

BY-LAWS OF THE DEPARTMENT OF HISPANIC STUDIES OF THE UNIVERSITY OF HOUSTON (Revised Spring 2018)

Article I. General definition of the Department

Section 1. Mission and responsibilities of the Department.

The Department of Hispanic Studies seeks:

- To foster understanding and communication, through the study of Spanish languages, literatures, cultures, and linguistics.
- To provide education and training for students seeking careers drawing on or enhanced by such study.
- To develop established and new programs contributing to local, regional, national, and international knowledge.

Section 2. Membership in the Department. The principal members of the Department are its tenured, tenure-track faculty members and non-tenure track faculty in promotion-eligible pathways (PE-NTT). In what follows, the term Faculty will be generally used to denote only the tenured, tenure-track, and promotion eligible non-tenure-track faculty members, that is, those persons at the academic ranks of (instructional) assistant professor, (instructional) associate professor or (instructional) professor who have tenure or are, by the terms of their contracts with the University, eligible to be considered for tenure and/or promotion eligible. All matters relating to the responsibilities and rights of the faculty members in the Department, whether part-time, visiting, adjunct, 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 by-laws 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*.

Article II. Faculty members

Section 1. General responsibilities of faculty members. All faculty members in the Department are expected to perform their research and/or teaching 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." 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. Decisions relating to the hiring and promotion of new tenured and tenured-track faculty rest with the voting tenured and tenured-track faculty. Decisions relating the hiring and promotion of Instructional faculty rest with voting of appointed tenured or tenured-track faculty and non-tenure track faculty in promotion-eligible pathways (PE-NTT). The election of the chair rests with all the members of the Faculty, as defined in Article I, Sect. 2. Decisions relating to the promotion, continuance, tenure, or dismissal of faculty members in the Department rest with the tenured faculty of the department, who recommend their decision through the Chair to the Dean of the College. 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 teaching staff are the responsibility of the Chair, but visiting faculty

appointments at the rank of instructor or higher require the approval of a majority of the voting faculty members.

Section 3. Types of personnel review and their frequency. 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 subsequent evaluations of faculty members by their colleagues.

b. Annual review. The performance of all faculty members in the areas of scholarship, teaching, and service is reviewed and evaluated annually by the Faculty Evaluation Committee (see IV, section 3), 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. During the third year of active teaching, tenure-track and Instructional faculty (PE-NTT) will be reviewed and evaluated by the Faculty of the Department. The review will be conducted by the Faculty Evaluation Committee with subsequent recommendation to the Chair, in accordance with the procedures outlined in the Criteria for Tenure and/or Promotion to Associate and Full Professor and for Faculty Reviews of the Department of Hispanic Studies. The faculty member under third-year review will complete and submit the file of all relevant documents by October 1. The candidate undergoing review shall receive from the Chair, before the end of the fall semester, an assessment of the candidate's performance.

d. Tenure review. Candidates for tenure are reviewed in accordance with Article IV, section 3b.

e. Promotion review. Candidates are reviewed in accordance with Article IV, section 3b.

f. Promotion to full professor: will be conducted upon request of the candidate in accordance with the standards indicated in the Criteria for Tenure and Promotion to Associate and Full Professor and for Faculty Reviews of the Department of Hispanic Studies.

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 in the same department and within the college, and also to faculty members in similar departments at other academic institutions.

Faculty members subject to review should understand that the process of review is to ascertain that faculty meet or exceed standards of teaching, research and service. As a consequence, no absolute definitions of satisfactory performance can be given in advance.

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. Non-tenure track faculty in promotion-eligible pathways and tenure-track faculty members may vote on all issues coming before the Department except those relating directly to promotion, tenure, dismissal, and review for continuance of other tenured track or tenured faculty members. Specifically, they may vote on the election of a Chair and matters of hiring new faculty,

except those to be hired with tenure. 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. Only full professors may vote on the promotion of a faculty member to full professor.

d. 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. In the case that a voting member of the Department is on leave or traveling on official business, s/he may cast his/her vote through email to the Chair of the Department.

e. Clinical faculty as well as faculty members on VMOE or with emeritus/emerita status are non-voting members of the faculty.

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 circumstances, 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 Advising Committee of the College (FGAC) 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 by-laws (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 electronic ballot, and ample 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 a vote representing a majority of the faculty, regardless of the number voting. 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 FGAC will send the results to the Dean for a final decision.

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 supervising the coordination of 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 appointments to the Department's standing committees, as defined in Article IV below, for constituting any other standing or ad hoc committees, as deemed necessary by the Chair or by the Department (see IV, section 9), and for appointing academic advisers, directors, and/or academic program coordinators on the undergraduate and graduate levels.

e. The Chair will appoint a Director of Undergraduate Studies and a Director of Graduate Studies. The Chair will designate either the Director of Graduate Studies or the Director of Undergraduate Studies as acting Chair or, if necessary, some other member of the Faculty to serve as acting chair in the absence of the Chair.

f. The Chair will ordinarily give a first hearing to any complaints or informal grievances that arise from faculty members, except in the case of faculty members wishing to challenge the Faculty Evaluation Committee's assessment of their work. Such challenges will be addressed 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. In regard to annual personnel reviews and cases of promotion and tenure, the Chair will consult with the Faculty Evaluation Committee and will report their recommendations to the Dean, along with the Chair's own recommendation.

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, will solicit agenda items from the faculty, and will disseminate an agenda for each meeting at least two working days prior to the meeting.

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. The Chair does not have the authority to redefine his/her responsibilities to the Department, nor may the Chair redefine the responsibilities of other faculty members without the consent of individual faculty members or without the approval of the Committee of the Whole Faculty.

c. Evaluation of the Chair. At regular intervals, as stipulated by the by-laws of the College, the Dean of the College or the Faculty Secretary 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.

d. Call for the removal of the Chair. The Chair may be removed from office before the expiration of the term of appointment upon a vote of two-thirds of the tenured faculty members, meeting as the Committee of the Whole.

Article IV. Committees

In the Department there are eight standing committees: the Committee of the Whole, the Executive Committee, the Faculty Evaluation Committee, the Grievance Committee, the Graduate Committee, the Undergraduate Committee, The Library and Technology Committee, and the Travel Committee. Other ad hoc committees may be formed as needed.

Section 1. The Committee of the Whole consists of all full-time tenured, tenure-track, and non-tenure track faculty in promotion-eligible pathways (PE-NTT). The committee is convened at meetings of the Department. All eligible members may take part in meetings of the Department, even though untenured 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 in English.

c. Quorum. Meetings of the Committee of the Whole require the presence of more than half of the voting 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 Executive Committee consists of the Chair of the Department, the Director of Graduate Studies, the Director of Undergraduate Studies, and one faculty member elected by the Committee of the Whole. Any member of the Executive Committee who serves simultaneously on the Faculty Evaluation Committee shall recuse himself/herself from his/her annual merit evaluation, which will be conducted by the Executive Committee (see section 3 below).

The Executive Committee shall:

1. recommend and confirm all appointments to other committees, including search committees, made by the departmental chair;
2. make recommendations for the long-range program of the department;
3. advise the chair on the best use of funds in the department's operating budget;
4. make recommendations to the department concerning basic policy matters which transcend the responsibilities of other standing committees;
5. make recommendations to the faculty on areas of faculty appointments;
6. review periodically the departmental by-laws and make recommendations, if necessary, for their revision.

Section 3. The Faculty Evaluation Committee consists of four members of the Faculty (3 tenured and 1 PE-NTT member at the rank of Instructional Associate or higher). Members serve for staggered two-year terms. One member serving on the committee will have been selected by the Chair. The other three members will have been elected by the voting faculty. As members' terms expire, those seats appointed by the Chair will be filled first by appointment, followed by election to the remaining seats. Each year, at the beginning of its annual session, the committee will select its own chair from among those currently serving. Appointments and election to the Evaluation Committee will take place each year before the end of April, for service commencing on the first day of the next academic year. Should an elected or appointed 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. Members of the Faculty Evaluation Committee do not evaluate peer members but will be evaluated instead by the Chair in conjunction with the Executive Committee.

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 materials and confidentially notifies each faculty member of his/her merit evaluation for the year under consideration. After receiving notification from the Committee as to the Committee's recommended evaluation, individual members may request clarification or 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 and notify the faculty member of their determination before forwarding their final recommendations to the Chair.

After having unsuccessfully appealed his/her merit evaluation to the Evaluation Committee, a faculty member may further appeal the Committee's evaluation to the Chair. If the Chair's final determination of the appeal differs from that of the Evaluation Committee, the Chair must inform the Committee of his/her reasons for arriving at a different determination than that of the Committee. Only after having exhausted appeals of his/her merit evaluation to the Committee and to the Chair may faculty appeal that evaluation through the appropriate channel at the Dean's level.

The Chair also conducts a separate evaluation of the faculty members based on their submitted activity forms. If the Chair's merit evaluation for individual faculty members differs from that of the Evaluation Committee, the Chair must meet with the Evaluation Committee to inform them of his/her reasons for assigning a merit recommendation which differs from that of the Evaluation Committee. After due deliberation by the Committee and the Chair, the Chair will submit to the Dean the merit evaluations.

b. Coordination of 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 3.d, e). The committee oversees the conduct of all such personnel actions. The committee collects materials from those members being evaluated, carefully reviews the materials, presents its own recommendation to the Faculty of the Department, and conducts the Department's vote on the personnel matter in question.

Section 4. The Grievance Committee consists of consists of three faculty members at the rank of at least associate or instructional associate, elected by the Committee of the Whole for two-year terms. No more than two members of this committee can be from the same sub-unit (e.g., Linguistics, Spanish Literature, etc.) 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 5. The Graduate Committee consists of four members, one from each concentration (Literature, Creative Writing, Linguistics), plus the Director of Graduate Studies, who will be the chair of the committee. All members will have the rank of associate professor or above (exceptions will be made in special circumstances with the approval of the Executive

Committee), and they will be appointed by their individual concentrations for a period of one year. Reappointment or change of representative will be determined annually by each concentration.

Section 6. The Undergraduate Committee consists of four members appointed by the Executive Committee and will include the Director of the Basic Language Program and the Director of Undergraduate Studies, who will chair the committee.

Section 7. The Library and Technology Committee consists of two members appointed by the Executive Committee.

Section 8. The Travel Committee consists of two members appointed by the Executive Committee.

Section 9. 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 by-laws.

Section 10. Service on standing College committees.

a. One member of the Department will serve on the Faculty Governance and Advisory Committee of the College. Election to this committee will take place as needed for a two-year term, and will take place no later than the end of April for service commencing on June 1. Any tenured or tenure-track member of the Department is

b. eligible to serve on this committee, with the exception of the Chair, who is excluded by College by-laws.

c. The Director of Undergraduate Studies will serve on the Undergraduate Studies Committee of the College.

d. The Director of Graduate Studies will serve on the Graduate Affairs Committee of the College.

e. Department representatives to the Tenure and Promotion Committee of the College are full professors who are appointed by the Dean from a list of nominees selected by majority vote of the executive committee.

Article V. Issues relating to this document.

Section 1. Adoption of these by-laws will require their ratification by more than one-half of the Faculty. These by-laws will take effect upon ratification.

Section 2. Amendments to these by-laws. Subsequent to their ratification and adoption, proposed amendments to these by-laws 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 at which a quorum has been established. A vote of two-thirds of those present will be required for a proposed amendment to be adopted.

Section 3. Binding force of the by-laws. Once adopted according to the procedure defined in Section 1 above, these by-laws will be considered binding on the Department, except to the extent they are found to be in conflict with the by-laws of the College or of the University, which take precedence.

Section 4. Distribution of these by-laws. Copies of these by-laws will be made available to the Dean of the College. A copy of the by-laws 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 5. Interpretation of these by-laws. The interpretation of these by-laws 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 by-laws, 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 by-laws will be resolved by reference to the latest edition of Robert's *Rules of Order*.