

**Department of Hospitality & Tourism Management
University of Massachusetts Amherst**

Bylaws

(Approved: December 12, 2016)

(Final Review, Update and Approval March 21, 2019)

1. **Preamble:** 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 Hospitality & Tourism Management (the “Department”) in the Isenberg School of Management (the “School”) 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 Collective Bargaining Agreement (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. (Faculty Voted and Approved..) Faculty voted and approved change here.

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, rank, or tenure status. In general, as delineated herein, Faculty members have both the right and duty to participate in governance of the Department as specified in these Bylaws.
 - 2.1 *Non-Unit Faculty.* Non-unit faculty (department chair/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 DPCs and may not participate as members of the Faculty in promotion and tenure cases or other reviews of Faculty or administrators. Non-unit faculty may participate in other aspects of academic governance such as curricular decision-making and faculty searches.
 - 2.2 *Graduate Faculty.* Only Faculty who have been designated Graduate Faculty by the Dean of the Graduate School may deliberate and vote on graduate program and graduate curricular matters.
 - 2.3 *Part-Time Faculty Appointments.* Part-time bargaining-unit non-Graduate Faculty 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 *Full-Time Faculty Appointments.* Full-time bargaining-unit, non-Graduate Faculty, without regard to tenure status, should 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, and the University.

Rights and Duties of Faculty on Leave. Faculty on sabbatical leave maintain their rights during the leave to exercise their rights to participate in the governance of the Department and may vote electronically during such 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 participate in the governance of the Department with the exception of sick leave which would be prescribed by the parameters of that approved leave. In the case of all paid leaves, decisions that directly impact an individual's area of responsibility shall not be made in the absence of that faculty member.

3. **Standing Committees:** The Department maintains the following standing committees:
 - 3.1 *Department Personnel Committee (DPC).*
 - 3.1.1 DPC Purview. The DPC will perform the functions assigned to it by the CBA, including but not limited to reviewing the Annual Faculty Review and Evaluation of every member of the 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 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; and leading the review process for potential reappointment of the Chair/Head.
 - 3.1.2 Composition & Eligibility. Each fall semester, no later than the first regularly scheduled faculty meeting of the academic year, the members of the DPC are elected by a vote of full-time/bargaining unit faculty members. Only full-time Faculty are eligible for membership to the DPC. The DPC will be comprised of 4 (four) members one of whom will be from the ranks of Lecturers. The tenure system faculty members serving on the DPC will be selected from the ranks of Full professors unless there are not a sufficient number to complete the committee in which case Associate Professors may be elected to serve. For all reappointment, promotion, and tenure cases within the DPC's purview as determined by the CBA the DPC shall be constituted by members who rank and tenure status is equal to or greater than that of the proposed personnel action, and in such cases where the DPC Committee is comprised of four (4) or fewer members who are may vote in these cases (subject to the CBA clause 12.3.3), a temporary committee shall be convened with the consultation of the college personnel office for an assignment of temporary review members to serve and the DPC members shall recuse themselves from voting on such cases.
 - 3.1.3 Leadership of the DPC. At the beginning of each academic year, members of the DPC will select their own committee chair and the department's representative to the Isenberg School Personnel Committee. The DPC Chair and representative to the Isenberg School Personnel Committee must be tenured faculty members. The Department Chair/Head must not influence this selection. The DPC member from the ranks of Lecturers will serve on the Isenberg School committee that reviews promotions for contract faculty. Faculty serving and voting on the CPC or contract review committees shall not vote at this higher level on departmental cases but may present such cases.
 - 3.1.4 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 requires a quorum of two-thirds of its eligible members in order to conduct official business; in voting and in drafting written materials, the DPC may conduct its business electronically.
 - 3.1.5 *Curriculum Committee:* The Curriculum Committee is responsible for all curriculum-related matters within the Department, and will meet on an as-needed basis. The Committee and its Chair are appointed by the Department Chair/Head. The Curriculum Committee requires a quorum of two-thirds of its eligible members in order to conduct official business; in voting and in drafting written materials, the Committee may conduct its business electronically.
 - 3.2 *Faculty Search Committees:* Faculty search committees shall be formed by the Department Chair in consultation with the DPC Chair.
4. **Representation by Faculty on College- and University-Level Committees.** Faculty may volunteer for or may agree to be appointed by the Chair/Head to service on college- and university-level committees and in similar roles; the Department Chair/Head shall not appoint the CPC members.

5. **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.

5.1 *External Reviews of Reappointment, Promotion and Tenure (RPT) Cases.*

- 5.1.1 *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. While not required, as permitted by the CBA's Article 21, Lecturers may request external reviews.
 - 5.1.2 *Number of External Reviews.* The Department Chair/Head will make a good-faith effort to secure at least six "arm's-length" external reviews for every promotion and/or tenure case that requires external reviews.
 - 5.1.3 *Identification and Solicitation of External Reviewers.* The CBA charges the Chair/Head with soliciting external reviewers and permits the candidate to suggest external reviewers, some or all of whom must be solicited by the Chair/Head. The Chair/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 Chair/Head may receive assistance in describing the "standing" of each external reviewer in the candidate's file, but the Chair/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.
 - 5.1.4 *Qualifications of External Reviewers.* In general, external reviewers should be well recognized scholars or professionals in the candidate's field, 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 Chair/Head should carefully explain why such reviewers are appropriate for the task of commenting on the candidate's having met the relevant standards.
 - 5.1.5 *Candidate's Rights Regarding External Reviewers.* Before making such solicitations, the Chair/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. One-half of the external reviewers on the list should be from those suggested by the candidate, with the other one-half selected by the Chair/Head. If the candidate identifies a conflict of interest with any of the proposed reviewers, the Chair/Head should assess whether a true conflict exists and, if one does, should eliminate, mitigate, or manage the conflict.
- 5.2 *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 Chair/Head nor any other member of the Faculty should pressure the candidate to decide one way or another.
6. **Implementation of these bylaws:** By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect on December 12, 2016 and reviewed by and update in March 2019. 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.

7. **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 all full-time Faculty.

**DPC Chair conducted vote and review to redo and circulate for final approval on March 20, 2019.
Final Approval conducted and completed by faculty 3/21/19**