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OUTLINE OF ISSUES THAT DEPARTMENTAL BYLAWS SHOULD

ADDRESS.

Preface

This is a template for advisory purposes. This is not intended to impose a uniform pattern on all schools but rather to raise issues that all schools should probably either address for themselves or have a reason not to. Nor is it aimed at saying *how* such issues ought to be addressed so much as suggesting options to sharpen the issues. Uniformity is desirable because it makes it easier for us to understand one another and reduces the possibility of being accused of arbitrariness, but it should not come at the cost of recognizing real differences in the situations our several schools are responding to. The Senate does, however, wish to urge that the bylaws should be clear, concise, and constructive. They should be process oriented rather than legalistic, representing a joint effort on the part of administration and faculty to arrive at mutually satisfactory ways to discuss and resolve common problems.

In general, academic tradition and Regents’ rules assign primary responsibility for the curriculum and curricular and related policy to the faculty and responsibility for safeguarding the fiscal and property interests of the university, as well as assuring conformance to law, to the administration. At the University level, this division is represented by the rules and policies establishing the distinction between the faculty governance organization and the administration. The bylaws should indicate how this division of responsibility is worked out at the school and department levels.

According to the amended Handbook of Operating Procedures, the Bylaws are to be approved by the Senate and the President.

The bylaws should be submitted to the Senate by January, 2003.

The general elements of the department bylaws should be or should address:

PREAMBLE.

1. ***Purpose and Strategy.*** State the general purpose and strategy of the document.

FACULTY

2. ***Faculty.*** The faculty should be defined. Who is to be considered a member should be clear. How disputes on membership might be resolved should be at least suggested. The faculty may be distinguished from a voting faculty. Since in principle all our meetings are open, if there is a distinction between voting faculty and faculty, the latter must be able to attend meetings. Whether or not there is a distinction between faculty and voting faculty, the bylaws should be clear about how to regard lecturers, senior lecturers, and other non-tenure track faculty with respect to being able to participate in faculty decisions. Are part-time faculty (less than 1/2 time) distinguished from full time faculty for purposes of governance?

3. ***Meetings and Voting.*** For general faculty meetings, the bylaws should specify whether there is a minimum number of meetings per year or term, and what that minimum number is. They should specify who chairs, what constitutes a quorum, what kinds of actions they can take, who records the meeting and how the records are kept, what notice is required, and who can call a meeting. With respect to the latter, if the Chair calls the meeting, what notice is required? If the faculty can call a meeting, what is the procedure? They should describe the requirement for publishing an agenda and for having an item placed on that agenda. They should indicate who has privilege of the floor and it should indicate who can vote. They should indicate whether proxy votes are allowed or not, and if they are allowed the method should be described.

As for the School faculty meetings, the bylaws should make clear that major policy decisions should be made in meetings held during the time when faculty holding nine-month appointments will normally be at the University.

4. ***Conduct of meetings.*** Generally, there should be a statement that the school follows Roberts Rules of Order unless otherwise provided for in the bylaws. An example of “otherwise” would be the Senate’s use of email ballots.

OFFICERS

5. ***Chair.*** The duties and responsibilities of the Chair with regard to academic policy should be indicated. Generally, the Chair would be person responsible for the budget

and physical resources of the Department. while the faculty is responsible for setting and administering the curriculum, while they would both be involved in personnel matters. The section on the Chair should address, explicitly or implicitly, the way the balance between these responsibilities is maintained. The general duties of the Chair with regard to financial and other administrative policies should be indicated. How is the chair appointed? What is the faculty role in the process? What is the procedure for removal? The common practice at UTD has been that the Chairs appoint the members of the school faculty committees. These appointive powers and the procedures for appointment should be indicated—who is appointed and by what process. The role of the Chair in hiring should be described in such a way as to distinguish the positions that should be filled with faculty consultation and involvement from positions that the Chair can fill at his/her discretion.

6. **Director of Undergraduate Program.** Who is responsible for coordinating the undergraduate program of the department, how are they appointed, and what is the main process for setting up the teaching schedule and agreeing on catalog copy? Does this person hire and supervise lecturers? If not, who does?

What is the relationship between this office and the School Associate Dean for Undergraduate Education?

7. **Director of Graduate Program.** Who is responsible for coordinating the graduate program of the department, how are they appointed, and what is the main process for setting up the teaching schedule and agreeing on catalog copy? Does this person hire and supervise lecturers? If not, who does?

What is the role of this person in setting up ad hoc committees for dissertations?

What is the relationship between this person and the School Associate Dean for Graduate Education?

8. **Other Officers.** If there are other academic officers, apart from staff and the like who act under the authority of the Chair, they should also be named and the bylaws should indicate the way they are appointed, their powers, their duties, their terms, and what kind of review they are subject to.

STANDING COMMITTEES

9. **Relation to School Personnel Review Committee.** Is there a departmental Personnel Review Committee and what is its relationship to the school committee mandated by U T Dallas Policy Memorandum 75-III. 22-3? If there is not a Departmental committee, how is the Department connected to the School committee? If there is a departmental representative on the school committee, how is that

representative chosen? The Policy Memorandum, in specifying that the appointments to the committee rotate among the tenured faculty, clearly implies that the representative of a Department would not be the Chair.

10. ***Executive Committee.*** UTD schools and departments have not had executive committees up to now, although they are common elsewhere. The general function of an executive committee is to advise Chairs and to approve such actions of these officers or faculty policies as are delegated to them to deal with. In NS&M, where departments are small, there is probably no useful purpose for them to serve. But in ECS and Management it might be worth considering. There are at least three advantages. First the committee can meet more frequently than the entire faculty can. Second, the committee can be delegated matters such as approval of routine, minor, or relatively transient committees and changes in administrative assignments without having to detail them in the legislation of the entire school, including the bylaws. Third, the executive committee can resolve disputes as a representative body of the faculty, instead of in effect having to leave them to the Chair as an appointee of the administration. Where faculty size precludes frequent meetings of the entire faculty, the executive-committee-and-Chair decision-making structure ought to provide a more open and public way to resolve issues than the Chair alone or Chair-and-Chair's cabinet type of organization.

If a Department has an executive committee, the bylaws should specify its membership, how they are selected or elected (if elected, for example, by plurality or by a weighted vote such as is used for the Senate elections), their areas of authority, their duties, terms of office, and qualifications for office.

11. ***Relation to School Periodic Performance Evaluation Committee.*** (School Peer Review Committee).

A School Periodic Performance Evaluation Committee (or School Peer Review Committee) is mandated by U T Dallas POLICY MEMORANDUM 97-III.22-79. Section VIII.A of that memorandum specifies that:

The School Peer Review Committee (SPRC) is appointed by the Chair in accordance with an election by secret ballot with a nominations procedure decided by the School and restricted to the tenured faculty in the School. The SPRC is not identical to and may be a different committee than the Faculty Personnel Review Committee as described in Policy Memorandum 75-III.22-3 (which deals with promotion, reappointment, and tenure), though some or all of the members of the SPRC may be members of the Faculty Personnel Review Committee. But in all cases, the SPRC will be an elected body.

The procedures of this committee are set out in the memorandum in substantial detail. The School bylaws must be consistent with the Policy Memorandum and the Department bylaws should connect to the School bylaws. If there is a regular way in which the department participates in the election to the school PRC, this should be described. If the election is conducted entirely at the school level, and does not involve anything in the department, that should be indicated.

12. ***Relation to school Committee on Effective Teaching.*** A school Committee on Effective Teaching is mandated by POLICY MEMORANDUM 96-III.21-70, which requires in part:

- A. A teaching evaluation procedure developed and administered by an independent faculty committee.
- B. Written objective standards for evaluating teaching performance. These standards must include student course evaluations, teaching load contributions, diversity of courses covered, course development and administration, and factors such as thesis and dissertation supervision.
- C. Procedures for periodic collection of reliable and verifiable information related to teaching performance including periodic classroom visits by designated faculty to gather direct observation information that supplements information taken from sources such as course syllabi and student course evaluations.
- D. Some mechanism for faculty to comment on their evaluations and provide information they feel is pertinent to the teaching evaluation process.

Although the policy memorandum does not specifically say that such committees should be elected, “independent” was clearly meant to mean independent of the Dean, so election is at least strongly suggested. In any case, the school bylaws should specify how the membership is constituted, the terms, how they report their results and to whom, and how their procedures are established, whether by the committee, the school, or both in some combined process. The department bylaws should be consistent with the school bylaws.

13. ***Other standing committees.*** Other standing committees should be described. Bylaws should say what the committee is, what its membership is, what the qualifications for membership are, what the method of appointment or election is, and what the term of office is. For example, Management and NS&M have school library committees made up of department/program representatives. How are the latter selected, and is there a department/program committee in turn?

14. **Temporary committees.** For committees of a temporary nature, the bylaws should provide a way to form them, establish their operating rules, and dissolve them.

15. **Provisions for amending the bylaws.** All bylaws should include a provision for amending the bylaws. The A & H requirement is that a simple majority suffices if the amendment is circulated well in advance of the meeting, but 2/3 is required if the amendment comes from the floor during the meeting. The social science draft calls for 2/3 and requires advance notification. When we see what we get, we might discuss whether there should be a uniform rule across the university.

HIRING ISSUES

16. **Hiring.** Somewhere in either the school or departmental bylaws, clear procedures should be laid out for establishing ad hoc committees for hiring new full time faculty. Responsibility should also be assigned for hiring part time, adjunct and associate faculty, and for making special non-tenure-track special appointments, with definitions of each. There should be provisions for the evaluation and dismissal of part time faculty, since these are not covered in the general University policies on promotion and tenure. For example, who has to find a remedy if a lecturer goes missing in the middle of a semester? The bylaws need not spell out the whole policy, but they should indicate who is in charge of developing it and it should be done in such a way that if that responsible person or group fails to do what is required it will come to general notice.