

Bylaws
Department of Chemistry
University of Massachusetts Amherst

Approved by a vote of 14 in favor, 1 against on February 7, 2017
Amended by a vote of 12 in favor, 1 abstention on April 16, 2019

1. **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 Chemistry (the "Department") in the College/School of Natural Sciences (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. As required by Article 12, these bylaws are subject to review by the Administration and MSP to ensure that the bylaws do not conflict with prevailing laws, policies, and the CBA; such review must occur before the bylaws or their amendments take effect.
2. **Faculty membership, rights, privileges, and responsibilities.** The Department's faculty (the "Faculty") includes all faculty in the Department without regard to bargaining-unit status, tenure status, or full-time equivalency. In general, all members of the Faculty have both the right and duty to participate in governance of the Department, including voting on matters brought before the Faculty, except as specified otherwise below and elsewhere in these Bylaws.
 - 2.1 *Non-Unit Faculty.* Non-unit faculty (department 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 Department Personnel Committees (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 are encouraged to attend faculty meetings. All tenure-track faculty, lecturers on continuing appointments, Research Associate Professors and Research Professors (but not Research Assistant Professors) can vote on non-personnel matters. See section 3.1.3 for access and voting rights for tenure and promotion cases.
 - 2.3 *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.
 - 2.4 *Rights and Duties of Faculty on Leave.* Faculty on paid leave (including, but not limited to parental leave, sabbatical leave and sick leave) maintain their rights but not their responsibility during the leave to exercise their rights to participate in the governance of the Department. 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 typically has the following standing committees. Unless otherwise noted, committee members are appointed by the Head.
 - 3.1 *Department Personnel Committee (DPC).*
 - 3.1.1 DPC Purview. All of the Department's Faculty will annually elect a core DPC to 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 Department's 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 Head.
 - 3.1.2 Composition and Eligibility of core DPC. Annually, typically at the last faculty meeting of the Spring semester, the Department's Faculty will vote on whether to have a core DPC or a committee of the whole and on the number of members the DPC will have and their terms of office. These bylaws describe the DPC as it has been constituted for over a decade. If the Faculty vote to change the composition of the DPC, the bylaws should be amended to reflect those changes. The core DPC will consist of seven Faculty. Tenured and pre-tenure tenure-track faculty and lecturers on continuing appointments are eligible to serve on the core DPC. Six members are elected to 3 year terms, with two new members elected each year. One member is elected to a one-year term. The election typically occurs at the last faculty meeting of the Spring semester. Members will also be elected as temporary replacements for vacancies (e.g., for DPC members on leave). This election will occur at the last faculty meeting of the Spring semester if the leave is known in advance, or at the earliest faculty meeting practical if the leave is unexpected. Candidates are nominated by themselves or by other Faculty. All of the Department's Faculty except for non-unit Faculty are eligible to vote in electing the core DPC. The election occurs by secret ballot.
 - 3.1.3 Ad hoc DPC. For all tenure and promotion cases within the DPC's purview as determined by the CBA, except for promotion to Senior Lecturer positions, Distinguished and Chaired Professor, we constitute an ad hoc personnel committee (instead of our core DPC) to review and vote on recommendation for tenure and/or promotion. This ad hoc committee will be comprised of all Faculty at or above the considered rank of the faculty member whose personnel action is being considered. Promotion of lecturers to a continuing appointment will be considered by an ad hoc DPC consisting of all tenure-track faculty and lecturers on continuing appointments. In addition, requests for Full Graduate Faculty status (the right to Chair a Dissertation committee) from non-tenure track faculty will be considered by an ad hoc DPC consisting of all Faculty with Full Graduate Faculty status. For tenure and promotion cases, there will be two meetings of the ad hoc

DPC. At the first meeting, the case will be discussed, but no votes will be taken. Lecturers on continuing appointment who would not otherwise be in the ad hoc DPC may attend this meeting and participate in the discussion. Faculty may attend this meeting remotely (e.g., via teleconference). At the second meeting, the ad hoc DPC will vote on promotion/tenure. In order to vote, Faculty must have attended the first meeting. Faculty can vote at the second meeting by proxy. For tenure and promotion cases involving the ad hoc DPC, the core DPC will assign a case manager typically from the core DPC to compile the student, internal and external letters and to write the final memo. The DPC will appoint the Chair of the ad hoc DPC. The Department will place in a secure online location the candidate's promotion package. It is expected that all those voting on the case will have signed the confidentiality statement and viewed the materials so as to be able to make an informed decision.

- 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 Head—such as AFR reviews, reappointment, promotion, tenure, periodic multi-year reviews (PMYRs), merit-pay allocations, and anomaly recommendations—the DPC will operate independently, and the Head must not convene or deliberate with the DPC, nor may the Head attempt by any means to influence the deliberations or judgment of the members of the DPC. The DPC can ask the Head about duties, such as teaching and service, assigned to Faculty members.
- 3.2 *Head's Advisory Committee*. Advises the Head on operational issues of the Department and reports on the DEC members' operational areas. The HAC includes the following members: the Department Head, Associate Head, Graduate Program Director, Undergraduate Program Director, DPC Chair and additional members at the discretion of the Head.
- 3.3 *Strategic Planning Committee*. Advises the Head on big picture questions regarding the future of the Department.
- 3.4 *Graduate Program Committee*. Oversees the progress and well-being of graduate students in the Department. Tracks students for success and deals with issues that arise (beyond what the Graduate Program Director (GPD) handles directly). The GPC is responsible for voting on termination of students not making adequate progress in the Ph.D. program. The GPC is responsible for updating and revising the graduate curriculum to meet the needs of the students and the research mission of the Department. Proposed major changes should be brought before the Faculty for discussion, then voted on at a future faculty meeting. This allows time for faculty to consider proposed changes and alternatives.
- 3.5 *Graduate Admissions Committee*. Evaluates and makes recommendations to the Graduate Dean on applicants to our graduate program. Assists in recruiting those students to accept our offers.

- 3.6 *Graduate Recruiting Strategies Committee.* Devises and implements new ways to attract quality students to apply to our program. Coordinates recruiting activities for accepted students.
 - 3.7 *Alumni and Industrial Relations Committee.* Communicates with our very loyal alumni base and fosters new outreach to industry.
 - 3.8 *Undergraduate Program Committee.* Oversees the progress of and provides support to our undergraduates; Oversees the undergraduate curriculum.
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 CNS Dean have authorized a search for a tenure-system faculty member, the Head will solicit from among the faculty interest in serving on the search committee. The 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. The 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 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; will organize campus visits, including public sessions open to all Faculty and students, for approved interviewees; will solicit faculty feedback on candidates; will propose a ranked list of the candidates; 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.

- 4.3 *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 vote on the ranked list of 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 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. Non-tenure system faculty on continuing appointments may vote on the ranking of the finalists; those not on continuing appointments may not. Votes on the acceptable finalists are by secret ballot.
- 4.4 *Conflicts of Interest.* Faculty should follow the Conflict of Interest rules set forth in section 6.6 of the Red Book.
5. **Non-Tenure-Track (NTT) Faculty Search Committees & Procedures:** 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.* Committees composed for NTT searches should include at least one current NTT faculty member if the Department has a NTT 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 Head to service on college- and university-level committees and in similar roles. In particular, the Head will annually appoint one representative to the College Personnel Committee. Eligibility for service on the CPC will be limited to full-time tenured faculty who have achieved the rank of Professor.
7. **Department Meetings.**
- 7.1 *Frequency.* Faculty meetings are typically held monthly during the academic year, and the schedule is distributed near the beginning of each semester. The Head

may call and convene additional special meetings as necessary to address urgent business of the Department.

- 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 events conflict with the meeting.
 - 7.3 *Meeting Agendas.* The Head will publish the agenda for each regular Faculty meeting at least one day before the meeting. The Head will publish the agenda for any special meeting at the time of the meeting's announcement.
 - 7.4 *Rules of Order.* The Head will serve as Chair of the meeting, with standard protocol used for calling questions and making motions.
 - 7.5 *Quorum.* A quorum is not required for the Department to conduct informational meetings and discussions. The Department may only vote on the business of the Department with a quorum consisting of at least half of the total voting-eligible Faculty and also half of the tenure-track Faculty. Voting members who are on leave may vote at meetings when they are physically present, but are not counted in the determination of quorums unless they are physically present.
 - 7.6 *Voting.* On matters requiring a vote of the Faculty, votes should be made in person. In exceptional circumstances, a Faculty member may attend the meeting by remote videoconferencing and may vote remotely. Except as otherwise specified in these bylaws, 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.
 - 7.7 *Minutes and Recordkeeping.* A member of the Faculty, typically the Associate Head, will take minutes, which will be circulated to the Faculty prior to the next meeting. The Department will maintain records of all meetings, including minutes and votes, for at least five years.
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). For reappointments of tenure-system faculty during their probationary periods, external reviews are not required. 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 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 Head with soliciting external reviewers. The candidate may suggest external reviewers, should do so in writing, and should discuss them with the Head. Some or all of the candidate’s suggested external reviewers may be solicited by the Head. The 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 Head may receive assistance in describing the “standing” of each external reviewer in the candidate’s file, but the 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. The solicitation of external reviews should occur in a timely fashion to allow return of letters before the file will be reviewed.
- 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 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 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 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 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 Head must individually solicit such internal reviews.
- 8.2.2 *Identification and Solicitation of Student Reviews.* The Head may solicit confidential comments from individual students. Written, signed comments from individual students who have had the candidate as an instructor are very helpful in assessing the candidate’s work in the classroom; comments 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 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 Head nor any other member of the Faculty should pressure the candidate to decide one way or another. The letter writers should be informed as to whether or not the candidate has waived their right to access the review letters.
- 8.4 *Participation of Faculty in RPT Cases.* Section 3.1.3 above describes the permissible participation of the Faculty beyond the core DPC 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 another instrument(s).
 - 8.5.2 *Peer Evaluations of Teaching Effectiveness.* For tenure and promotion, the Department may solicit teaching evaluations from peers that have co-taught with or sat in on courses given by the candidate.
 - 8.5.3 *Contributions to Program & Curriculum Development.* Applications for RPT should include evidence of the candidate's contributions to program and curriculum development (if any).
- 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. NTT faculty are 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 submit an AFR in a timely fashion may be subject to discipline. The core DPC and the 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. 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 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 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 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 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 Head's appointment.
 - 10.1 *Self-Evaluation.* As an initial step, the 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 *Meetings with Constituencies.* Members of the DPC will meet with Faculty and Staff and representatives of student groups to receive confidential assessments of the 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.
 - 10.3 *Meeting with the Head.* After most data collection is complete, the DPC will invite the Head to meet to discuss the initial findings of the data collection process. The Head may decline to meet.
 - 10.4 *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 Head should be reappointed. The report should assiduously limit its assessment to areas within the purview and control of the Head.
 - 10.5 *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.

- 10.6 *Final Report.* The DPC will finalize its report and will then submit it to the Dean, simultaneously providing a copy to the 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.
- 10.7 *Head's Response.* The 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 September 1, 2017. 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. Assuming a quorum is present, adoption of any such amendments, including their dates of effectiveness, requires a two-thirds' vote of the Faculty present.