

BYLAWS OF THE DEPARTMENT OF MODERN AND CLASSICAL LANGUAGES OF THE UNIVERSITY OF HOUSTON

Article I. General Definition of the Department

Section 1. Mission and responsibilities of the Department.

The Department is primarily responsible for:

- a. providing quality undergraduate and graduate instruction in foreign languages, literatures, and cultures, including world literary, cinema, and cultural studies in English translation as well as U.S. ethnic literatures and cultures in English or other languages.
- b. advancing and disseminating knowledge through research and publication.
- c. serving as a resource for the needs of the university community and of the greater community in areas where the particular expertise of the members is useful and needed.

Section 2. Membership in the Department.

The principal members of the Department are its tenured or tenure-track faculty members. However, the part-time or non-permanent instructional staff of the Department, in addition to the rights and responsibilities defined for them by the Faculty Handbook of the University, also have some specific rights and responsibilities within the Department. In what follows, the term Faculty (with a capital F) will be generally used to denote only promotion-eligible faculty members, that is, those persons at the academic ranks of instructional assistant professor, instructional associate professor, instructional professor, assistant professor, associate professor or professor.

The following ranks are non-tenure track (NTT) faculty positions: instructional faculty, lecturing faculty and adjunct faculty. These appointments are for persons who are primarily engaged to teach full-time. Instructional faculty are eligible for promotion. In addition to their teaching responsibilities, instructional faculty members also are expected to significantly contribute either to service at the college, department, or university level, or to scholarly research. Instructional faculty may be assigned the ranks instructional assistant professor, instructional associate professor, and instructional professor. Lecturing faculty appointments are for persons who are primarily engaged to teach one or more specific courses, on either a part time or full time basis. Lecturing faculty may be assigned the following titles, which are used at appointment and do not reflect any promotion pathway: lecturer, senior lecturer, and professor of practice. Adjunct faculty appointments are for persons who have a primary employment responsibility outside of this university.

Article II. Faculty members

All matters relating to the responsibilities and rights of the faculty members in the Department, whether part-time, visiting, adjunct, promotion-eligible, tenure-track, or tenured, and all personnel

decisions affecting these faculty members, are to be governed first of all by the guidelines given in the *Faculty Handbook* of the University. The specific definition of rights, responsibilities, and personnel procedures in these bylaws is intended either to underscore the Department's adherence to the University's policies or to provide specific Departmental guidance on various issues not addressed in the *Faculty Handbook*.

Section 1. General responsibilities of faculty members.

All faculty members in the Department are expected to perform their teaching and research duties in a professional manner and to satisfy the numerous generally understood obligations of their positions as set forth in the *Faculty Handbook* as "professional responsibilities."

Full-time faculty members are ordinarily expected to teach the number of credit hours conforming to University standards per long semester (fall or spring), but this typical teaching load may be increased or reduced in individual cases on the authority of the Chair and/or the Dean. In addition to their instructional duties, faculty members are expected to engage in research. Faculty members are expected to perform such service to the Department, College, University, the greater community, and to their profession as is appropriate and required of them.

Section 2. Assignment of responsibility for personnel decisions regarding faculty members.

Personnel decisions, including the hiring, promotion, or tenure of Faculty members in the Department, rest with the voting Faculty as a Whole, as defined below (Article II, Section 5). Voting will be conducted electronically. Decisions regarding initial salary offers, renegotiations of contract salary, and annual salary increments are the responsibility of the Chair, acting in consultation with the appropriate committees (see Article IV), and are subject to the approval of the Dean of the College. The hiring and dismissal of part-time or non-eligible-for-promotion instructional staff are the responsibility of the Chair in conjunction with the director of the program for which the instructor is hired. In the case of a faculty member seeking promotion to full professor, when the department chair is an associate professor, the faculty will vote on a surrogate chair to oversee the process. Likewise, in this particular event, associate professors on FEC will be replaced, by faculty vote, by full professors.

Section 3. Types of personnel review and their frequency.

In accordance with the guidelines set forth by the University and the College, faculty members are regularly reviewed by their colleagues, and their performance in scholarship, teaching, and service is evaluated. There are several types of review:

a. Course evaluation. At the end of each semester all classroom instructors are evaluated by their students. The students' opinions, as expressed on standardized questionnaires, are taken into account during the later evaluation of faculty members by their colleagues.

b. Annual review. The performance of all faculty members in the areas of scholarship, teaching, and service are is reviewed and evaluated annually by the Faculty Evaluation Committee (see IV, section

2), which communicates its recommendations to the Chair. The Chair will forward that recommendation to the Dean of the College, along with the recommendation of the Chair.

c. Third-year review. This review of tenure-track faculty and promotion-eligible NTT faculty normally is conducted at the beginning of January of the Faculty member's third year at the University of Houston. The faculty member must submit a portfolio in accordance with departmental/college policies and criteria for review. The FEC submits its written recommendation to the tenured faculty for vote and to the Chair, who conducts an independent review and then writes a letter to the candidate detailing the strengths and weaknesses of the pre-tenure or pre-promotion review portfolio. The chair sends a copy of the letter to the dean, who files the letter in the faculty member's personnel file. The letter then becomes part of the mandatory tenure review.

d. Tenure review. Candidates for tenure are reviewed in accordance with Article IV, IIb and the policies set forth by the University/College.

e. Eligibility to vote on issues of tenure review, third-year review and promotion: only tenured faculty members are eligible to vote on cases involving continuance or tenure. Associate professors cannot serve on the departmental Faculty Evaluation Committee when a candidate seeks promotion to full. As it is stated by the College bylaws, only full professors may vote on promotion to full professor in the departmental vote. In the case of promotion of NTT faculty, one NTT faculty of higher rank must be on the committee.

f. Eligibility to vote on issues of third-year review and promotion for NTT faculty: only tenured faculty members and NTT faculty at the rank of associate and above are eligible to vote on cases involving continuance or promotion.

Section 4. Guidelines for personnel review.

Faculty members under annual review or under consideration for continuance, promotion, or tenure can expect to be evaluated carefully and in good faith by their colleagues, who will compare the achievements of the faculty members under consideration to those of other faculty members of the same rank in the department.

Faculty members subject to review should understand that the process of review is competitive and, as a consequence, no absolute definitions of satisfactory performance can be given in advance. Please see the appended guidelines for annual review and promotion and tenure for a more detailed description of department expectations. In the event of promotion and tenure cases, in August the Faculty Evaluation Committee (FEC) shall devise a schedule for the month of September that will accommodate the following events in the following order:

1. FEC review of candidate's file and rendering of their decision on the candidate's case.
2. Candidate's appeal of the FEC's decision.
3. Beginning and end date for the departmental vote on the candidate's case.
4. The Chair's decision on the candidate's case.
5. Candidate's appeal of the Chair's decision.

The exact dates and intervals for these five events are left to the FEC's discretion under consultation of the Chair and in accordance with the Provost's timeline for that year.

Section 5. Definition of eligible voting Faculty.

Within the Department, votes of the faculty members will be cast either on issues that are put to the Department as a Whole, or on issues that come before committees on which they are serving. One restriction of the voting rights of faculty members applies equally to everyone, in either the Departmental or committee context: faculty members may never vote on personnel matters relating to themselves. Apart from that, all faculty members may cast votes within the committees on which they serve. In regard to issues that come before the Department as a Whole, apart from personnel issues relating to themselves, the voting rights and responsibilities of the faculty members are defined as follows:

a. Tenure-track faculty members may vote on all issues coming before the Department except those relating directly to promotion and tenure. Specifically, they may vote on matters of hiring new faculty and the election of a Chair. They may also elect persons to all Department and College standing committees.

b. Tenured faculty members may vote on any matter coming before the Department as a Whole.

c. Faculty members on leave. Faculty members who are otherwise eligible to vote on a given issue, but who are on leave from the University, are to be informed when important votes are scheduled. If necessary, special arrangements may be made to enable them to cast their votes.

d. Dual appointments in which MCL holds at least a 50% stake enjoy full voting rights. In the case of dual appointment with Honors, the faculty member enjoys full voting rights regardless of percentage in MCL.

e. Non-tenure-track faculty members enjoy voting rights in all matters except in the appointment and evaluation of tenured and tenure-track faculty. Voting rights include the election of the Chair.

Article III. Chair of the Department

Section 1. Selection of the Chair.

Faculty members, with the approval of the Dean of the College, will periodically select from their tenured members a Chair for the Department. Such a selection may be made from outside the University in connection with the hiring of a new member of the faculty. Under extraordinary circumstance, such as when no willing candidate for the position can be found, the Dean, acting with the authority of the College, will appoint a Chair ad interim.

a. The election of the Chair will be conducted in accordance with the guidelines established by the College. At the appropriate time, the Faculty Governance and Advisory Committee (FGAC) of the College will notify the Department that an election for Chair is forthcoming and will indicate whether the

current Chair is willing to stand for re-election. At least four weeks in advance of the date of a proposed election, the FGAC will solicit nominations of candidates for the position of Chair. The names of duly nominated candidates will then be announced to the Department at least two weeks in advance of the election. During this period faculty members of the Department who wish may, in accordance with the rules for this procedure, as presented elsewhere in these bylaws (IV, Section 1.a), call a meeting of the Committee of the Whole Faculty, in order that candidates may present the case for their election and members may put questions to the candidates and discuss the election openly. Finally, the FGAC will poll the faculty of the Department as regards their choice for the Chair. This polling will take the form of a written, secret ballot, and sufficient time must be provided to accommodate faculty members on leave.

b. The processes of nominating and voting for candidates must take place between the first day of the fall semester and the last day of the spring semester.

c. Election of a Chair requires at least one vote more than 50 percent of the votes cast. If there are three or more candidates and none receives a majority of the votes, a run-off will be held between the two receiving the highest number of votes cast. If a contest between two candidates results in neither receiving a majority of the tenured faculty, then the results will be sent to the Dean and the FGAC, and the process will recommence, with the Dean's guidance.

Section 2. Responsibilities and prerogatives of the Chair.

a. The Chair will be responsible for the administration of the Departmental office, including the management of the office staff and the acquisition of necessary supplies and equipment.

b. The Chair will be primarily responsible for the finances of the Department, including the preparation of a budget, the coordination of faculty members' salaries, the planning of special expenditures for part-time faculty members and for summer teaching, for accounting of income from special sources, such as summer programs abroad, and the distribution of available monies to particular committees such as Travel or Special Events. In regard to the handling of these financial matters, the Chair is accountable both to the Dean of the College and to the Department.

c. The Chair is primarily responsible for coordinating the course offerings of the Department, including the assignment of courses to individual faculty members, the scheduling of those courses and the reporting of the course offerings to the College and the Registrar.

d. The Chair is responsible for holding elections to the Department's standing committees, as defined below (IV, section 2-4), for constituting any other standing or ad hoc committees, as deemed necessary by the Chair or by the Department (see IV, section 5), and for appointing academic advisers, directors, and/or academic program coordinators on the undergraduate and graduate levels.

e. The Chair is authorized to appoint an associate chair and to define his or her responsibilities. The Chair is also authorized to appoint some other member of the Faculty to serve as acting Chair in his or her absence. Also, if the faculty approve, the Chair may constitute an Executive Committee.

f. The Chair will ordinarily give a first hearing to any complaints or informal grievances that arise from faculty members or students, except that faculty members wishing to challenge the Faculty Evaluation Committee's assessment of their work will address their challenge directly to that Committee (IV, section 2a). Serious grievances the Chair cannot resolve will be heard by the Department Grievance Committee (IV, section 3). If a grievance arises against the Chair, the complainant will register the grievance with the Chair of the Department Grievance Committee and the Dean of the College, who will direct the hearing of the grievance.

g. The Chair has the responsibility for coordinating all personnel matters in the Department including reviews for promotion/tenure in accordance with Departmental, College, and University guidelines. In cases of promotion/tenure, the Chair, in consultation with the FEC, selects the external reviewers of the candidate, conducts an independent review and makes a written recommendation based on an examination of all portfolio materials, including external letters of review and committee findings. In regard to annual personnel reviews, the Chair will consult with the Faculty Evaluation Committee and will report their recommendations to the Dean, along with the Chair's own recommendations.

h. The Chair will, during each fall and spring semester, call at least one meeting of the Committee of the Whole, and will preside over this meeting. Unless circumstances make advance notice impossible, the Chair will announce meetings at least one week in advance of the meeting and will disseminate an agenda for each meeting at least two working days prior to the meeting.

i. The Chair appoints the search committee for new hires.

j. In the case of a faculty member seeking promotion to full professor, when the Chair is an associate professor, the faculty will vote on a surrogate chair to oversee the process. Likewise, in this particular event, associate professors on FEC will be replaced, by faculty vote, by full professors.

Section 3. Limitations on the Chair.

a. The Chair will serve a term of appointment lasting no longer than three academic years, subject to re-election.

b. Evaluation of the Chair. At regular intervals, as stipulated by the bylaws of the College, the Dean of the College or the FGAC of the College will ask members of the Department to express in writing their evaluation of the performance of the Chair. The disposition of the results of this inquiry is the prerogative of the Dean.

c. Call for the removal of the Chair. The faculty, meeting as the Committee of the Whole and with two-thirds of all votes cast in favor of such action, may recommend to the Dean that the Chair be removed from office before the expiration of the term of appointment.

Article IV. Committees

In the Department there are three standing committees: the Committee of the Whole, comprising the entire full-time tenured and tenure-track faculty as well as promotion-eligible NTT faculty, and two elected committees. The committees on which elected members sit are the Evaluation Committee and the Grievance Committee. Other committees may be formed as needed.

Section 1. The Committee of the Whole.

The committee of the Whole consists of all full-time tenured and tenure-track faculty members as well as promotion-eligible NTT faculty. The committee is convened at "meetings of the Department." All eligible members may take part in meetings of the Department, even though untenured and NTT faculty members do not cast votes on certain matters (Article II, section 5).

a. This committee is convened by the Chair no less than once per long semester. Meetings may also be convened by a petition signed by one-fourth of the full-time faculty and presented to the Chair, who is obliged to call a meeting of the Department within ten working days.

b. The Chair appoints a Secretary of this Committee. The Secretary takes minutes during meetings of the Department and distributes the minutes to the faculty.

c. Quorum. Meetings of the Committee of the Whole require the presence of more than half of the faculty members not on leave. A formal request for the confirmation of a quorum may be made by any faculty member at the beginning of any meeting of this committee. If a count of heads fails to confirm a quorum, then those assembled may remain for discussion of pending business, but no issue may be put to a binding vote. Meetings opened and closed without a quorum having been challenged will be regarded as valid meetings and immune to subsequent challenge on this point.

Section 2. The Faculty Evaluation Committee.

The Faculty Evaluation Committee (FEC) consists of three tenured members of the Faculty, and all members will have been elected by the Committee of the Whole. In addition, one NTT faculty member will be elected by the Committee of the Whole to serve on the FEC in regard to the evaluation of NTT faculty. Each year at the beginning of its annual session, the committee will select its own chair from among those currently serving. Election to the FEC will take place each year before the end of April, to serve commencing on June 1. Should an elected member of the committee resign before the end of the two-year term, the unexpired term of service will be filled by appointment by the chair.

a. Annual merit review. When requested to do so by the Dean, the Faculty Evaluation committee will collect from all faculty members the forms in which the members list their professionally relevant activities for the calendar year in question. This review normally takes place at the beginning of one calendar year and applies to the preceding year. The committee carefully reviews the submitted activity forms and sends its evaluations to the Chair. After receiving notification from the Committee as to the Committee's recommended evaluation, individual members may request clarification and may contest the

evaluation by requesting a hearing before the Committee. The member requesting a hearing has the right to specify whether the Chair should or should not be present at the hearing. The Committee will weigh a member's challenge to their evaluation before final recommendations are sent to the Dean.

b. Reviews for promotion and tenure. The Faculty Evaluation Committee has the responsibility for coordinating the Department's review of candidates for promotion and tenure (Article II, section 5.c). The committee carefully reviews the candidate's portfolio, presents its own recommendation to the Faculty and Chair of the Department, and conducts the Department's vote on the personnel matter in question.

c. Elections to the Faculty Evaluation Committee for the following academic year must be completed by the end of the spring semester. The chair will call the first meeting of the committee at the beginning of the fall semester at which time committee members will elect a committee chair.

d. Third-year and promotion and tenure reviews must be conducted in a timely way in accordance with deadlines established by the College and Provost. Candidate dossiers must be prepared in the spring prior to the promotion/tenure process, and all outside reviewers, selected according to College and University guidelines and norms, should be requested to submit their reviews by the end of the first week of the fall semester. In the event of promotion and tenure cases, in August the FEC committee shall devise a schedule for the month of September that will accommodate the following events in the following order:

1. FEC review of candidate's file and rendering of their decision on the candidate's case.
2. Candidate's appeal of the FEC's decision.
3. Beginning and end date for the departmental vote on the candidate's case.
4. The Chair's decision on the candidate's case.
5. Candidate's appeal of the Chair's decision.

The exact dates and intervals for these five events are left to the FEC's discretion under consultation of the Chair and in accordance with the Provost's timeline for that year.

e. For promotion/ tenure external review, at least four but no more than eight outside letters are required, two chosen from a list submitted by the candidate, the others chosen by the chair in consultation with the candidate's program director and the FEC.

Section 3. The Grievance Committee.

The Grievance Committee consists of three faculty members at the associate rank or above, elected by the Committee of the Whole for two-year staggered terms. The three members of this committee cannot be from the same sub-unit of the Department. The Grievance Committee will select its chair from among its sitting members. Faculty members may seek redress of grievances from the Grievance Committee after having without success sought satisfaction from the Chair or from other standing committees within the Department.

Section 4. Ad hoc committees.

Ad hoc committees may be appointed by the Chair as needed so long as the charge to these committees does not conflict with the responsibilities of committees specified in these bylaws.

Section 5. Service on standing College committees.

MCL shall send representation made by election to each College and/or University committee that requires such a representative, such as CLASS Undergraduate Studies, CLASS Grievance, and the University Faculty Senate.

Article V. Issues relating to this document

Section 1. Adoption of these bylaws.

Adoption of these bylaws will require their ratification by over one-half of the Faculty. These bylaws will take effect upon ratification. Subsequent to their ratification and adoption proposed amendments to these bylaws must be circulated in writing for at least two full weeks prior to their being voted on at a meeting of the Committee of the Whole. A vote of two-thirds of the Whole Faculty will be required for a proposed amendment to be adopted.

Section 2. Binding force of the bylaws.

Once adopted according to the procedure defined in Section 1 above, these bylaws will be considered binding on the Department, except to the extent they are found to be in conflict with the bylaws of the College or of the University, which take precedence.

Section 3. Distribution of these bylaws.

Copies of these bylaws will be made available to the Dean of the College. A copy of the bylaws will be given to all new faculty members at the time they begin their employment within the Department. Copies will be made available to any persons requesting them.

Section 4. Interpretation of these bylaws.

The interpretation of these bylaws is the responsibility of the Faculty of the Department. Should a significant dispute arise over the interpretation of some provision herein, the dispute will be resolved by the Secretary of the Faculty of the College, acting in good faith and after consulting the Faculty of the Department. Should disputes arise in the Department with regard to matters not addressed by these bylaws, the Department will be guided by its own traditions and by advice from its Chair. If needed, appeals will be addressed to the Dean of the College. Disputes over parliamentary issues addressed in these bylaws will be resolved by reference to the latest edition of Robert's *Rules of Order*.

[These bylaws have been approved by the MCL faculty on 2-7-17; approved by CLASS February 2019]