

**Department of Psychological & Brain Sciences  
University of Massachusetts Amherst**

**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 Psychological and Brain Sciences (PBS/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. 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 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 Chair, 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 the Departmental Personnel Committee (DPC, nor on a DPC that 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.* In PBS all promotion and tenure cases are deliberated by the DPC which is composed of six tenure-track faculty and one lecturer, all of whom are elected by the full faculty. (See also Section 3.1.3).
  - 2.3 *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.
  - 2.4 *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.

- 2.5 *Faculty Appointments Greater than 50%*. Bargaining-unit, non-Graduate Faculty with an FTE of 50% or greater, without regard to tenure status, should have access to relevant information and may deliberate and vote on all non-graduate programmatic and curricular matters.
  - 2.6 *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.
  - 2.7 *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:

**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 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 Chair; coordinating award nominations.

The Department Personnel Committee formally recommends actions to the Department Chair who has the responsibility of forwarding recommendations to the Dean and comments in a separate memorandum on the personnel actions.

3.1.2 DPC Membership

1. No faculty member may serve on the Department Personnel Committee during a year when she/he is subject to a major personnel action (e.g.,

- reappointment, promotion, tenure) or if there is a potential conflict of interest with an upcoming personnel action (e.g., a spousal promotion).
2. The Department Personnel Committee consists of seven faculty members. Six members of the committee must be tenure-system faculty and one member must be a lecturer.
3. Except in situations in which there is not sufficient availability of faculty, all Divisions of the Department must be represented by a tenure-system faculty member.
4. Members cannot serve more than two years in a row. A full year must elapse after the second year before a member can be re-elected.
5. Lecturers take part in all Department Personnel Committee actions.

### 3.1.3 DPC Election Procedures

1. All new members of the Department Personnel Committee are elected for 2-year terms at a Departmental Meeting in the spring. Replacement for any faculty member who leaves the Committee off-cycle is by special election.
2. All faculty members (non-tenure and tenure system) can vote for all Department Personnel Committee members.
3. For Department Personnel Committee elections, a faculty member holding an appointment in two Divisions will be identified as belonging to the Division in which she/he was initially appointed unless otherwise agreed upon in advance of the election by the Chair and the faculty member.
4. The Personnel Committee elects one of its tenure-system faculty members as Chair.
5. Absentee voting for DPC membership is not permitted.

### 3.1.4 DPC Confidentiality and Public Disclosure

All personnel proceedings fall under the Commonwealth's current Fair Information Act. This means that the contents of all documents on personnel actions are available to the candidate, except where he/she may elect to waive rights to recommendation/evaluation letters. A faculty member who is being considered for a major personnel action should therefore be given the option of signing a waiver, in which case letters of recommendation/evaluation would be held confidential. If the candidate declines to sign the waiver, the evaluators will be told that their comments will be available to the candidate. In no case should the candidate be denied a free choice in choosing to sign the waiver at any level. Irrespective of the waiver choice, any recommendations made by the Department Personnel Committee and the Department Chair are to be made available to the candidate, according to the policies stated in the Red Book.

Except as noted above, all discussions and actions of the Department Personnel Committee are strictly confidential. Each candidate is informed of the action taken in his/her case and the reasons for the action. The candidate will also receive the redacted evaluation letters of the Department Personnel Committee and the Department Chair. The candidate is encouraged to discuss the Committee's action with members of the Committee and/or with the Department Chair. The candidate may also provide any additional material to the file as it moves forward. If the candidate wishes to make this information public, that is his/her prerogative.

### 3.1.5 Annual Faculty Reports (AFR)

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 manner may be subject to discipline. The core DPC and the Chair 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 Chair 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 Chair 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.

All faculty members, both tenure system and non-tenure system, must by Union Contract fill out an Annual Faculty Report in which they provide information on their accomplishments in teaching, research, and service during the previous academic year. First-year faculty are exempt from this requirement. The AFR is the primary source of information used to determine merit raises.

#### Process of Evaluation:

The calendar for submission of annual reports by faculty and for their return to faculty and forwarding to the Dean is set by the Provost. The DPC evaluates the AFRs and provides written feedback to the faculty. The faculty then may respond to these evaluations. (Refer to PBS Policies and Procedures for details regarding the evaluation process.)

3.1.6 Merit Raises

When funds are available (based on the currently negotiated Union Contract), merit salary increases and bonuses may be awarded. The ratings of the AFR are used as the primary source of information; however, considerations of anomalous salaries may also come into play. Non-tenure system faculty are also a part of the merit process, and their contributions should be evaluated based only on their teaching and service. In unusual cases, the workload and expectations of tenured faculty may change as a function of the Periodic Multi-year Review (PMYR). Any change in workload (usually an increase in teaching to counteract a reduction in research) must be approved by the DPC and Department Chair during the PMYR process. (Refer to PBS Policies and Procedures for details regarding merit raises and equity recommendations.)

3.1.7 Reappointment without an attached Mini-tenure Review

Commonly, new faculty members are hired for an initial 3-year period. As required by the Redbook, faculty must be reappointed 1 year in advance of the end of their first contract, thereby requiring a reappointment in the spring of their second year.

In the reappointment process, the Department Personnel Committee and the Chair review the candidate's progress in terms of teaching, research, and service using available information in the Annual Faculty Report and other sources (e.g., faculty in the division). If the faculty member has shown evidence of continuing achievement and growth since the initial appointment, a positive recommendation for reappointment is made.

3.1.8 Reappointments with an associated mini-tenure review

Purpose: The purposes of this review are to: (1) provide the candidate with feedback regarding his or her strengths and weaknesses so that the candidate can make adjustments to how he or she prioritizes effort, and (2) to reappoint the faculty member through the tenure decision year (TDY).

Timing: Because of the need to provide feedback in a timely manner, the Department typically conducts the mini-tenure review in the 3rd year of service for a new faculty member whose tenure decision is in the 6th year of service.

Preparation: The Department Chair meets with faculty in the fall semester to describe the process and to indicate what the faculty member provides for the review (e.g., a personal statement, updated CV, relevant publications, teaching portfolio, and a list of faculty and students who can comment on their work. Consistent with CNS best practices, letters from external reviewers are also solicited.) The Department Chair also discusses the waiver process and answers any questions.

Criteria: As stated in the Red Book, the criteria for reappointment (without promotion or tenure) are "evidence of continuing achievement and growth

since initial appointment" and "reasonable assurance of continuing professional development consistent with the ability to reach the level for eventual promotion to the next higher rank." The Committee and the Chair are also charged with the responsibility of giving due consideration to program plans and flexibility, as well as affirmative action goals.

Review Process: The review is conducted by the faculty-elected Department Personnel Committee and the Department Chair, both of whom submit their independent reviews to the Dean; these reviews are subsequently made available to the faculty member in redacted form. (Refer to PBS Policies and Procedures for details regarding review procedures pertaining to the mini-tenure review.)

#### 3.1.9 Tenure

As stated in the Red Book, the requirements for tenure are: "Convincing evidence of excellence in at least two, and strength in the third, of the areas of: (1) teaching; (2) research, creative or professional activity; and (3) service, such as to demonstrate the possession of qualities appropriate to a member of the faculty occupying a permanent position." Additionally, there must be "reasonable assurance of continuing development and achievement leading to further contributions to the University." Finally, consideration must be given to "program plans, at the department, college, campus, and university level; flexibility, as affected by rank/tenure distributions; and affirmative action goals." (Refer to PBS Policies and Procedures for details regarding procedures for tenure and promotion.)

#### 3.1.10 Promotion to Associate Professor

Promotion to Associate Professor usually occurs at the time that tenure is granted; however, the criteria for the two personnel actions are somewhat different. There are two criteria for promotion to Associate Professor. The candidate "must have a record of achievement sufficient to have gained recognition on and off campus from scholars or professionals in his or her field, and must show promise of continuing professional development and achievement."

#### 3.1.11 Promotion to Professor

The criteria are taken from the Red Book: "The faculty member must have a record of achievement sufficient to have gained substantial recognition on and off campus from scholars or professionals in his or her field; and must show significant potential for continuing professional advancement." In assessing the candidate's qualifications, three areas of activity must be taken into consideration: scholarship (as evidenced by research, creative, or professional accomplishments), teaching, and service.

The Department Personnel Committee interprets these criteria for promotion to the rank of Professor as requiring excellence in the candidate's achievements in research. Additionally, the candidate must also have made excellent contributions in one of the two remaining areas and

have shown strength and competence in the third. Under very unusual circumstances, excellence in service or teaching may be considered as the main factor for promotion, but only if this effort is recognized and acknowledged by an important and highly valued body of scholars or professionals external to the University.

3.1.12 Early Promotion to either Associate Professor or Professor

Faculty who have made outstanding contributions in research may request consideration for promotion to Professor earlier than the norm.

"Outstanding contributions" should be understood to mean contributions well beyond the norm of other Department faculty or the academic community in general, as indexed by national recognition of the importance of the contributions made to knowledge in a substantive field. In addition, a candidate for early promotion should be expected to show excellence in research and either teaching or service. (Refer to PBS Policies and Procedures for details regarding policies and procedures relevant to early promotion to the rank of Professor).

3.1.13 Periodic Multi-Year Review

Periodic Multi-Year Review (PMYR) occurs every 7th year after promotion and tenure except during promotion to Professor. In contrast to the AFR, this review is designed to examine the long-term accomplishments of the faculty member. The PMYR is "intended to recognize that individual interests and abilities of faculty members may change over time and that faculty members may meet their professional responsibilities to their department in varied and changing ways." Thus, the PMYR can be used to alter faculty workloads in ways that ensure recognition of this changed workload with respect to departmental expectations and merit raises. As part of the process, faculty present a plan for their activities during the next cycle.

3.1.14 Independence of the DPC. On personnel actions for which the CBA identifies independent roles for the DPC and the Chair—such as AFR reviews, reappointment, promotion, tenure, PMYRs, merit-pay allocations, and anomaly recommendations—the DPC will operate independently, and the Chair must not convene or deliberate with the DPC, nor may the Chair attempt by any means to influence the deliberations or judgment of the members of the DPC.

3.1.15 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 decide whether to conduct some business electronically. When addressing confidential personnel matters, DPC meetings will not be open to non-DPC members. The DPC should keep a record of its meetings and transactions, which the Department

should retain for five years and should be available to subsequent DPC members; the DPC need not keep meeting minutes.

### 3.1.16 DPC Responses to the Dean's Queries in Reappointment, Promotion, and Tenure 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.

### 3.1.17 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 ***Department Executive Committee***

### 3.2.1 Function

The Department Executive Committee (DEC) reviews and recommends Departmental policy. The Executive Committee has the following responsibilities: (1) General policy planning for future development of the Department; (2) Review and approval of all proposals emanating from the various standing Committees that have Department-wide implications; and (3) Implementation of policy.

All major proposals must be brought to the Departmental Meeting for approval. Once a policy has been voted upon by the Executive Committee and/or the Department Meeting, that issue will ordinarily not be considered again for two full calendar years subsequent to the year in which it was adopted. It may be reconsidered at any time, however, by a 2/3 petition of the Executive Committee, or a petition by at least 1/4 of the members of the Departmental Meeting.

### 3.2.2 DEC Membership

The Executive Committee shall comprise the Division Heads, one graduate student, one undergraduate student, and a staff member elected by the staff. Ex-officio members without vote are: (1) the Chair of the Department, who shall serve as Chair of Executive Committee meetings (and who may vote to break tie votes); (2) the Associate Department Chair for Research who shall serve as Chair in absence of the Department Chair; (3) Associate Department Chair for Teaching, Learning, & Advising; (4) the Graduate Program Director; (5) the Undergraduate Program Director; (6) the Chair of the Diversity

Committee; and (7) the Chair of the Department Personnel Committee. Ex-officio staff members include the Assistant to the Chair and the Director of Finance and Operations.

The graduate student representative is elected by the graduate students, and the undergraduate representative by Psi Chi. These student representatives may vote on policy issues.

### 3.2.3 DEC Meetings and Operations

The Chair schedules and convenes meetings of the DEC, which need not be publicly announced or open to non-members except as required by Massachusetts law.

A quorum will consist of at least two-thirds of the non-student voting members of the DEC.

## 3.3 ***Graduate Studies Committee***

### 3.3.1 Function and Membership

The Graduate Studies Committee is charged with: (1) developing policies relevant to graduate education in the Psychological and Brain Sciences Department, (2) providing information to Division Heads that will assist in setting numerical admissions goals for their graduate programs, and (3) overseeing the implementation of existing graduate programs policies and procedures. Petitions concerning exceptions to rules are heard and voted on by the Committee, as are non-termination grievance cases that have failed to be resolved via informal mediation. The Graduate Studies Committee is composed of the Graduate Program Director, who serves as Chair, at least three faculty members appointed by the Department Chair, the Graduate Program Staff Assistant, and three graduate students, elected by their peers. GSC membership should represent the Department divisions as broadly as is feasible.

All cases of academic dishonesty involving graduate students enrolled in the graduate program shall be referred by the instructor to the Graduate Studies Committee for deliberation concerning consequences to the student.

Graduate Studies Committee decisions raising substantial policy issues may be referred to the Executive Committee for further deliberation. Major policy changes must be voted on during a full Department meeting. (Refer to PBS Policies and Procedures for details regarding graduate admissions, financial support of graduate students, advising, evaluations, termination, criteria for master's and doctoral degrees). For discussions of confidential issues, a closed session would be held in which student representatives are excluded.

## 3.4 ***Undergraduate Studies Committee***

### 3.4.1 Function and Membership

The Undergraduate Studies Committee (USC) oversees the undergraduate curriculum, course enrollments and enrollments in the major, issues related to course demand, and carries out other activities that pertain to

undergraduate training. The USC is composed of the Undergraduate Program Director; the Associate Chair for Teaching, Learning, & Advising; at least two additional faculty members; the Undergraduate Program Staff Assistant; and the Scheduling Coordinator.

3.5 ***Diversity Committee***

3.5.1 Function and Membership

The Diversity Committee reviews and recommends policies to assist with recruitment and retention of a diverse faculty, staff, and student body. The committee includes faculty, staff, and graduate students.

3.6 ***Honors Committee***

3.6.1 Function and Membership

The Honors Committee reviews and oversees the departmental honors program which is managed by the Honors Program Director. The committee includes the Honors Program Director and at least two other faculty.

3.7 ***Research Committee***

3.7.1 Function and Membership

The Research Committee is responsible for enhancing the research capabilities of the Department. The committee is chaired by the Associate Chair for Research and includes at least two other tenure-stream faculty and a member of the staff.

3.7 ***Ad-hoc Committees***

The Department Chair may appoint ad hoc committees as needed for the governance of the department.

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 Chair will solicit from among the faculty interest in serving on the search committee. The Chair 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. The Chair may appoint a graduate student to such search committees. In selecting members, the Chair will attempt to compose a committee that is representative of the Department, which 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. The Department Chair 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 Chair 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 and the graduate student member of the search committee the application materials of approved campus interviewees—provided the Faculty and graduate students 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 solicit votes from all faculty after the last campus interview (by secret ballot) on the acceptability of the 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 *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. The Department Chair, Faculty, and graduate students who wish to view these 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 not make a physical (including printed) or electronic copy of any of the materials.
  - ▶ She/he will not contact any of the parties who have provided confidential references.
  - ▶ 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, cover letters, publications, and personal statement about research and teaching, confidential materials such as letters of recommendation should not be made available to students except for the student member of the search committee.

- 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 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:** 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 be 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.
  - 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 Chair to service on college- and university-level committees and in similar roles. Service on the following committees, however, is as described below:
- 6.1 *College Personnel Committee (CPC).* The Department member of the CPC is appointed by the Department Chair and is a full-time tenured faculty who has achieved the rank of Professor.
  - 6.2 *College Review Committee (CRC).* The CRC reviews the promotion applications of Lecturers and Senior Lecturers and is elected at large across the College by Faculty with any form of the title Lecturer. The Department's Faculty with any form of the title Lecturer will annually nominate from among themselves one person to stand for election to the CRC.

(See College of Natural Sciences Personnel Committee Best Practices Document)

7. **Department Meetings**

The governance body of highest authority in the PBS Department is the Department Meeting. Membership will consist of all faculty members at 50% time or more, and all staff as defined by the Department Executive Committee, and the elected representative of the graduate students, of the undergraduate students. Normally, the Department Meetings are called by the Department Chair, and an agenda for each meeting is circulated at least one week in advance.

The Department Meeting serves two primary functions: (1) to review major changes in policies and procedures as recommended by the appropriate standing committee and endorsed by the Executive Committee, and (2) to elect departmental personnel committee members. Policy considerations and matters of major import are discussed and voted by the members of the Department Meeting.

- 7.1 *Frequency.* At least once per semester and with at least one week’s notice, the Chair will schedule and convene general meetings of the Faculty. The Chair 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 Department meetings and to attend all special meetings unless university-related duties or event conflicts with the special meeting.
  - 7.3 *Meeting Agendas.* The Chair will publish the agenda for each regular Department meeting at least one week before the meeting. The Chair 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 Department.
  - 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 membership, votes may be made by written proxy or electronically in a method to be determined by the Chair. However, proxy voting is not permitted for elections to the Departmental Personnel Committee. 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.* Unless the membership request otherwise and a member of the Faculty volunteers for this duty, the Department’s administrative assistant will attend all meetings of the Department to take minutes, which will be archived on the departmental intranet no later than two weeks after the meeting. The Department will maintain records of all Department 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 mini-tenure (4.2 Review) and tenure cases for tenure-system faculty require external reviews (as specified in the Red Book and CBA). 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 Chair will make a good-faith effort to secure "arm's-length" external reviews for every promotion and/or tenure case that requires external reviews. The Chair 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 Chair with soliciting external reviewers and permits the candidate to suggest external reviewers, some or all of whom may be solicited by the Chair. The Chair 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 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 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 Chair 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 Chair 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 Chair 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 Chair 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 Chair must individually solicit such internal reviews.
    - 8.2.2 *Identification and Solicitation of Student Reviews.* The Chair may solicit 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 Chair 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 Chair 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.* Section 2 above describes the permissible participation of the Faculty beyond the 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:  
*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).  
*Peer & Expert Evaluations of Teaching Effectiveness.* Any faculty may seek consultation and formative evaluations of their teaching effectiveness from the Institute for Teaching Effectiveness & Faculty Development.  
*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 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. **Term of the Department Chair.** The standard term of service is 3 years, as recommended by the Dean of CNS. If the Chair wishes to be reappointed to another term in that position, the Department's Faculty, led by the DPC, will conduct a review of the Chair 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 Chair's appointment.
  - 9.1 *Self-Evaluation.* As an initial step, the Chair 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 15<sup>th</sup>.
  - 9.2 *Survey.* The DPC will prepare and distribute four confidential surveys no later than November 1<sup>st</sup>: (1) one to departmental staff; (2) one each to representative undergraduate majors and representative graduate students; and (3) 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 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.
  - 9.3 *Meetings with Constituencies.* The DPC will offer to meet with employee and student groups to receive confidential assessments of the Chair'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.
  - 9.4 *Meeting with the Chair.* After most data collection is complete, the DPC will invite the Chair to meet to discuss the initial findings of the data collection process. The Chair may decline to meet.
  - 9.5 *Draft Report.* No later than December 1<sup>st</sup>, 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 Chair should be reappointed. The report should assiduously limit its assessment to areas within the purview and control of the Chair.

- 9.6 *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.
- 9.7 *Final Report.* The DPC will finalize its report and will then submit it to the Dean, simultaneously providing a copy to the Chair (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.
- 9.8 *Chair's Response.* The Chair may prepare and submit to the Dean a written response to the final report.

**10. Implementation of these bylaws:** By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect on April 24, 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.

**11. 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. These bylaws shall additionally be reviewed every three years, beginning in 2020.