

OPERATIONS AND INFORMATION MANAGEMENT DEPARTMENTAL BYLAWS

1. Statement of Principles

Effective governance involves structures and practices that help to create a collegial environment and efficient procedures with which to conduct the affairs of the department. Nothing in this document should be construed as contrary to University policies; rather it is intended to facilitate the work of the department as it is outlined in the MSP Collective Bargaining Agreement.

2. Eligibility

In all departmental matters when a faculty vote is required, faculty eligible to vote will consist of tenure track faculty as well as full-time non-tenure track faculty. Tenure-track faculty who occupy administrative positions are not eligible to vote on departmental matters. The Department Chair will not be eligible to vote unless otherwise stipulated. Faculty eligible to vote will hereafter be referred to as “eligible faculty”.

3. Department Chair

The OIM department shall be headed by a Chair who is responsible for ensuring proper procedures are followed at the departmental level. Other roles and responsibilities include: Advocating for faculty resources, overseeing allocation of resources, coordinating administrative matters related to personnel actions, keeping faculty informed of their rights and responsibilities, appointment of administrative positions, ensuring compliance with University policies and collective bargaining agreements, evaluation of staff, and developing and maintaining long range planning. *[See also 3.5 and 6.4 of the Redbook.]*

3.1. Selection of Department Chair

The Dean, after consulting with the OIM Department Personnel Committee (DPC) shall appoint a Search Committee that includes a majority of members from the department and perhaps some representatives of closely related departments. To avoid conflict-of-interest and undue pressure from more senior faculty, only faculty with the rank of full professor are eligible to be Chair. The Search Committee will present its recommendation to both the department and the Dean, and if a majority of the eligible faculty accepts the recommendation and the Dean agrees, then with the concurrence of the Provost, the Dean shall proceed with the appointment. Voting on this matter will be by secret ballot. An incumbent Chair who is stepping down is eligible to vote on her/his replacement.

If a majority of the eligible faculty accepts the recommendation, but the Dean does not, the Dean shall meet with the department to achieve a resolution. If that fails, the matter shall be referred to the Provost for resolution.

If a majority of eligible faculty rejects the recommendation, the Dean shall meet with the department and the Search Committee to try to resolve the matter. If no resolution is achieved, the Dean may re-open the search with the same or different search committee or simply refer the matter to the Provost for resolution. *[See Senate Document 90-029A.]*

3.2. Resignation or Removal of Head/Chair

A Chair wishing to resign writes a letter of resignation to both the Dean and the Department. Should the Dean and the Department (based on a secret ballot of the eligible faculty administered by the DPC) disagree on its acceptance, the matter shall be referred to the Provost.

If, at any time, the Dean, or the majority of eligible faculty in the Department, seeks removal of a Chair, it is of vital importance, and in the interest of harmony, for the Dean to consult with the Department prior to making his or her decision. In the case of disagreement, the matter shall be referred to the Provost. *[See Trustee Document 70-62A.]*

3.3. Interim Head/Chair Appointments

In an emergency, the Dean, in consultation with the DPC shall appoint an acting Chair. Except in very special circumstances, term should not exceed one year. The Dean may extend the term of office beyond a year only with the consent of the DPC. *[See Senate Document 90-092A, sec. 13.]*

The process for determining a “consensus candidate” for the position of interim Chair should include nominations and self-nominations to the DPC, along with a letter of interest and CV. The list of nominations will be presented at a Department meeting, with nominations from the floor accepted. A secret ballot of eligible faculty will then be used to determine the successful candidate. An incumbent Chair who is stepping down is eligible to vote on her/his interim replacement. If there is no outright winner, the DPC will then administer a run-off ballot between the leading candidates. The successful candidate’s name will be forwarded to the Dean, who upon approval will make the appointment.

3.4. Term of Office for Heads, Chairs, and Directors

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

3.5. Review of Chair

Before any Department Chair is reappointed to a new term, he or she shall be evaluated during every third year in office in a review process initiated and conducted by the DPC. By petition of a majority of eligible faculty, an evaluation may be requested at any time. *[See Senate Document 82-021.]*

4. Department Meetings

Department meetings, which include all full and part-time faculty, shall be convened by the Chair for the purpose of sharing information, seeking counsel from members of the department, receiving reports and recommendations from standing committees, and conducting other departmental business.

Whenever the Chair deems appropriate, he or she can schedule a meeting of the Department faculty, and notify the faculty via their official UMass email with a minimum of a week's notice. By petition of at least 30% of the eligible faculty, the Chair will convene additional special meetings to address matters raised by the petitioners. Any faculty, full or part time, may request that the Chair add an agenda item to the meeting.

The Department may meet and act on the business of the Department with a quorum consisting of at least three quarters of the eligible faculty not on leave or sabbatical. Faculty on full-time paid leave (including parental leave and sabbatical leave but excluding sick leave) maintain their rights during the leave 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 departmental governance for the duration of such leave.

On matters requiring a vote of the eligible faculty, 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. In order to avoid undue pressure on faculty, it is also expected that important votes be conducted via secret ballot outside department meetings, using a method to be determined by the Chair; this also relieves quorum needs. Except as otherwise specified in these bylaws, a simple majority vote will suffice to carry a motion.

5. Department Personnel Committee (DPC)

At the beginning of each academic year, the department will establish its personnel committee in order to exercise the responsibilities described in the collective bargaining agreement. These include: review of AFRs; distribution of merit; reappointments, promotions and tenure; anomaly requests and PMYR processes. The term of service for the DPCs is from September 1 until the beginning of the following fall semester.

5.1. Election and Constitution of the DPC

The DPC shall consist of three or more members of the faculty that have attained the rank of full professor. It will be elected through a process established by the Chair, typically at the first faculty meeting of the year. Faculty on one-semester leave or sabbatical can continue to serve on DPC for that semester or resign at their option

5.2. Duties of the DPC Chair

Each year, the Chair of the DPC will be elected by the members of the committee. The Chair will schedule and convene meetings as needed, and will communicate promotion decisions in writing to the affected member and the Department Chair in a timely manner. The Chair is also responsible for adhering to the MSP collective bargaining agreement and Red Book policies. The DPC Chair also addresses any apparent conflicts of interest by DPC members who should be recused from particular decisions.

5.3 DPC Vacancies

Should a DPC member not be able to serve out his or her elected term, the department may choose to elect another member through their normal departmental voting process.

6. School Personnel Committee

Every three years, at the beginning of the academic year, the department will elect a representative to the School Personnel Committee (SPC) for a three-year term, by majority vote of eligible faculty. This can be done by voice vote unless any individual member of the Faculty requests otherwise, in which case the vote must occur by secret written ballot. Only faculty who have attained the rank of full professor are eligible to serve on this committee.

To avoid double jeopardy, the SPC representative cannot simultaneously be a member of the DPC.

7. Other Departmental Committees

The department has no other standing committees, and deals with all curriculum, accreditation and other issues by a “committee of the whole” approach through its ordinary faculty meetings, with all the rules that apply there.

The Department Chair in consultation with the faculty may from time to time determine the need for other *ad hoc* committees to insure the smooth management of the department or for special planning or reviews.

8. Identification and Solicitation of External Letters in Tenure and Promotion Cases

In considering tenure and promotion cases, the Department Chair, in collaboration with and concurrence of the DPC, will solicit six external letters, and only in special cases where further clarification is needed, or there is significant disagreement among the six letters, might the Department Chair or DPC request additional letters. The candidate is permitted to suggest external

reviewers, and in addition may suggest reviewers who are not at arm's length, but who can provide valuable information about the incumbent.

The Chair may receive assistance in describing the "standing" of each external reviewer in the candidate's file, but the Chair is ultimately responsible for ensuring 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.

9. Bylaw adoption and amendments

By-laws shall be adopted by a vote of at least two-thirds of all eligible faculty in the department, not counting abstentions. Should the by-laws not be approved, the department shall convene a meeting to discuss any disagreements in order to facilitate an amended document and re-vote. By-laws will become effective immediately upon the results of voting.

9.1. Amendments to the By-laws

Amendments to the by-laws can be brought up by the DPC or by ten percent of the eligible faculty members before the last department meeting of the year. The proposed amendment must be circulated for at least ten days before the department meeting in which the amendment is to be discussed. After discussion of the amendment, the proposal must again circulate as a written referendum before a final vote of eligible faculty by secret ballot.