Mechanical and Industrial Engineering 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 Mechanical and Industrial Engineering (the "Department") in the College/School of Engineering (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.

2. **Faculty membership, rights, privileges, and responsibilities.** The Department's faculty (the "Faculty") includes all faculty members 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 Head, 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 and may deliberate on all promotion and tenure cases but only elected DPC members may vote.
   2.3 *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.
   2.4 *Faculty Appointments Greater than 50%.* Bargaining-unit, non-Graduate Faculty with an FTE of 50% or greater, without regard to tenure status, should have 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/College, 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 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.

3. **Standing Committees**: The Department maintains the following standing committees. With the exception of the DPC, as noted in 3.1.2, all faculty members are eligible to serve in any of the committees. With the exception of the DPC, committee appointments are made by the Department Head.

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; 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 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 potential reappointment of the department Head.

3.1.2   Composition & Eligibility. The core DPC will consist of a minimum of five Faculty members. Untenured tenure-track faculty may serve on the DPC but may not vote on personnel actions that apply to positions above their current rank and tenure status. (For example, only tenured Faculty may vote on applications for tenure and promotion.) Should the DPC include one or more untenured tenure-track Faculty, an equivalent number of substitute (non-core) tenured Faculty will be elected to the DPC; these substitute Faculty will vote in place of the untenured tenure-track Faculty for all reappointment, promotion, tenure cases within the DPC's purview as determined by the CBA

3.1.3   Means of Election. By April 30th of each year, the Department will elect the DPC for service for the ensuing academic year and will confirm the nominees' eligibility and willingness to serve and will announce the nominees to the Faculty. All of the Department's Faculty members except for non-unit Faculty are eligible to vote in electing the DPC. The election should occur by secret ballot at a Department meeting to be convened by the Department Head. Eligible Faculty who cannot attend the meeting may vote electronically.

3.1.4   Leadership of the DPC. Once elected, the members of the core DPC will select their own committee chair.

3.1.5   Independence of the DPC. On personnel actions for which the CBA identifies independent roles for the DPC and the department Head—such as AFR reviews, reappointment, promotion, tenure, PMYRs, merit-pay allocations, and anomaly recommendations—the DPC will operate independently of the Department Head.

3.1.6   DPC Meetings and Operations. The DPC 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 Department policies. The DPC, whether meeting as the core or expanded committee, requires a quorum of four members in order to conduct official business; 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 need not keep meeting minutes.

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   *Graduate Program Committee*. This committee deliberates on policy affecting the graduate program, advises the Graduate Program Director, and evaluates Graduate Program applicants.

3.3   *Undergraduate Program Committee*. This committee advises the Undergraduate Program Director and deliberates on policy affecting the undergraduate program.

3.4   *Faculty-Students Committee.* This committee provides service to the department's engagement with the students and student clubs, and provides advice on matters related to advising.

3.5   *Lab and Space Committee.* This committee determines how to manage the laboratories and student spaces within the department. The committee's membership will be supplemented by members as appointed by the Department Head.

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 department Head will solicit from among the faculty interest in serving on the search committee. The department Head 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 should be given opportunities to meet faculty candidates and to provide feedback to the search committee. In selecting members, the department Head 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 Department Head 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 department Head in developing the position description, advertising/recruitment plan, facilities plan, and other elements of the hiring requisition; will work with the Department's Hiring Manager to fulfill the advertising/recruitment plan; 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, by Internet video connection, or at professional meetings (as applicable); will propose a campus-interview list; will make confidentially available to the Faculty the application materials of approved campus interviewees—provided the Faculty individually agree to maintain that confidentiality as described below; will organize campus visits, including public sessions open to all Faculty and students, for approved interviewees; will organize a meeting of all of the Department's Faculty after the last campus interview in order to deliberate and vote (by secret ballot) on the ranking of the acceptable finalists; will write a recommendation that reflects the Faculty'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. In situations where the candidates may be appointed with tenure, the DPC will be asked, immediately upon the formulation of the list of acceptable candidates, which candidates would be qualified for immediate appointment with tenure.

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 Head 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 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 through the meeting at which the Faculty rank the acceptable finalists. 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 members 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 deliberating the ranking of the finalists but may not vote on that ranking.

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 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.

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**: Appendix A elucidates the role of Research Faculty, in particular, in the MIE Department. The Department will conduct individual non-tenure-track faculty searches 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 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 except that in lieu of convening to deliberate on the finalists, the committee may solicit feedback from all of the Department's Faculty after the last campus interview; will write a recommendation that reflects the Faculty's

feedback, the committee's ranking of the acceptable finalists, and the committee's rationale for that ranking.

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 department Head 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 members who have achieved the rank of Professor.

7. **Department Meetings**.

7.1   *Frequency*. At least once per semester and with at least one week's notice, the department Head will schedule and convene general meetings of the Faculty. The department Head 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 Department Head will convene additional special meetings to address matters raised by the petitioners.

7.2   *Faculty Duty of Participation*. All Faculty of the Department 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.

7.3   *Meeting Agendas*. The department Head will publish the agenda for each regular Department meeting at least three days before the meeting. The department Head will publish the agenda for any special meeting at the time of the meeting's announcement.

7.4   *Rules of Order*. The Department will follow Roberts' Rules of Order in conducting meetings of the Faculty.

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.

7.6   *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 department Head. 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. Except as otherwise specified in these bylaws, a simple majority vote will suffice to carry a motion.

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 Head 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. The Department Head 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 Department Head with soliciting external reviewers and permits the candidate to suggest external reviewers, some or all of whom may be solicited by the Department Head. The Department Head may consult with the DPC or other members of the Faculty in identifying appropriate external reviewers but may not delegate the solicitation process to others. Similarly, the Department Head may receive assistance in describing the "standing" of each external reviewer in the candidate's file, but the department Head 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 Department Head 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 Department Head 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 Department Head 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 UMass Faculty & Staff Reviews.* The candidate and the Department Head may identify potential reviewers internal to UMass

Amherst. Such internal reviews are not required and should not be regarded as substitutes for external letters. Internal letters may be especially helpful in cases where the reviewer can describe the candidate's particular contributions to collaborations within the department or across campus. The Department Head must individually solicit such internal reviews.

8.2.2   *Identification and Solicitation of Student Reviews*. The Department Head 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 Department Head 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 Department Head 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.* Only members of the DPC shall participate in the consideration of RPT cases.

8.5   *Evaluation of Teaching Effectiveness for RPT.* The CBA's Article 33 requires that every department develop or adopt one or several modes appropriate to the evaluation of teaching in that unit and procedures for the administration of student evaluations of teaching. In compliance with that requirement, the Department adopts the following:

8.5.1   *Student Evaluations of Teaching Effectiveness in Classroom Settings*. All Faculty should use the centrally administered SRTI instrument to solicit and receive student evaluations in every course section taught. Faculty may not themselves administer or collect student evaluations. Individual Faculty may supplement but may not replace the SRTI instrument with other another instrument(s).

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

8.5.3   As described in Section 8.2.2. above, solicited letters from individual students shall be considered in the evaluation of teaching effectiveness.

8.6   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. A NTT faculty member is 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 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 timely submit an AFR may be subject to discipline. The core DPC and the department Head 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. It is expected that the DPC and Chair will review the summary Student Response To Instruction (SRTI) scores as a supplement to the AFR forms. 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 Department Head 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 department Head 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. **Review of the Department Head**. If the department Head wishes to be reappointed to another term in that position, the Department's Faculty, led by the DPC, will conduct a review of the department Head during the fall semester of the final year of her/his 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 department Head's appointment.

   10.1 *Self-Evaluation.* As an initial step, the Department Head will prepare a written self-evaluation of her/his administrative achievements during the current appointment and will provide that document to the Faculty no later than October 15th.

   10.2 *Survey.* The DPC will prepare and distribute four confidential surveys no later than November 1st: (1) one to departmental staff; (2) one to all undergraduate majors and all graduate students; (3) one to Department Heads/Chairs of Departments within the College and to those outside of the Department who have interacted with the Department 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, or students.

10.3 *Meetings with Constituencies.* The DPC will offer to meet with employee and student groups to receive confidential assessments of the department Head'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.

10.4 *Meeting with the Department Head.* After most data collection is complete, the DPC will invite the Department Head to meet to discuss the initial findings of the data collection process. The department Head may decline to meet.

10.5 *Draft Report.* No later than December 1st, the DPC will complete and distribute to the Faculty a draft report (excluding raw or other 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 department Head should be reappointed. The report should assiduously limit its assessment to areas within the purview and control of the Department Head.

10.6 *Concluding Meeting of the Faculty.* Before the end of fall semester, the DPC will convene the Faculty to discuss the draft report and to receive recommendations for revision of the document.

10.7 *Final Report.* The DPC will finalize its report and will then submit it to the Dean, simultaneously providing a copy to the department Head (excluding raw and 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.

10.8 *Department Head's Response.* The department Head may prepare and submit to the Dean a written response to the final report.

11. **Implementation of these bylaws**: By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect on 5/1/17. 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.

12. **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.

Appendix A: Policy on Research Faculty

Purpose
In 1991, the Faculty Senate established via Sen. Doc. No. 92-015 the titles of "Research Assistant Professor," "Research Associate Professor," and "Research Professor." These positions are subject to the Academic Personnel Policy (the Red Book). The contract between the university and the Massachusetts Society of Professors (MSP) states that research faculty are members of that bargaining unit. It is university policy that research faculty are authorized to be principal investigators (Sen. Doc. No. 09-032). Additionally, law and policy establish the requirements for

the actual hiring of any employee on campus. Individual departments determine other rights, responsibilities, and prerogatives of research faculty, and the details of how research faculty members are to be administered. This document sets the policies for research faculty in MIE.

Guiding Philosophy
The university policies referenced above make very few distinctions between regular faculty, i.e., the tenure system faculty, and research faculty. In short, faculty are faculty. Someone with a business card with the words "UMass" and "professor" are indistinct from regular faculty in the minds of people outside the university. The personal and professional conduct of research faculty reflects favorably or unfavorably on the department to the same extent as that of regular faculty. Therefore, research faculty should be hired with the same deliberation, held to the same standards, and have the same rights and prerogatives as regular faculty with exceptions for the funding source for their salaries and not being given tenure.

Faculty members have a particular role in the university, as do staff. The university cannot function without both. For this reason, there are a variety of staff positions suitable for senior researchers who do not fill the role of faculty. These positions include academic positions such as Senior Research Fellow, and professional staff positions such as Managing Director. These are significant jobs with salaries and benefits comparable to those of faculty. When creating a position for a senior researcher, it is important to consider the duties and responsibilities to determine what job classification (faculty, academic staff, or administrative staff) is most appropriate.

Given the philosophy that research faculty members are faculty, it is useful to consider a few of the characteristics of faculty at UMass.
1. Faculty members do not work for other faculty or for center directors. They report administratively to a Department Head or chair. Obviously, faculty members are hired with the intent of creating synergies, but they are required to demonstrate excellence individually, particularly in research.
2. Faculty, in this department, are given the authority to supervise graduate students per approval of G status by the Graduate School
3. Faculty members advance the teaching, research, and service missions of the university. Research faculty members have no obligation to teach courses. A researcher who does not significantly add to the educational mission of the university is not fulfilling the role of a faculty member.
4. The department incurs liabilities to its finances and its reputation for all faculty members. The financial liabilities may be significant for principal investigators responsible for conducting major funded research projects, and for a faculty member who has been granted an anomaly raise for which the department is liable for the duration of the faculty member's tenure. The department's reputation is affected by the conduct of all faculty members.

Discussion
The guiding philosophy that faculty are faculty provides a framework for research faculty positions in the department. In the following paragraphs, some ramifications of the guiding philosophy are considered. The discussion is not meant to cover all contingencies, nor is it meant to be static in time. The guiding philosophy is robust; as university policies related to faculty evolve, the department's policies for research faculty automatically evolve to be consistent with the guiding philosophy.

Search and Hiring

The decision to create a regular faculty position is done with deliberation, and a consensus is sought among the existing faculty. The need for a faculty member in a particular subject area to further the goals of the department is the overarching reason to create a position. The same should be true for research faculty. The financial and reputational risks to the department of hiring research faculty potentially exceed those of hiring regular faculty because their appointments, unlike those of untenured faculty, are not probationary, and the MSP contract requires that they be given a year notice for termination, regardless of whether they have the funds to pay themselves. Therefore, the process for deciding to create a research faculty position should proceed with the same deliberation as that for creating a regular faculty position, and a search committee should be formed to recommend a candidate to the Department Personnel Committee (DPC) and the Department Head. The mechanics of the appointment, e.g., the number of years and the wording of any accompanying letter will be the responsibility of the Department Head and the Administrative Officer so as to satisfy university hiring policies and MIE Bylaws.

Annual Performance Reviews

Annual performance reviews are established by the MSP contract. Research faculty have the right to be reviewed by their peers, and the merit review process determines part of their pay raises. Though the money for their merit raises does not come from the same pool as for regular faculty, it should be based on the same criteria. Therefore, the DPC should review the Annual Faculty Reports (AFRs) of research faculty the same way it does those of regular faculty. It might be observed that research faculty are not engaged in classroom teaching and so it is hard to evaluate them one-against-one with regular faculty. The DPC, however, already has to evaluate faculty who were on sabbatical, who were part time, who bought out of teaching a class, or who had extraordinary administrative duties. So while the mechanics of conducting the annual reviews of research faculty is up to each DPC, research faculty must be reviewed and ranked with the regular faculty to be consistent with the guiding philosophy that faculty are faculty. Faculty will be evaluated only on the basis of their assigned duties.

Periodic Performance Reviews and Promotion

Research faculty are important members of the department and deserve objective, in-depth reviews of their performance. They also deserve clear criteria for promotion. By mirroring the periodic performance requirements for regular faculty, the review process for research faculty members will enable the department to treat them appropriately. The process for consideration for Research Professor will be analogous to that for Professor. Additionally, the DPC should review the performance of research faculty before approving each reappointment.

Note that the Red Book specifically states that, unlike appointments for tenure-track faculty, research faculty appointments are not probationary, as per CBA article 21. In the event that termination of employment is warranted, it is the responsibility of the Department Head and the Administrative Officer to ensure that it is done per university policies.

Appointment to Committees

Research faculty members are members of the faculty and are expected to contribute to the administration of the department. It is appropriate that they serve on committees for which their expertise may be particularly valuable, e.g., a search committee for other research faculty. They might request to serve on the Graduate Committee. Since they are faculty and since their performance is reviewed by the DPC, they can stand for election to that committee. It is important to note, however, that they cannot use research funding to pay themselves other than to do work contracted for. It falls to the Department Head to make sure that research faculty contributes to the department without improperly spending research funds. It may be that research faculty will have no choice but to fund part of their time with Research Trust Funds or

unrestricted grants, or that the department pay for some of their time if it is deemed that their expertise on a committee is required.