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## By-Laws of the W. E. B. Du Bois Department of Afro-American Studies

### **I. Statement of Principles**

These by-laws are designed to promote the functioning of the W.E.B. Du Bois Department of Afro-American Studies (hereafter referenced as “the Department” in an effective, efficient, transparent, and democratic manner. Nothing in this document should be construed as contrary to University of Massachusetts Board of Trustees and UMass Amherst policies, federal laws, Massachusetts General Law, and the Massachusetts Society of Professors (MSP) Collective Bargaining Agreement; rather it is intended to facilitate the work of the department.

### **II. Department Chair**

*[See T76-081 (the Redbook), Articles 3.5 and 6.4, sec. a-f]*

The Chair of the W.E.B Du Bois Department of Afro-American Studies shall have oversight for the operations of the entire unit. That is, the chair is 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 within the department, ensuring compliance with University policies and collective bargaining agreements, evaluating staff and faculty, overseeing scheduling, allocating space, and developing and implementing long range planning.

#### **A. Selection of Department Chair**

*[See Senate Document 90-029A]*

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 one or more representatives (as mutually determined to be appropriate) of closely related departments. The Search Committee presents its recommendation to both the department and the Dean, and if a majority of the full-time faculty (tenure-system and continuing) in 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 Dean's 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.

B. Term of Office for Chairs

[See Senate Document 90-029A, sec. 11.a]

The appointment of a faculty member as Chair of the Department should be made for a period of at least three, but not more than five years. The Dean in consultation with the DPC shall determine the term of office.

C. Review of Chairs

[See Senate Document 86-014A and 82-021 for evaluation frequency and procedures]

The Chair shall be evaluated during every third year in office in a review process initiated by the Department Personnel Committee. All faculty (including part-time appointments) are eligible to participate in the evaluation of the Chair. By petition of a majority of the Department's faculty, an evaluation may be requested at any time.

The triennial review of the chair shall include the following components:

- a. A written statement of administrative achievements prepared by the Chair and submitted to the DPC
- b. Confidential process for soliciting faculty evaluations of the Chair
- c. Confidential process for soliciting evaluations from undergraduate and graduate students
- d. Confidential process for staff evaluations of the Chair
- e. An assessment of the Chair by the Dean and other relevant administrators and submitted to the DPC
- f. Assessment by other relevant constituencies

D. Resignation or Removal of Chair

[See Senate Document 90-029, VI.]

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.

If a sizable portion of the faculty wish to remove the Chair, they shall submit to the Dean (appointing authority) a petition that states the reasons for removal and that includes signatures of all petitioners.

If, at any time, the Dean, the Department, or a sizable portion of the faculty seeks the removal of a Chair, it would be of vital importance, and in the interest of harmony, for the Dean to consult prior to making a decision. In the case of disagreement, the matter shall be referred to the Provost.

E. Interim Chair Appointments

[See Senate Doc. 90-029C, sec. 13]

In an emergency, the Dean (appointing authority), in consultation with the Department Personnel Committee (DPC), shall appoint an interim Chair. The normal term should not exceed one year. Should a search not result in a permanent appointment to Department Chair by the end of the one-year interim chair appointment, the appointing authority may reappoint the sitting interim chair for one year or, following consultation with the DPC, may appoint a different interim chair for one year.

If the appointing authority has not authorized a chair search that can result in a permanent appointment after one interim year, the procedures set forth in Senate Doc. 90-029C, sec. 13g, requiring notice to the Department and “good faith” consultation with the DPC should occur.

Interim chair status extending into the third consecutive year in the Department will follow the procedures outlined in Senate Doc. 90-029C, sec. 13.h. Beyond the third year, an interim chair appointment will follow the procedures outlined in Senate Doc. 90-029C, sec. 13.v and sec. 13.g.

The process for determining a candidate for the position of interim chair should include nominations and self-nominations to the DPC. 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 can determine if a run-off ballot is needed. The successful candidate’s name will be forwarded to the Dean.

**III. Department Meetings (Committee of the Whole)**

Department meetings, which include all full and part-time faculty members, shall be convened by the chair 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.

Department meetings should be held at least twice in each fall and spring terms (minimum of four during the academic year), with the possibility of additional meetings as necessary. The chair is responsible for establishing the regular meeting schedule and distributing it to the faculty at the beginning of each term. The agenda

for each meeting should be set by the chair in consultation with the faculty and circulated to the faculty no later than 72 hours in advance, excluding weekends (i.e. agendas for meetings scheduled on a Monday will be sent to faculty on the preceding Wednesday)

All important votes shall be decided by secret ballot. Any faculty member has the right to ask for a secret ballot vote. All faculty, whether full- or part-time (50% or above), have the right to vote. The quorum for voting is a simple majority of all eligible faculty. By agreement of a majority of those present at a meeting where a quorum has been satisfied, email voting is allowed. Proxy votes are not allowed.

Any voting faculty member on family leave, sabbatical leave, leave without pay, research leave, or parental leave retains the right to vote on initiatives and governance in the Department, except where such votes would contravene University guidelines or policies (e.g. while on sick leave). The expectation of faculty who will vote in faculty searches while on leave is that the faculty member on leave will participate in the ordinary duties related to the search (i.e. read candidates' materials, attend job talks, and other activities expected of faculty during searches)

#### **IV. Department Personnel Committee (DPC)**

*[See Collective Bargaining Agreement between the Massachusetts Society of Professors and the University of Massachusetts, Article 12; see also T76-081 (the Redbook), Article 3]*

The MSP contract mandates that faculty at the departmental level establish, once a year, a personnel committee in order to exercise the responsibilities described in the collective bargaining agreement. These include review of AFRs, distribution of merit, reappointments, promotions and tenure, anomaly requests, PMYR processes, and other personnel issues. Only members of the MSP bargaining unit are eligible to serve on and participate in the discussions within the DPC.

##### **A. Election and Constitution of the DPC**

The DPC shall consist of a least three full-time faculty members. While untenured faculty members may serve on the DPC, members may only vote in tenure and promotion cases if they are tenured at the same rank or higher than the candidate in those cases. In other words, faculty must be tenured to vote on tenure cases and must be associate or full professors to vote on tenure and promotion to associate professor; members must be full professors to vote on promotion to full professor.

##### **B. Duties of the DPC Chair**

The Chair of the DPC should be elected by the members of the Department in consultation with the Department Chair and should be a full-time, tenured faculty member in the department. The DPC Chair will schedule and convene

regular meetings, and will communicate department-level promotion decisions in writing to affected faculty members and the Department Chair in a timely manner. The DPC Chair is also responsible for adhering to the MSP collective bargaining agreement and Red Book policies. In the event of seemingly conflicting policies or procedures, the Collective Bargaining agreement prevails.

### C. Faculty Votes on Tenure and Promotion

The DPC shall secure a vote of the faculty on tenure and promotion cases. Only tenured faculty may vote. Tenured faculty at the rank of associate professor may vote on tenure and promotion candidates seeking the rank of associate professor. Tenured full professors may vote on all tenure and promotion cases

### D. External Reviewers' Letters for the Tenure File

The expectation in the Department is that the basic file of all candidates for tenure and for promotion to all ranks must include at least six external letters from reviewers who are not close to the candidate or whose connection to the candidate is arms-length or greater. Close connections would include co-editors or collaborative partners (grant writing or other projects), mentors (e.g. dissertation directors), spouses/domestic partners or other family members, and personal/social friends. Arms-length reviewers could include colleagues in the field with whom the candidate has appeared on a scholarly panel yet has not collaborated on research, grants, or scholarship. Peer reviewers and readers of a candidates' scholarship also would be arms-length letter writers.

### DPC Vacancies

Should a member not be able to serve their full elected term, the Department will elect another member.

### V. Search Committees

[See the Office of Equal Opportunity & Diversity for faculty search procedures and supplemental search instructions]

The Chair will compose search committees that will recommend candidates for tenure system faculty (non-chair) hires in the Department. The Department Chair will select an appropriate search committee chair.

Search committee chairs should be full-time, tenured faculty with at least a 50% appointment in the Department and, when possible, should be a member of the academic track on which the candidates will be hired. During a meeting of the

whole, the Department Chair will solicit self-nominations to serve on the search committee. And s/he may ask individual faculty in the Department, a graduate student representative, and a faculty member from another department to serve on the committee.

A. Work of the Committee

The search committee, except the graduate student representative, will evaluate all applications in the search pool and decide upon a short list. Additionally, while adhering to fair and equitable treatment for all candidates, the search committee chair may make off-list reference calls for candidates selected as finalists. The candidates must be informed that such calls may occur.

If during the course of the search a member of the committee recognizes that an applicant is someone that s/he has published with or is or was a personal friend (not merely a colleague), that committee member must disclose the relationship to the committee. The search committee chair must report the relationship to the Chair of the Department to determine whether the composition of the committee should change. Additionally, if a member of the search committee has mentored, regularly published with or written multiple grants with, or/and is or was a personal friend (not merely a colleague) of an applicant, the committee member should recuse him/herself from any discussion of the applicant.

Full-time faculty will have access to the application materials of candidates on the short list and may provide feedback to the search committee, but will not have a vote on or select the finalists who will be invited to campus.

Following the campus visits and after soliciting feedback from students and other constituencies, the full search committee should meet with a committee of the whole faculty in the Department to report the committee's assessment of the finalists and to receive assessments from and votes of the faculty who are not on the search committee. Faculty voting on candidates in a search occurs with the expectation that the faculty member has attended the candidates' campus visit activities (job talk, teaching presentation, or other similar activities).

The report to the Chair from the search committee should reflect the range of views of the faculty and record the votes.

B. Who May Serve

- Any tenure-system faculty in the Department
- Full-time NTT continuing faculty

- A graduate student representative (access to short list candidates' vitae, application letter, and writing/scholarship sample, only)
- A Faculty member from another department

C. The Vote

- All tenure-system faculty may vote in all searches
- Graduate students do not vote on searches but their representative on the committee will provide feedback to the search committee for consideration by the faculty.

D. Access to Application Materials

- Application materials for the entire search pool will be available only to the search committee, except graduate students.
- Application materials, except reference letters, for the short list candidates will be available to all full-time faculty.
- The graduate student representative on the search committee may only have access to short list candidates' vitae, application letter, and writing/scholarship sample.

E. Ranking Finalists

The Department's faculty will determine whether to provide numerical ranking of the candidates or whether to present the candidates in ranked-order along with brief descriptions of the rationale for hiring the candidate.

F. Non-Tenure Track (NTT) Faculty Hiring

*[See Collective Bargaining Agreement between the Massachusetts Society of Professors and the University of Massachusetts, Article 21]*

To address the academic and classroom needs of the Department, the Chair will hire non-tenure track faculty with appointments at less than 50% and of fewer than three semesters. A hiring committee comprising the DPC and the Department Chair will consult on initial appointments of one or more years for non-tenure track faculty with appointments at 50% and above. All re-appointments will be at the discretion of the Chair in consultation with the Dean.

**VI. Other Department Committees**

The Department may constitute other committees, such as Curriculum, Publicity, Undergraduate Education, as necessary. The leadership, terms of service, frequency of meetings, and specific duties of each committee will be determined on the committee's constitution.

The Department Chair in consultation with the faculty may determine the need for other ad hoc committees to insure the smooth management of the department or for special planning and reviews (such as AQAD).

### **VII. Graduate Program Director**

The Graduate Program Director (GPD) should be elected by the members of the Department in consultation with the Department Chair and should be a full-time, tenured faculty member in the department, meeting the requirements of full graduate faculty status (G) as established by the Graduate School. The term of office for the GPD is three years.

Among the duties of the GPD are these,

- Supervision of the application process of the Ph.D. and M.A. programs
- Sending offer letters to applicants, including any financial support commitments
- Notifying the Graduate School of completion of degree milestones, such as candidacy
- Ensuring that departmental degree requirements are met
- Recommend award of degrees
- Ensuring that financial support commitments are met
- Signing off on assistantships and externships
- Staying aware of and referring graduate students to resources on campus for matters such as mental or physical illness, financial or personal emergencies, bullying, and other student concerns
- Reporting Title IX violations in accordance with University policy
- Presenting the needs and concerns of graduate students to all constituencies (e.g. Dean of the Graduate School, Chair of the Department, faculty, and others)
- Ensuring the effective operation of graduate education in the Department, including convening and leading meetings related to graduate education and review of graduate students
- Operating as a liaison between the Graduate School and the Department's graduate program
- Submitting to the Graduate School, in consultation with the graduate faculty in the Department and the chairperson, names of faculty to receive graduate faculty status, with the goal of remaining knowledgeable about status of dissertation committee members
- Promoting relevant Graduate School professional development and graduate student life activities to students
- Attending the Graduate School's annual GPD meetings
- Consulting with the Graduate School prior to taking any action that might affect contractual or other commitments to a graduate student, such as dismissal from an assistantship or reduction in promised funding.



### **VIII. By-laws Adoption and Amendments**

By-laws shall be adopted by a vote of at least two-thirds of all faculty in the Department, not counting abstentions. Should the by-laws not be approved, the Department shall convene a meeting to discuss any disagreements in order to facilitate an amended document and re-vote.

Amendments to the by-laws can be brought forward by ten percent of the total faculty members with appointments of 50% or greater if done so before the last department meeting of the year. The proposed amendment must be circulated for at least ten days before the department meeting. After discussion, and amendment, the proposal must again circulate as a written referendum before a final vote of the department by secret ballot. Amendments to the by-laws require a vote of at least two-thirds of the faculty in the Department, not counting abstentions. The vote may be conducted through email if such voting is agreed to by faculty at a meeting where a quorum has been satisfied.

### **IX. Implementation**

These by-laws are established pursuant to Collective Bargaining Agreement between the Massachusetts Society of Professors and the University of Massachusetts, Article 12. The effective date of these by-laws is 12.12.2016, and they will supersede any previous Department by-laws. Separate governance documents may set departmental procedures for implementing these by-laws.

Amendment date: 5.17.17