

**Department of Modern Languages**  
**By-laws**  
**May 2015**

**I. MEMBERSHIP**

The Modern Language Department shall consist of all of its instructors, of whom all full-time members -- including tenured, tenure-line and non-tenure line members -- shall be voting members. Additionally, each academic year, part-time teaching faculty shall elect one representative and one alternate who shall have right to vote at Department meetings. All other part-time teaching faculty are encouraged to attend faculty meetings, but may not vote. Members on leave are relieved from all teaching duties and departmental responsibilities, but retain their right to vote in Departmental elections. A quorum of the Department shall consist of two-thirds of the active voting members at any given time.

**II. THE CHAIRPERSON**

**A. ELIGIBILITY AND SELECTION**

Only tenured faculty members at the rank of Professor or Associate Professor are eligible to serve as Chairperson.

By midterm of the spring semester of the current chairperson's second year in office, the Election Committee shall issue to all Department faculty a list of all members eligible to serve as Chairperson, together with a request for nominations and a complete list of all deadlines relating to the election process. Department members will have one week to offer nominations anonymously.

The Election Committee shall then distribute a list of all nominees. Any member who has been nominated will have three working days to withdraw his/her name from nomination if he/she so chooses.

After three working days, the Election Committee will publish an amended list of nominees. Two weeks shall elapse between the publication of the amended list of the nominees and the issuance of formal ballots. During this time, each nominee will be given the option of submitting to the Election Committee a written statement explaining his/her position on important departmental issues. The Election Committee will publish these statements and, on request of any candidate or Department member, arrange a faculty meeting during which candidates will be invited to make a presentation and respond to questions.

The Election Committee shall issue formal ballots at the end of the two-week period. In addition to the list of candidates, the ballot must prominently indicate the deadline for voting. Ballots will be distributed with return envelopes, in which the ballots must be

returned. Faculty members will have one week to cast a ballot. Each faculty member shall vote for one candidate. A candidate who receives a simple majority of the numerical total of votes is elected. If no candidate receives a majority, there shall be a runoff between the two top vote getters. Faculty will have one week to vote in the runoff election. If there is only one candidate, and he/she does not receive a majority of the votes, the process must be restarted.

Ballots shall be deposited directly into a secure ballot box maintained by the Election Committee. It is that committee's responsibility to ensure the security and anonymity of the ballots. Ballot envelopes must be sealed by voters and may not contain any signs of identification. Ballots returned in unsealed envelopes and/or containing identification marks shall be considered null.

Within three working days of the conclusion of the initial or, if necessary, the runoff election, the chairperson of the Election Committee shall convene a meeting of that committee to count the votes. All Department faculty members may attend the meeting and witness the opening and counting of ballots. The Election Committee shall then promptly inform the Department and submit a letter to the President informing him/her of the results of the election, ranking the candidates in order of votes received if there is more than one candidate.

## **B. DUTIES AND RESPONSIBILITIES**

The Chairperson is responsible for the general operation of the Department, as described in the CSU-AAUP Collective Bargaining Agreement (Article 5.23). Duties shall include but not be limited to the following:

1. Calling and chairing Department meetings.
2. Maintaining records of student majors and minors, and of general departmental matters.
3. Maintaining up-to-date personnel records of the Department's faculty and staff.
4. Acting upon the recommendation of the Search Committee in the recruiting of full-time faculty to fill new tenure-track positions. Hiring emergency full-time and all part-time adjunct faculty.
5. Acting upon the recommendation of the Department Evaluation Committee to renew adjunct faculty positions. Assignments shall follow the procedures established by article 4.6 of CSU-AAUP Collective Bargaining Agreement 2007-16.
6. Serving as a non-voting *ex officio* member of all Department committees, except in whole Department faculty meetings, where the Chairperson is a voting

member. The Chairperson may become a voting member of a Department committee in the exceptional situation resulting from the insufficient number of members of that committee. The Department Chairperson may not chair any Department committees.

7. Developing budgets for the Department, in cooperation with Department members, for submission to appropriate administrative offices.

8. Assigning academic advisors and supervising the effectiveness of the advisory system for the Department's majors and minors, and for all other students assigned to the Department.

9. Making every effort to aid and encourage the professional development of faculty and students within the Department.

10. Making every effort to mediate personal and professional disagreements within the Department, and to verify and seek remedies for complaints.

11. Representing the Department to the administrative officers of the university, and protecting the best interests of the Department.

12. Assigning Department members to appointive standing committees, ensuring participation of each full-time member in at least two Department committees, and overseeing fair distribution of academic and administrative responsibilities among faculty members.

13. In case the Chairperson becomes temporarily or permanently unable to perform his/her duties, the Department should consult with the Dean to appoint an Interim Chairperson.

### **C. RECALL OF THE CHAIRPERSON**

Recall of a Chairperson may be recommended by any Department member or members. Said member or members shall present a written bill of particulars to all Department members at least seven days prior to a duly constituted Department meeting. Such a meeting may be convened by the Chairperson or by any two Department members. The motion to recall will be discussed and the Chairperson will have the opportunity to defend him/herself, at this meeting.

If after this meeting the member or members is/are unwilling to withdraw the motion, the Election Committee will poll the Department members by secret ballot to either approve or disapprove the motion to recall. The ballot shall indicate approval or disapproval of the motion. In order to take effect, the motion to recall must be approved by a simple majority of all Department members, minus the Chairperson, who has no voting rights. Faculty members will have one week to vote. Procedures for preparing, collecting, and counting ballots shall be the same as those for election of the Chairperson.

If the majority vote is for recall, the results will be forwarded to the appropriate administrative officers for action in accordance with collective bargaining procedures.

### **III. ASSISTANT CHAIRPERSON**

#### **A. ELIGIBILITY AND SELECTION**

The Chairperson may appoint an Assistant Chairperson among full-time tenured and tenure-line members after consultation with Department members. The Assistant Chairperson may be relieved of his/her duties by the Chairperson, who shall notify Department members of his/her decision.

#### **B. DUTIES AND RESPONSIBILITIES**

1. The Assistant Chairperson shall be available during his/her office hours for consultation with students or faculty. The location of his/her office must be clearly posted so that students can locate him/her easily.
2. The Assistant Chairperson's responsibilities may include scheduling classes in accordance with procedures established in section IX of these By-laws.
3. The Assistant Chairperson's responsibilities may also include calculating faculty load credit, based on the information provided by the Dean's office and after consultation with each faculty member. The Assistant Chairperson or the Chairperson shall inform the Dean's office of any adjustments needed to the faculty load calculation.
4. The Chairperson may delegate additional duties to the Assistant Chairperson, as circumstances require, within the limits of the Assistant Chairperson's three credit hours of release time.
5. If no Assistant Chairperson is appointed, the Chairperson will assume these duties.

### **IV. EMPLOYMENT PROCEDURES**

#### **A. PUBLICITY**

Any opening in the Department faculty will be given wide publicity to ensure compliance with federal and state equal opportunity statutes and to provide the largest number of qualified candidates.

#### **B. SEARCH COMMITTEE**

The *ad hoc* Search Committee shall consist of three tenured or tenure-track voting members of the Department. The three members will be elected by the Department, and shall include, whenever possible, at least one member representing the language area concerned, and at least one member representing another language area. Whenever possible, the committee shall be chaired by a member representing the language area in which the position is to be filled.

Elections for a Search Committee shall be conducted by the Elections Committee in accordance with the procedures outlined in Section 7B. The ballot will be composed as to ensure compliance with the restrictions stated in the previous paragraph.

The Search Committee will carefully study the candidates' credentials, interview the best prospects, solicit other faculty's input, and then recommend the selected candidate to the Dean of Arts and Sciences according to University procedures.

## **V. SECRETARIAL SERVICES**

The following priorities shall apply to work done by the Department Administrative Assistant:

1. Department business, i.e., work done for the Department as an entity, in order of urgency or importance, as determined by the Chairperson.
2. Copying examinations and tests to be given by Department members. Examinations and tests to be copied by office personnel must be submitted at least two days in advance.
3. Other work directly related to individual Department members' professional services in the Department and the University.
4. Other work related to individual Department members' professional activities.

## **VI. DEPARTMENT MEETINGS**

The Chairperson shall convene the Department at least once a month during the academic year, excepting the months of January, June, July and August. Meetings shall, when applicable, follow meetings of the Departmental Curriculum Committee and precede meetings of the University Curriculum Committee. The Chairperson shall call for agenda items one week prior to the meeting and issue a tentative agenda prior to it. If no agenda items are forthcoming, the Chairperson may cancel the meeting.

Emergency meetings may be called by either the Chairperson or any two Department members.

Department members are required to attend meetings. Members who are not able to attend must send a written notification to the Chairperson, explaining the reason for their absence. Justified absences shall be part of the Chairperson's announcements and shall be recorded in the meeting minutes, along with attendance and nonattendance of Department members.

## **VII. COMMITTEES**

### **A. ELECTIVE STANDING COMMITTEES**

The Department shall maintain the following elective standing committees:

1. Elections Committee: one member, elected every two years, plus the Assistant Chairperson, who may not chair this committee when the elections of the Chairperson are taking place. When no Assistant Chair is appointed, the Elections Committee consists of two elected members. Should a member of the Elections Committee become a candidate to Chairperson, he/she may not be part of the election process and should be replaced by another member through an *ad hoc* election.
2. Evaluations Committee: three elected tenured members, plus the Chairperson as a non-voting *ex officio* member. If at any time three tenured members are not available to serve on the DEC, it shall function with only two elected tenured members plus the Chairperson as a non-voting *ex officio* member.
3. Sabbaticals Committee: three elected full-time members, plus the Chairperson as a non-voting *ex officio* member. If at any time three full-time members are not available to serve on the Sabbatical Committee, it shall function with only two elected full-time members plus the Chairperson as a non-voting *ex officio* member.

### **B. ELECTIONS PROCEDURES**

The current Elections Committee shall conduct the elections as follows:

1. By midterm of the spring semester preceding the academic year in which the committees are to serve, the Elections Committee shall issue a list of all Department members eligible to serve on them. No one who is going to apply for promotion or is due for sexennial evaluation shall be eligible for the Department Evaluation Committee.
2. Faculty members will then have three working days in which to request, in writing to the Chairperson, that their names be removed from consideration for

any specific committee in case of conflicts or extenuating circumstances. Such a request must include justification for removal.

3. The Elections Committee will then issue a ballot of candidates for the coming year's Evaluations Committee. Faculty members will have three working days to vote. On the fourth day, the Committee will announce the time and place when votes are counted and results announced, so that any member of the department who wishes to be present may do so.

4. The Elections Committee shall then conduct the election of the Sabbaticals Committee in the same manner as stated above.

5. Every two years, the Elections Committee shall conduct the election of the one member of the Elections Committee in the same manner as stated above.

6. The Elections Committee shall conduct all other Departmental elections, including elections of part-time representatives. Elections of the Department Chairperson shall be conducted according to sections II A and II C of these By-laws.

#### **C. DEPARTMENT EVALUATION COMMITTEE**

The Evaluations Committee shall make evaluations concerning renewal, tenure, promotion, annual evaluation of non-tenured faculty as well as promotion and sexennial evaluation of tenured faculty, in accordance with the criteria and procedures established by the CSU-AAUP Collective Bargaining Agreement, the University Senate and the Department.

The Evaluation Committee shall also carry out class observation of emergency full-time faculty. The Evaluation Committee shall carry out observations of each part-time faculty at least every two years, or more frequently in cases when the Evaluation Committee or the Chair so recommends. In all cases, the Evaluation Committee shall submit a written report to the Chairperson, who will arrange a debriefing session with the faculty being evaluated, with the Chair and/or at least one member of the Evaluation Committee.

The evaluation process of emergency full-time, and part-time faculty is an integral part of the Department's mentorship and faculty development efforts.

#### **D. SABBATICAL LEAVE COMMITTEE**

The Sabbatical Leave Committee shall evaluate all applications by Department members for sabbatical leave, and shall forward their recommendations and the applicants' materials to the Administration in accordance with applicable university and school procedures.

## **E. APPOINTIVE STANDING COMMITTEES**

The Department shall maintain the following appointive standing committees:

1. Assessment
2. Computer-Website Committee
3. Curriculum Committee
4. Graduate Studies Committee
5. Mentoring Committee
6. Professional Studies Committee
7. Recruitment and Retention Committee
8. Student Recognition/Modern Language Celebration Committee

Each committee shall be composed of full-time members appointed by the Chairperson after asking in writing for volunteers. Faculty preferences are considered by the Chairperson.

The Department may, if necessary, create other appointive standing committees at the first Department meeting of an academic year, and may create *ad hoc* committees at any time, including a Search Committee (three members, see IV B) and a By-Laws Committee (see section XIII).

No Department member should serve in less than two Department committees.

## **F. DEPARTMENT REPRESENTATIVES**

1. The Department shall elect representatives to the University Senate: one representative and one alternate for every fifteen members of the Department and fraction thereof, according to Faculty Senate Constitution, section 3.1.1. The Chairperson is not eligible to vote for or serve as Senator for the Department. Any other full-time Department member shall be eligible to run. Elections of these representatives shall be conducted by the Elections Committee during the spring semester of the academic year prior to the one in which they shall take office.

2. The Department shall select a University Library Liaison every two years.
3. The Department shall select a Computer Advisor every two years.
4. The Department shall select a AAUP Liaison annually.



Department representatives to the University Curriculum Committee and the University Graduate Studies Committee shall be selected by the Department Curriculum Committee and the Department Graduate Studies Committee among their respective members as follows:

1. University Curriculum Committee: one representative and one alternate.
2. University Graduate Studies Committee: one representative and one alternate.

### **VIII. CURRICULUM PROCEDURES**

Any Department member or members may submit a proposal to add, delete or revise courses and/or programs. The proposal must first be discussed in the language area or areas to which it applies, and then submitted to the Departmental Curriculum Committee. If the Curriculum proposal concerns graduate courses or programs, the proposal must first be submitted to the Departmental Graduate Studies Committee. If the Departmental Graduate Studies Committee recommends it, the proposal and recommendation will be forwarded to the Departmental Curriculum Committee. If the Departmental Curriculum Committee recommends it, the proposal and recommendation will be forwarded to the Department for discussion and vote. The Department as a whole makes the final decision on the proposal that has been recommended by the Departmental Curriculum Committee. A simple majority of the Department must approve the proposal for it to be forwarded to the University Curriculum Committee. Ideally, proposals should be discussed at Department meetings, but relatively non-controversial proposals may be approved by e-mail or paper ballot.

### **IX. COURSE ASSIGNMENTS**

The Assistant Chairperson shall inform full-time members about courses to be taught according to the cycling pattern, and shall request a list of teaching preferences from each section. The language sections shall meet individually and, if possible, arrive at a consensus as to which members teach which courses. The preferences shall be forwarded to the Assistant Chairperson by the deadline specified. If the section does not arrive at a consensus, the Assistant Chairperson or the Chairperson will make the final decision as to course assignments, in which case, if a policy of rotation is applicable, it should be applied. Once the timetable is finalized, it may not be changed, and classes must be held as established.

### **X. COURSE EVALUATIONS**

A course evaluation questionnaire may be created by the Department and submitted to students enrolled in Department courses. The questionnaire shall be reviewed regularly for the purpose of making appropriate modifications. Evaluations shall be made after midterm and before the final week of classes. Each tenured faculty member will be encouraged to submit course evaluations at least once a year. Non-tenured and part-time faculty shall submit evaluations of all their courses. The course evaluation questionnaires are to be given to students during class time, and filled out and collected according to the printed instructions.

## **XI. ADVISING**

The Chairperson shall appoint advisors to majors and minors, and shall take appropriate steps to identify those students and inform them of advising procedures. The Chairperson shall provide advisors with advisees' names and transcripts. After initial appointments, the Chairperson may assign students to other advisors, if necessary. It is the faculty member's responsibility to provide accurate advising. In case of doubts and whenever needed, faculty members should consult with their peers and Department officers in order to guarantee adequate guidance to their advisees.

## **XII. COMMENCEMENT CEREMONIES**

The Chairperson shall see that the Department is appropriately represented at all commencement exercises and shall notify those faculty members who are to attend as representatives. A policy of rotation shall be followed.

## **XIII. EMERITUS STATUS**

Emeritus status may be awarded to retiring full-time members with a distinguished record of service, according to procedures established by article 5.7 of CSU-AAUP Collective Bargaining Agreement.

## **XIV. RATIFICATION, REVIEW, AMENDMENT AND INTERPRETATION OF THE BY-LAWS**

The Department will create an appointive By-Laws Committee of three members, to revise the By-Laws every five years.

The revised By-Laws shall be copied and distributed to all Department members at least seven days before the date of a Department meeting at which they are to be offered for ratification. A two-thirds vote of the members present at that meeting, provided they constitute a quorum, shall be required for ratification.

A proposal to amend the By-Laws may be submitted to the Department Chair in writing by any Department member. The Department Chair shall present all proposals in writing to all Department members at least seven days before the date of a Department meeting at which the amendments shall be voted on. A two-thirds vote of the members present, provided they constitute a quorum, shall be required for the adoption of any amendment to the By-Laws. When any revisions are made, the revised By-Laws shall be duplicated in their entirety and distributed to all Department faculty members. A copy of the most current version of the By-Laws indicating the date of the latest revision must be kept in the Department and made available to all department members upon request by the Administrative Assistant.

All cases of conflicting interpretations of these By-Laws shall be settled by a majority vote of the Department.

These By-Laws become effective in the Fall 2015 semester.