

**BY-LAWS**  
**Department of Music and Dance**  
**October, 8, 2019**

**ARTICLE I. FACULTY**

Section A. Membership

1. Faculty membership in the department shall consist of all members of the faculty bargaining unit and the Department Chair, Emeritus Faculty on post-retirement appointments, and part-time faculty with less than a 50% appointment.

Section B. Faculty Officers

1. In the event the Department Chair is absent from campus, the Associate Chair (if one has been appointed) will be the signature authority or Acting Chair. In the event the Associate Chair is absent, the authority will move to the Chair of the Department Personnel Committee. If none of these individuals is available, the Department Chair will appoint an Acting Chair.

2. The Department Chair shall be the presiding officer at faculty meetings. In the event the Department Chair is absent from a faculty meeting, the meeting will be presided over by the Associate Chair (if one has been appointed); in the event the Associate Chair is absent, the meeting will be presided over by the Chair of the Department Personnel Committee.

**ARTICLE II. BYLAWS ADOPTION AND AMENDMENTS**

Section A. Bylaws

1. Bylaws shall be adopted by a positive vote of at least two-thirds (2/3) of the voting members in the Department, either in a faculty meeting or by mail ballot. Should the bylaws not be approved, the Department shall convene a meeting to discuss disagreements in order to facilitate an amended document and to revote. Bylaws will be submitted to the Provost's Office and the MSP. They will be revised, if necessary, and a final vote will be taken; they will become effective upon final passage.

2. It is the responsibility of the Department Chair and the Department Personnel Committee to review the Bylaws annually for possible revision and amendment. This should occur by the sixth week of the spring term of the academic year. Proposed amendments may be brought forward by the Department Chair, by any committee, or by a group of at least four (4) voting faculty.

3. Proposed amendments to the Bylaws must be circulated to the full faculty at least two (2) weeks in advance of a faculty meeting at which such amendments will be on the agenda for consideration and possible vote.

4. Amendments to the Bylaws shall be adopted by a positive vote of at least two-thirds of the voting members in the Department, either in a faculty meeting or by mail ballot, and, when appropriate, upon review by the Provost's Office and the MSP.

**ARTICLE III: FACULTY MEETINGS**

## Section A. Procedures

1. Regular faculty meetings shall normally be held at least once each month during the academic year.
2. 100% Full Time Equivalent voting faculty are expected to attend regular faculty meetings. In cases in which faculty members will be absent, for example for a professional engagement or health/family emergency, they shall give written notice to the Department Chair.
3. The Department Chair shall schedule regular faculty meetings prior to the beginning of the academic year, and special faculty meetings with at least two weeks prior notice. In the absence of a Department Chair, the Associate Chair (if one has been appointed) may schedule a special faculty meeting, with at least two weeks prior notice.
4. In extraordinary circumstances, the Department Chair may call an emergency meeting of the faculty. An emergency meeting of the faculty may also be called through a written request from at least four (4) faculty members. The request should be presented to the Department Chair or the Chair of the Department Personnel Committee, where applicable. Such an emergency meeting shall be held within three (3) business days of the original faculty request.
5. The agenda for a full faculty meeting shall be sent to all faculty members at least five (5) calendar days prior to the meeting.
6. A quorum shall be defined as fifty percent (50%) of the voting faculty.
7. At the request of any voting member at a faculty meeting, voting will be conducted by secret ballot.
8. The Department office will maintain a record of all Department faculty meeting minutes. These will include an accounting of all faculty actions, as well as copies of materials distributed at the meeting.
9. New business, other than amendments to the Bylaws, submitted less than five (5) calendar days prior to a meeting will be considered as time permits. Although such new business may be discussed at the meeting in question, it shall be voted upon only when placed on the agenda of a subsequent faculty meeting, in order to provide adequate notice to the entire Department.

## Section B. Voting

1. Voting privileges shall be extended to all members of the Department faculty in the bargaining unit who are fifty percent (50%) Full Time Equivalent or greater.
2. Proxy and/or absentee ballots will not be accepted.

## **ARTICLE IV: COMMITTEES**

### Section A: Responsibilities

1. All standing and ad hoc committees are sub-units of the faculty of the Department.

2. Departmental committees are also subject to policies and procedures external to the Department: for example, Department Personnel (the MSP contract, the “Red Book,” and University of Massachusetts documents pertaining to the appointment and review of administrators); Undergraduate Program and Graduate Program (Faculty Senate policies and procedures); and Search Committees (Office of Equal Opportunity & Diversity and Provost Office search policies and procedures).

3. In faculty meetings, committees may present matters of policy or motions that require the advice, or a vote, of the full faculty, provided those items have been placed on the agenda.

4. Committee members will serve terms extending from September 1 to May 31. Members of the DPC may volunteer to serve through August 31.

### Section B: Membership

1. The Department Personnel Committee is elected according to policies and procedures set forth in its Operating Code (see Section F below).

2. Membership on all other committees in the Department is through appointment by the Department Chair from among the faculty, staff, and/or students of the Department. All duly appointed members of Department committees shall be voting members of that committee.

3. With the exception of the Department Personnel Committee, and unless otherwise indicated in these Bylaws, the Department Chair will appoint committee chairs. The committees will elect committee secretaries, if deemed necessary, from among their membership.

4. The resignation of a member of a committee should be addressed to the Department Chair, and it is the responsibility of the Department Chair to fill the resulting vacancy.

### Section C. Procedures

1. Procedural matters of each committee shall be determined by its chair, in consultation with its membership, when not otherwise described by policies and procedures of the University, these Bylaws, or given as a part of the committee’s charge.

2. Committees should meet at least monthly and/or as needed to address their responsibilities.

3. Sub-committees of a standing or ad hoc committee may be created by the committee chair. (Membership of sub-committees is not necessarily restricted to members of the parent committee, although each sub-committee must include at least one member of the parent committee.)

4. Except for meetings of the Department Personnel Committee and search committees, all committee meetings shall be open to all department faculty; however, only members of the committee may vote.

5. Faculty may request to attend a Department Personnel Committee meeting by contacting the Chair of that committee.

6. Attendance by faculty who are not committee members (for example, to assist in understanding a course proposal or policy suggestion) shall be requested when necessary.
7. Attendance by students (for example, to assist in understanding a course proposal or policy suggestion) shall be requested when necessary.
8. Except for the DPC every committee must submit to the Department Chair a short summary report specifically indicating actions taken and recommendations for the future. The report is due at the conclusion of an ad hoc committee's charge, or in the case of standing committees, at the end of the academic year. The reports will be made available to the full faculty.

#### Section D: Ad Hoc Committees

1. The Department Chair may establish Ad Hoc Committees to review or study special issues within the Department.
2. The faculty may also propose Ad Hoc Committees to the Department Chair.
3. The faculty may also create Ad Hoc Committees as needed, by action of the full faculty.
4. Administrative actions or faculty motions establishing Ad Hoc Committees shall include:
  - (a) the name of the committee and its charge;
  - (b) the size and the composition of the committee;
  - (c) whether the committee shall be elected or appointed, and by what methods; and
  - (d) a date by which the committee is expected to present a progress or final report.

#### Section E: Search Committees

1. The faculty has primary responsibility for making initial recommendations with respect to faculty appointments.
2. The structure and functioning of Search Committees must conform with all applicable University policies and procedures.
3. Search Committee membership is determined by the Department Chair.
4. Departmental practice will also adhere to the following points:
  - (a) there should be a representative from the Department Personnel Committee on each Search Committee. (Note: this person may also fulfill another requirement; for example, a DPC member who addresses one of the other membership criteria.)
  - (b) there must be an odd number of Search Committee members (five [5] preferred).
  - (c) there must be at least one (1) member of each Search Committee from the area/discipline of the vacancy.
5. A Search Committee, after providing an opportunity for feedback from faculty and students, is responsible for making faculty appointment recommendations to the Department Chair.

#### Section F: Department Personnel Committee Operating Code

1. The role of the Department Personnel Committee (DPC) is regulated by the MSP contract, the “Red Book,” other relevant University of Massachusetts governance documents, the Massachusetts Fair Information Practices Act (FIPA), and all relevant state and federal laws.

2. Requests to alter the DPC operating code may be submitted to the DPC Chair during the period September 1 to October 1 or February 1 to March 1. Each request must be submitted in writing and contain the signature of at least four (4) faculty members eligible to vote on Departmental matters.

3. Revisions to this operating code will be voted on by the faculty at the November and/or April faculty meetings or within this timeframe by electronic ballot.

#### 4. Committee Membership

DPC members shall be elected for a term of two academic years, beginning September 1 after an election. (

(a) The DPC shall consist of seven (7) elected faculty members:

- (i) three members must be tenured faculty;
- (ii) two members must be non-tenure system faculty;
- (iii) two members must be tenure-track faculty.

(b) To be eligible for membership on the DPC, a faculty member must

- (i) anticipate being on active service during the term of committee membership;
- (ii) be employed at least sixty percent (60%) time;
- (iii) be beyond their first year of service at this University;
- (iv) be a member of the bargaining unit.

(c) Members of the DPC who have completed a full two-year term shall not be eligible for re-election until one year has elapsed from the expiration date of their previous membership.

(d) Faculty members shall not serve on the DPC during the year of their 4.2 review or tenure decision. However, this provision shall not prevent untenured members from serving a one-year term in the year preceding their tenure decision year. *(Members of the DPC who are the subject of a personnel action must recuse themselves from all proceedings of the committee pertaining to themselves and to any faculty member undergoing the same personnel action.*

(e) If, during a DPC member’s term, the member is not on active service or not employed sixty percent (60%) time, a temporary replacement will be elected for the required period. The election should take place within three (3) weeks of the vacancy at a full faculty meeting or by electronic ballot, according to the established procedures. Faculty members on sabbatical, on other leave, or incapacitated by serious illness are considered not to be on active service.

(f) If a member resigns from the DPC, an election to fill the unexpired term will be held at the next full faculty meeting or by electronic ballot, according to the established procedures.

(g) For consideration of major personnel actions concerning the faculty in the Dance Program when there is no dance faculty member on the DPC, the regularly elected DPC will be expanded to include the Director of the Dance Program (or if the personnel action concerns the Director, a proxy) and, in addition, the DPC will accept a written recommendation from the Five-College Dance Department Personnel Committee.

(h) The Chair of the DPC must be a full-time faculty member at the rank of Senior Lecturer II or Associate Professor or above.

#### 5. Election procedures

- (a) An election for the DPC shall be held within the last forty-five (45) days of the spring semester.
- (b) The Chair of the DPC shall conduct the election.
- (c) Membership terms will be staggered so that, under normal circumstances, no more than four (4) terms expire in any one (1) year.
- (d) At least ten (10) days in advance of the election meeting, the DPC Chair will notify all Department faculty, in writing, that nominations will be received until three (3) business days before the election meeting.
- (e) Nominations must be submitted to the DPC Chair, who will contact all nominees to confirm their eligibility, willingness to be nominated, and ability to serve for the two-year term.
- (f) The DPC chair will collect and publish the list of nominees two (2) business days prior to the election meeting.
- (g) All voting members of the Department faculty are eligible to vote in the election. The Department Chair may not vote or break ties in this process.
- (h) Secret ballots shall be used for voting.
- (i) Absentee votes will be accepted on behalf of those Department faculty members who have been formally excused from the meeting by the Department Chair. The request to the Department Chair to be excused must be received at least 48 hours before the election is to be held so that the DPC Chair can be notified in a timely manner. Absentee votes will be transmitted to the Chair of the Department Personnel Committee by 7 AM on the day of the elections in written or electronic form.
- (j) If there is a tie vote for a position, Department faculty and excused absentee Department faculty will be asked to vote again by secret ballot within twenty-four (24) hours of the original vote.

#### 6. Duties of the DPC Chair

The Chair of the DPC shall be elected by the members of the committee and shall be a full-time Senior Lecturer II or Associate Professor or above. The DPC Chair

- (a) will schedule and convene regular meetings;
- (b) will communicate promotion decisions in writing to the affected member and the Department Chair in a timely manner;
- (c) is responsible for adhering to the MSP collective bargaining agreement and “Red Book” policies;
- (d) in consultation with the Department Chair, addresses any apparent conflicts of interest by voting Department faculty members who should be recused from particular decisions;
- (e) brings to the Committee items for discussions as requested by the Department Chair.

#### 7. DPC vacancies

Should a member of the DPC not be able to serve out an elected term, the faculty will elect another member through the normal Departmental voting process within two weeks of the member’s resignation.

## 8. DPC Responsibilities

The duties of the Departmental Personnel Committee shall be in accordance with the MSP contract, in sum, to address major personnel actions for faculty (tenure, promotion, reappointment) and University governing documents.

## 9. DPC Governing Rules

- (a) a quorum of four members shall be necessary to conduct business;
- (b) a quorum must include at least one non-tenure track DPC member;
- (c) all elected members of the DPC, except those who have recused themselves, may vote on all matters;
- (d) all action by the DPC and information furnished to the committee shall be confidential and shall be released only in accordance with University policy, provisions of the MSP contract, and these bylaws;
- (e) a DPC member who discloses confidential information may be subject to removal from the committee;
- (f) members of the faculty may ask to speak with the DPC by notifying the DPC chair, providing information on the topic to be addressed

## Section G: Undergraduate Program Committee (Music)

### 1. Responsibilities. The Committee shall:

- (a) review and approve proposals that may be presented by areas, individual faculty members, or the committee itself for new courses, new and existing undergraduate curricula, and undergraduate degree plans;
- (b) present to the full faculty for ratification items in (a);
- (c) review items in (a), as necessary, recommending changes and adjustments to ensure compliance with the NASM standards/guidelines and the department's learning objectives;
- (d) ensure that undergraduate curricular policies and procedures of the department remain consistent with expectations of the College of Humanities and Fine Arts and the University;
- (e) approve or reject student petitions concerning exemptions from curricular requirements, when deemed necessary by the Director of Undergraduate Programs;
- (f) review admission requirements, and examination and recital procedures and requirements, as necessary;
- (g) assist with reports and other university- and NASM-related work as requested by the Department Chair.

### 2. Membership. The members shall include:

- (a) the Academic Advisor and Honors Program Coordinator (staff, non-voting ex officio);
- (b) the Undergraduate Program Coordinator (staff, non-voting ex officio);
- (c) at least four additional faculty members representing a variety of perspectives/departamental areas, who will normally serve two-year staggered terms and serve until their successors take office;
- (d) a faculty member will chair the committee.

### 3. Governing rules. Recommendations for changes to the curriculum (i.e., undergraduate degree requirements) must be approved by a 2/3 majority vote of the full faculty, prior to being sent through the University's approval process (which normally includes the College Curriculum Committee, the Dean, the Faculty Senate, and the Provost).

## Section H: Graduate Program Committee (Music)

### 1. Responsibilities. The Committee shall:

- (a) review and approve proposals that may be presented by areas, individual faculty members, or the committee itself for new courses, new and existing graduate curricula, and graduate degree plans;
- (b) present to the full faculty for ratification items in (a);
- (c) review items in (a), as necessary, recommending changes and adjustments to ensure compliance with the NASM standards/guidelines and the department's learning objectives;
- (d) ensure that graduate curricular policies and procedures of the department remain consistent with expectations of the Graduate School and the University;
- (e) approve or reject student petitions concerning exemptions from curricular requirements, when deemed necessary by the Director of Undergraduate Programs;
- (f) review admission requirements, and graduate examination and recital procedures and requirements, as necessary;
- (g) assist with reports and other university- and NASM-related work as requested by the Department Chair;
- (h) review applications for graduate Student Travel Awards in accordance with departmental guidelines and policies for those awards.

### 2. Membership. The members shall include:

- (a) the Graduate Program Director (faculty, ex officio), who will also serve as chair of the committee;
- (b) the Graduate Program Coordinator (staff, ex officio);
- (c) at least four additional faculty members who have graduate faculty status, representing a variety of perspectives/departmental areas. who will normally serve two-year staggered terms and serve until their successors take office;

### 3. Governing rules. Recommendations for changes to the graduate curriculum (i.e., graduate degree requirements) must be approved by a 2/3 majority vote of the full faculty, prior to being sent through the University's approval process (which normally includes the College Curriculum Committee, the Dean, the Graduate School, the Faculty Senate, and the Provost).

## Section J: Scholarship and Awards Committee (Music)

### 1. Responsibilities. The Scholarship and Awards Committee shall:

- (a) review audition and portfolio recommendations from the faculty and make final recommendations for admission and scholarships. Admission should be based on an array of criteria, including performing ability, SAT or ACT scores, GPA, and other factors.
- (b) act in an advisory capacity, along with the Department Chair, to the Director of Admissions and Recruiting with respect to relevant recruiting and admission processes;
- (c) review applications for undergraduate Student Travel Awards in accordance with departmental guidelines and policies for those awards.

### 2. Membership. The members shall include:

- (a) a representative for each applied area: woodwinds, brass, percussion, strings, piano, voice, marching band, jazz studies;
- (b) a member of the academic faculty;
- (c) the Director of Recruitment and Admissions (staff, non-voting ex officio);
- (d) the Department's Business Manager (staff, non-voting ex officio);

(e) the Department Chair (non-voting ex officio).

3. Operating Procedures. The committee will operate in accordance with guidelines in their operating document, which will be reviewed annually.)

### Section K: Conductors' Council

1. Responsibilities. The Conductors' Council shall:

- (a) schedule all ensemble performances and special events during the spring term for the following academic year, working with the appropriate University officials, Fine Arts Center representatives, and music department staff having responsibility for the calendar;
- (b) provide the next year's schedule of ensemble performances and special events to the publicity staff in advance of their publication deadlines;
- (c) advise the Facilities and Scheduling Coordinator on all event scheduling, as necessary;
- (d) vet all requests after the official scheduling period for conflicts;
- (e) ensure that all department faculty are notified of events that take students away from campus and with Department staff to maintain an online listing of such events;

2. Membership. The members shall include, but not be limited to, ensemble directors from the following areas:

- (a) wind studies / winds and brass
- (b) orchestral studies /strings
- (c) jazz studies
- (d) choral studies /opera
- (e) marching band
- (f) percussion
- (g) dance

3. Scheduling Priorities for Ensembles and Events:

- (a) Major ensembles:
  - (i) Priority One: Marching Band, Chamber Choir, Chorale, UMass Amherst Symphony Orchestra, Wind Ensemble, Symphony Band, Jazz Ensemble One, Chapel Jazz, Vocal Jazz, University Dancers
  - (ii) Priority Two: Concert Band, All-University Orchestra, Marimba Ensemble, Percussion Ensemble, Collegium Musicum, Opus One, Opera Workshop
- (b) Small Ensembles: all individual and combined instrumental choirs, studio recitals, special choirs, and chamber music groups
- (c) Special events: these may include, but are not limited to, String Day, Voice Open House, Piano Day, Flute Day, High-School Jazz Festival, ACDA/UMass Choral Festival, Honor Band, Double Reed Day, Saxophone Festival, Five College New Music Festival, Bach Festival and Symposium
- (d) Faculty recitals and guest artist appearances
- (e) Once the schedule is completed for the following academic year, the addition of any new events or concerts must be submitted to the Conductor's Council, Chair of the Department, and the Department scheduler.
- (f) The Department Chair will make any final decisions if deemed necessary by the Council regarding a challenging scheduling issue.