Program.
- *Representation by Faculty on College- and University-Level Committees.* Faculty may volunteer for or may agree to be appointed by the Director to service on college- and university-level committees and in similar roles. Service on the following committees, however, is by election as described below.
- *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 any form of the title Lecturer. The Program's Faculty with any form of the title Lecturer will annually nominate from among themselves one person to stand for election to the CRC.

### Non-Bargaining Unit Faculty.

UWW has several non-unit faculty who teach courses as needed. Non-unit faculty may not participate as voting members in personnel actions governed by the CBA.

The Program Personnel Committee will approve all instructors who are recommended to teach in the UWW curriculum prior to initial hire and can request performance review documentation from the Chief Academic Advisor if requested.

## Add Comp for Nine month faculty

Nine month faculty may earn additional compensation for committee work conducted during periods of non-responsibility at the discretion of the Director.

## **IV Standing Committees**

All UWW faculty committees are open to all faculty and staff members with the exception of the Program Personnel Committee. It is recommended that the term of service on each committee by members is two years. The Program maintains the following standing committees:

### Program Personnel Committee (PPC)

- *PPC Purview.* All full time Faculty are eligible to serve on the PPC. Voting for committee members will take place at the first Faculty meeting of the year. This committee will perform the functions assigned to it by the CBA, including but not limited to reviewing the Annual Faculty Review and Evaluation of every member of the Program's Faculty; reviewing and making recommendations on all promotion applications within the Program; reviewing and making recommendations on all reappointments of Faculty within the Program; reviewing and determining Pool A allocations of merit pay among the Program'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 Director and establishing procedures and approval of Professional Development Funds. Once established, the members of the PPC will select their own committee chair by way of an election. Nominations for Chairing the PPC will be initiated at the end of the academic year for the following academic year. The full Faculty will vote on the nominees. The Chair will be selected based on a simple majority vote.
- *Independence of the PPC.* On personnel actions for which the CBA identifies independent roles for the DPC and the Director—such as AFR reviews, reappointment, promotion, merit-pay allocations, and anomaly recommendations—the PPC will operate independently, and the Director must not convene or deliberate with the PPC, nor may the Director attempt by any means to influence the deliberations or judgment of the members of the PPC.
- *PPC Meetings and Operations.* The core PPC should organize and schedule its meetings as necessary to perform its duties and meet the deadlines established by the campus master calendar or by College or

Program policies. The core PPC should publish its regular annual meeting schedule. The PPC requires a quorum of two-thirds of its eligible members in order to conduct official business; in voting and in drafting written materials, the PPC may conduct its business electronically. When addressing confidential personnel matters, PPC meetings will not be open to non-PPC members. The PPC should keep a record of its meetings and transactions, which the Program should retain for five years and should be available to subsequent PPC members.

- *PPC Responses to the Vice Provost's Queries in RPT Cases.* Under the CBA and the Red Book, the Vice Provost must consult with the PPC if she/he is considering making a recommendation that differs from the recommendation of the PPC in reappointment and promotion, cases for Faculty. The core PPC must respond in writing.
- *PPC Consideration of Merit Pay.* When the CBA authorizes the award of merit pay and authorizes the PPC to recommend or determine the amounts of merit pay to be allocated to individual members of the Faculty, the PPC must adhere to the CBA's terms for eligibility and the basis of evaluation for such allocations. The PPC may not exclude from consideration any merit-eligible member of the Faculty based on, rank, full-time equivalency, or constraint of assigned duties. The principles for assignment of merit pay will be determined by the PPC and shall be disseminated to all bargaining unit members no later than October 1 of each year.

#### Program Executive Committee. (PEC).

- *PEC Purview.* The PEC advises and assists the Director in the management of the Program and promotes two-way communications between the Director and the Faculty.
- *PEC Composition.* The PEC includes the following members: the Chief Undergraduate Advisor, two members of the Faculty chosen by the faculty, and one member appointed by the Director. The faculty will select two members to be part of this committee for each academic year. The faculty members on this committee will solicit feedback from other faculty as their role is to represent the various concerns of the full faculty.
- *PEC Meetings and Operations.* The Director schedules and convenes meetings of the PEC. During the academic year, meetings will be held once a month and the agenda items are determined by the Director with input from members. Meeting times, agendas and minutes will be posted within the Program.

## Faculty Meetings.

Faculty meetings will be conducted on a regular schedule during the academic year. Individual faculty will chair and facilitate the meeting on a rotation schedule. The designated facilitator will request agenda items at least one week prior to the scheduled meeting. The agenda will be promulgated at least 24 hours prior to the scheduled meeting. Minutes will be taken at all meetings and posted in a common folder. The prior meeting's minutes will be reviewed and voted on at the following meeting. At the beginning of each academic year the Chief Academic Advisor will formalize the role of the chair, provide a structured template for minutes and the soliciting and publication of agenda items. The purpose of the meeting is to review and vote on proposals from the Curriculum Committee and other UWW subcommittees that have a wide impact on students and faculty. A portion of the meeting can be used to inform faculty of new academic procedures and administrative processes that cannot be communicated via traditional channels in the Program.

- *Rules of Order.* The Faculty will establish rules of order for conducting the meeting at the first Faculty meeting of the academic year.
- *Quorum.* The Program may meet and act on the business of the Program with a quorum consisting of two thirds of the Faculty.
- *Voting.* On matters requiring a vote of the Faculty, votes may be made by written proxy or electronically in a method to be determined by the Director. Voice votes on any matter are acceptable unless any individual member of the Faculty requests otherwise, in which case the vote must occur by secret written ballot. Two thirds of the Faculty are required to carry a motion.
- *Administrative Staff.* Will elect an Administrative Staff Representative to participate in and hold one vote (on behalf of the entire administrative staff) on all Faculty Meeting decisions, except those that may infringe on faculty contract terms and rights. An Administrative Staff Representative will serve a 1-year term, from September – August. Administrative Staff will inform the Faculty of who will serve as the Representative by September 1.
- *Issues requiring a vote.* The Director, Chief Academic Advisor and any faculty member can bring items to the Faculty meeting for a formal vote. Proposals that impact the UWW curriculum or core functioning of the program will be brought to the Faculty Meeting for a vote.

## Curriculum Committee.

This committee is responsible for curriculum development, pedagogy, coherence, and alignment with UWW mission and program. The committee



will assess, develop and propose changes to the curriculum as well as play a role in the innovation of curriculum enhancements. It is a subcommittee of the Faculty Meeting serving in the capacity of making recommendations to the Faculty via the Faculty meeting.

- *Curriculum Committee Purview.* The committee would review and make recommendation to the full faculty on all curriculum matters including:
  - a) Reports on UWW Curriculum as required by administration.
  - b) Developing measures and collecting data for student evaluation of curriculum.
  - c) Updating curriculum materials for UWW marketing and student handbook.
  - d) Responding to General Education requirements as determined by the University General Education council.
  - e) Determining appropriate credit hours for each course.
  - f) Assessing and evaluating student need and assessing and proposing changes to the UWW curriculum.
  - g) Preparing paperwork for Faculty Senate approval of new and revised courses.
  - h) Report recommendations to the full faculty.
- *Curriculum Committee Composition.* Members of the CC are voluntary and will serve a two year term.

### Residency Committee.

The Residency Committee is a subcommittee of the Faculty Meeting serving in the capacity of making recommendations to the Faculty via the Faculty meeting. It is responsible for developing and administering low residency programs, including but not limited to the annual Social Justice Residency. This committee is open to all UWW Faculty.

- *Residency Committee Purview.* The Residency Committee will make recommendations to the full faculty that will support the curricular needs of students and the UWW mission.
- *Residency Committee Composition.* All UWW full- and part-time faculty are eligible to serve on the Residency committee, as are staff members.
- *Residency Committee Meetings and Operations.* At the start of each academic year, the committee will solicit volunteers and elect a committee chair. During the academic year, the committee will meet

as needed to develop and plan residency programs.

### Program Development Committee:

The Program Development Committee is a subcommittee of the Faculty Meeting serving in the capacity of making recommendations to the Faculty via the Faculty meeting. This committee, open to all UWW faculty and staff, provides support and feedback for faculty and/or staff who are engaged in creating new initiatives that contribute to the growth and development of the UWW program.

The Program Development Committee reports to the Faculty Meeting. Its main goal is to provide a place where faculty and staff can get feedback and support for new program initiatives when and if it is needed. At the start of each academic year, the committee will solicit volunteers and elect a committee chair. During the academic year, the committee will meet as needed to give feedback and support to program development initiatives.

### Faculty Search Committee Meetings

- *Committee Composition.* The Director 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. Students are not eligible to serve as members of such search committees; however, students may be given opportunities to meet faculty candidates and to provide feedback to the search committee. In selecting members, the Director will attempt to compose a committee that is representative of the Program 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. The Director will designate the committee chair from among its members.
- *Purview of Search Committees in Searches.* Committees charged with conducting searches for faculty will collaborate with the Director and the Personnel Committee in developing the position description, advertising/recruitment plan, facilities plan, and other elements of the hiring requisition. The committee will work with the 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, in person by Internet video connection, or at professional meetings (as applicable); will make confidentially available to the Faculty the application materials of approved interviewees—provided the Faculty individually agree to maintain that confidentiality as described below; will provide an

opportunity for Program Faculty to deliberate on the acceptable finalists; will write a recommendation that reflects the Search Committee's ranking and rationale for that ranking 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 Faculty will limit its vote 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.

- *Access to Confidential Applicant Materials.* The Program will place in a secure online location the application materials of candidates who have been approved for interviews (but not for other applicants). The Director 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 Program'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.
- *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:
    - a) 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.

b) Search committee members engaged in a *close professional* 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 the applicant but may vote along with other department faculty on all applicants.

c) 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.

### Scholarship Committee

The Scholarship Committee is a subcommittee of the Faculty Meeting. It is responsible for selecting students who are financially eligible to receive a UWW scholarship during the Fall and Spring semesters. This committee is open to all UWW Faculty.

- Scholarship Committee Purview. The Scholarship Committee will review scholarship applications each semester and make recommendations to the full faculty on the students selected.
- Scholarship Committee Composition. All UWW full- and part-time faculty are eligible to serve on the Scholarship committee, as are staff members. The committee is chaired by a full-time faculty member.
- At the start of each academic year, the committee will solicit volunteers and elect a committee chair. During the academic year, the committee will meet as needed to review applications. The chair of the committee is a yearly rotating position.

## Advising Committee

### Mission and Goals:

- Establishment and maintenance of best advising practices for the UWW program that lead to student success
- Identify opportunities for training/workshops for faculty and staff as needed
- Analyze enrollment, retention, and graduation data to gain an assessment of current advising practices and possible strategies to retain students
- Discuss current trends concerning advising, advising models, and technology being used to improve advising methods and student performance
- Address questions or concerns regarding policy and procedure brought to the Committee's attention by faculty and staff
- Facilitate communication among faculty and staff regarding advising policies and procedures by creating a bridge by which issues can be discussed

The committee should be comprised of the Chief Undergraduate Advisor, 2-3 Academic Advisors, and 2-3 Faculty Advisors. We will have a rotating chair who will be selected at the beginning of each semester. *(This section was added on October 24, 2019 after an email vote to add the current definition to our by-laws was conducted).*

## **V 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. The Program Personnel Committee and the Director should conduct their evaluations of each Faculty member's AFR.

### Implementation of bylaws.

By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect. The terms of these bylaws supersede existing policies or practices of the Program 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.

Amendment of the Bylaws.

By majority vote, the Faculty may elect an ad hoc committee to review and propose amendments to these bylaws. Adoptions of any such amendments including their dates of effectiveness require a two-thirds vote of the Faculty.