

By-Laws of the Department of Ethnic Studies, University of Colorado Boulder

Revised October 2018

I. The Department

A. The Department of Ethnic Studies (DES) consists of the department which offers an undergraduate major and minor in Ethnic Studies, a doctoral degree, a graduate certificate in Comparative Ethnic Studies, and a BAM in Ethnic Studies (BA in Ethnic Studies and Masters in Education).

II. The Faculty

A. The Core Faculty consists of all tenured or tenure-track faculty and full-time instructors rostered in the DES.

B. The voting faculty of the DES is constituted of the Core Faculty. However, only tenured faculty can vote on personnel issues as they relate to mid-career reviews and cases for promotion and tenure, and promotion to full professor.

C. Affiliate faculty status can be extended to any tenured or tenure-track faculty members in other units on the Boulder campus or in the University of Colorado system by request, submission of curriculum vitae, brief statement of research interests and approval by majority of vote of the Core Faculty. Faculty Affiliates are nonvoting members of the DES.

D. Visiting faculty status can be extended to any scholar not rostered at CU Boulder. This status is conferred upon request of the visiting faculty candidate, submission of curriculum vitae, and approval by majority vote of the Core Faculty. Visiting faculty are nonvoting members of the DES.

E. Graduate Part-Time Instructors (GPTIs), Graduation Teaching Assistants (TAs) and Honorarium Lecturers or other part-time instructors of DES courses are nonvoting members of the DES. The graduate student representative elected yearly can attend faculty meetings.

III. Governance

A. Chair

1. The Chair shall be elected by a majority vote of the Core Faculty and the results of the election shall be forwarded to the Dean of Arts and Sciences for approval and appointment. The Chair must be a tenured faculty member of the DES.

2. The Chair shall function as the Executive Officer of the DES. With the advice and consent of the Executive Committee (explained in more detail below), the Chair shall be responsible for formulating and executing the policies of the DES.
3. The Chair shall coordinate all DES departmental and interdepartmental activities; approve the course schedules; draw up the budgets; supervise the hiring and employment of classified staff, graduate student research assistants, GPTIs, TAs, honorarium lecturers, and undergraduate assistants; and make recommendations to the Dean as needed for the administrative, instructional, and programmatic requirements of the DES. The Chair shall also appoint *ad hoc* committees for specific tasks and policy considerations (e.g., new curriculum development, publications, research, grant-writing, outreach, fund-raising, etc.).
4. The Chair's term shall be three years, and can be renewed for additional terms of three years upon the majority vote of the Core Faculty and approval of the Dean. New chairs normally take office at the beginning of the new fiscal year. Chairs can be asked to step down if they lose the confidence of the executive committee and the faculty.
5. The Chair is assisted by both of the Associate Chairs (i.e. Associate Chair of Graduate Studies and Associate Chair of Undergraduate Studies), Executive Committee (both of the Associate Chairs plus additional members from cognate areas in DES), Curriculum Committee, and the Grievance Committee (see below).
6. With the approval of the Executive Committee, the Chair may recommend to the Dean an Acting Chair to hold office of not more than one academic year in the event of the chair taking a sabbatical or leave of absence, receiving an outside grant, or for medical reasons.

B. Associate Chairs

1. Upon recommendation of the Chair, the Associate Chairs shall be selected with approval of a majority of the Core Faculty. The Associate Chairs shall normally be a tenured member of the Core Faculty, however if there is strong interest from an advanced assistant professor to be considered for this position it will be brought to the executive committee and then the core faculty. One associate chair will be primarily considered for undergraduate studies and affairs, and the other associate chair will be primarily considered for graduate studies and affairs. Both chairs will play a key role in curriculum planning given that undergraduate classes must be built to accommodate the TA needs of our doctoral students.
2. The Associate Chairs' terms shall be three years and can be renewed for additional terms of three years upon the majority vote of the Core Faculty.

3. The Associate Chair of Undergraduate Studies (ACUGS) shall coordinate the undergraduate program and serve as the co-chair of the Curriculum Committee. In consultation with the Chair and administrative staff, the Associate Chairs shall solicit faculty teaching requests, assign courses, and draft course schedules for approval by the Chair. However, this Associate Chair might also seek input from the Director of Graduate Studies Associate chair regarding the TA and GPTI positions for graduate students.

4. The Undergrad Associate Chair shall be designated by the Chair to handle undergraduate grade appeals (see Section VIII.C) and requests for undergraduate curricular exemptions.

5. The Associate Chairs, individually or together, shall be responsible for the smooth functioning of the department in the event of the Chair's brief absences from the campus, or when there is a conflict of interest. The Associate Chairs, along with the other two members of the Executive Committee other than the Chair and Associate Chairs, shall also assist the Chair in the annual merit evaluation of the faculty, including evaluation of the Chair, according to the document entitled "Department of Ethnic Studies Annual Faculty Merit Evaluation."

6. In the event that the office of the Chair is vacated due to resignation, extended illness, death, or recall, one of the Associate Chairs shall serve as Interim Chair until an election can be held for a new permanent Chair or for a temporary chair can be appointed.

C. Associate Chair of Graduate Studies (ACGS)

1. The ACGS is elected by the department faculty to a three-year term, which may be renewed for additional three-year terms upon approval by the majority of the Core faculty.

2. The ACGS administers the graduate program and chairs the Graduate Committee (see below).

a) The ACGS orchestrates the implementation and operation of the graduate program, organizes recruitment of potential students, advises students on policy and procedures, monitors student progress toward degree, provides teaching assistants (TAs) and graduate part-time instructors (GPTIs) with oversight, pedagogical advice, assistance, and resources, oversees the resolution of petitions and grievances brought to the Graduate Committee (GC) (see below), and advises the Chair on assignment of graduate courses to faculty and distribution of teaching assignments to graduate students.

b) The ACGS maintains dossiers on each graduate student, which include annual progress reviews and teaching evaluations, and may write letters of recommendation for graduate students applying for internal and external fellowships and grants.

c) The ACGS ensures adherence to the by-laws and governance protocols of the DES, the College of Arts and Sciences, and the Graduate School.

3. The ACGS shall be designated by the Chair to handle graduate student grade appeals (see Section VIII.C) and requests for graduate curricular exemptions.

IV. Standing Committees

A. Executive Committee (EC)

1. The EC shall provide advice and consultation to the Chair.

2. The EC shall consist of the Chair, the Associate Chairs (2), and two additional members, who shall be appointed by the Chair. The term of office for the two additional members will be three years, on a staggered appointment basis. To the extent practicable, the EC should include representation of faculty across research interest areas. Faculty can either nominate themselves or others to serve the EC and if there are more than two faculty that are nominated to serve. A vote will be brought to the faculty.

3. The EC shall serve as the merit evaluation committee of the department.

4. Appointed members may be replaced upon recommendation of the Chair, with the approval of the executive committee.

B. Graduate Committee (GC)

1. The Graduate Committee serves as the executive policy and decision-making body of the graduate program. The GC will operate as the Graduate Program's de facto admissions committee, by reviewing all new applications to the program, and narrowing down the applicant pool to those applicants who meet the department's standards of admission. The GC will make final decisions on admissions, with input from Core Faculty.

2. It is chaired by the ACGS and includes three faculty members of the DES nominated by Chair of the DES and elected by the Core Faculty to two-year, rotating terms. The Chair of the DES is an ex-officio member of the GC.

3. The GC is empowered to make decisions regarding admissions, curricular matters, petitions and grievances, and recommendations about graduate student teaching and funding.

C. Curriculum Committee (CC)

1. The Curriculum Committee serves as the policy and decision-making body governing undergraduate curricular matters.
2. It is chaired by both Associate Chairs and includes faculty members of the DES nominated by the Chair of the DES and elected from the Core Faculty to three-year, rotating terms. The Chair of the DES is an ex-officio member of the CC.
3. The CC is empowered to make decisions regarding approval of new courses, recommendations about revisions to the undergraduate curriculum, and recommendations about undergraduate teaching.

V. Meetings, Voting, and Quora

- A. Department meetings shall normally be held at least once a month during the academic year. Department meetings should be held in person, though in circumstances deemed by the Chair to be extenuating and exceptional, they may be held on-line. A special department meeting may be called at the discretion of the Chair, or by a quorum of the Core Faculty (see below). Scheduled meetings may be cancelled by the Chair for lack of an agenda.
- B. The department shall normally hold a full or half-day retreat at the beginning and/or at the conclusion of each academic year.
- C. The Executive Committee shall meet on an as-needed basis. The Chair or any member of the EC may call such a meeting.
- D. Decisions at meetings shall be made by those present and voting. Proxy or absentee votes will be accepted only by prior permission of the Chair; normal reasons for accepting a proxy or absentee vote include the absent member being on sabbatical or fellowship, conducting a class or lecture, a medical absence, or being away from campus with the prior approval of the Chair.
- E. For exigent matters that do not require extensive discussion, the Chair may institute an electronic ballot.
- F. A majority of votes is constituted by more than 50% of votes cast, with abstentions not counting as votes. An exception to this will be if more than one-third of the department does not vote. If more than one-third of the department is not voting, a two-thirds majority is required.
- G. A quorum of the Core Faculty shall be constituted by a majority of Core Faculty.
- H. A quorum of the Executive Committee shall be constituted by three members of the Executive Committee.

VI. Reappointment, Promotion and Tenure

A. Reappointment, promotion and tenure of faculty members shall be conducted according to the document entitled “Departmental Policies for Reappointment, Promotion and Tenure.” This document will be provided to all new faculty upon starting with the department.

VII. New Faculty Recruitment and Appointments

A. Tenure and Tenure-track Faculty

1. The Chair and the Core Faculty shall determine the nature and focus of the position request (research and teaching specialty, discipline, rank, etc.). The chair will forward position requests to the Dean.

2. The Chair, in consultation with members of the EC, shall appoint a Search Committee, consisting of a chair, who must be a member of the Core Faculty, and members, who should normally be members of the Core Faculty. However, as necessary or appropriate, faculty affiliates or other faculty rostered at the CU Boulder campus may be included as members of the search committee. The Chair of the DES is an ex-officio member of the Search Committee.

3. The Search Committee shall prepare the position description, develop a written search plan to include advertising, timetable, and interviewing process.

4. The Search Committee shall read and evaluate all applications and propose to the Chair of the DES a short list of three candidates to be invited to the campus for site visits and interviews. The Chair of the DES shall review and approve the short list and forward it to the Dean for approval.

5. The Chair of the Search Committee shall coordinate with staff to arrange campus visits and agendas.

6. The Core Faculty, faculty affiliates and any other interested faculty and staff, as well as graduate and undergraduate students, shall be invited to participate in the interview process and to submit comments on the candidates’ credentials, performance and promise, and any other relevant criteria as stipulated by the Search Committee.

7. The Core Faculty shall arrive at a rank ordering of the candidates by discussing the merits of each candidate and then with a secret ballot.

8. The Chair of the DES shall submit to the Dean the ranked list of candidates for the position, with rationale for each inclusion, and for the overall ranking.

B. Non-Tenure Track Appointments

1. For full-time Instructorships, the Chair shall develop a search committee from the core faculty and will get input on the particular teaching focus for the position based on the curricular and departmental needs. The Chair can authorize the search committee to do a national search and the committee will interview applicants and present their shortlist and/or recommendations to the Chair who will present the short list and make their application materials available to the executive committee. Offers for such appointments shall require approval by a majority vote of a majority of the Executive Committee.
2. The Chair shall have the authority to approve the hiring of part-time Honorarium Lecturers, GPTIs, and TAs.

VIII. Grievances

- A. The Department is dedicated to an open, inclusive and supportive environment for all of its faculty, students, and staff. Our interactions should always be predicated on principles of mutual respect, fair performance expectations and evaluations, and equitable access to resources and opportunities.
- B. The department will adhere to university policies and procedures for all claims of discrimination and harassment. Claims of discrimination or harassment fall under university, not departmental, policies and must be handled according to university procedures, rather than within the department.
- C. Grade Appeals
 1. When a student believes that a grade has been improperly assigned, the student must first discuss the grade and its reasoning with the instructor. Only after discussions between the instructor and the student have taken place without leading to satisfactory resolution can the student file a written grade appeal.
 2. In the case of undergraduate grade appeals, the Associate Chair of undergraduate studies will be the designee of the Department Chair. In the case of graduate student grade appeals, the Director of Graduate Studies will be the Department Chair's designee.
 3. A grade appeal must be submitted to the Chair's designee as a formal, written appeal that explains the reasoning for changing a grade, specifies the remedy desired by the student, and includes the examination, paper, or project under dispute. The appeal must be submitted within 45 days of the end of the academic term in which the course was taken.
 4. The Chair's designee will meet (together or separately) with the student and with the instructor of the course. If a face-to-face meeting is not possible, the meeting may be conducted via correspondence or electronically. If the Chair's designee is unable to broker a solution mutually acceptable to both student and instructor, then

5. The Chair's designee shall appoint an Ad Hoc Grade Appeals Committee within 28 days of failing to reach resolution. This Committee shall consist of at least two impartial faculty members competent in the subject matter of the course in question. The Chair's designee will provide the Committee with the student's written appeal, the examination, paper, or project under dispute, and a written response from the faculty member.

6. Within 45 days of receiving the appeal, the Ad Hoc Grade Appeal Committee will submit a report and recommendation to the Chair's designee, and the Chair's designee will recommend to the instructor that either (1) that the originally assigned grade stand; or (2) that a new grade be assigned. In cases where a change of grade is recommended and the instructor does not wish to accept the recommendation of the Committee, the Chair's designee shall forward the written materials associated with the appeal to the Associate Dean for Student Success in the College of Arts and Sciences.

D. All other disputes or grievances, including salary grievances, shall be handled according to the following departmental policies:

1. Informal resolution – Depending on the nature of the grievance, the grievant is expected to first attempt to resolve the grievance with the other party involved. The parties involved should seek to understand each other's viewpoints and to resolve their differences by engaging in respectful and honest dialogue. If necessary, the advisor(s), instructor(s) or supervisor(s) of the parties should be consulted for assistance. The Ombuds Office is also recommended as a resource for informal, impartial and confidential dispute resolution services. If informal resolution proves unsatisfactory, the grievance must be directed to the Chair of the department for formal departmental deliberation and decision.

2. Written grievance – One or both parties are expected to submit a written complaint to the Chair within 28 days of the failure of informal mediation. The complaint should detail the nature of the grievance and the requested action to remediate the grievance. The complaint is expected to include any documentation or other evidence related to the event precipitating the grievance.

3. Chair's ruling and/or grievance committee appointment – The Chair at this point may rule on the grievance in writing to the parties involved within 28 days of the receipt of the complaint. Alternatively, within 28 days of receiving the complaint, the Chair may refer the complaint to the department Executive Committee for ruling. If the Chair has ruled directly on the grievance and either party is not satisfied with the Chair's ruling, either party may request the grievance be referred to the department's Executive Committee for ruling.

4. Multiple routes of grievance submission: if the grievance is with the Chair, or if the Chair is the grievant, the written complaint should be submitted to the Associate Chairs. If the both Chair and Associate Chair are deemed inappropriate by either party, an Ad Hoc Grievance Committee will be appointed. This Committee will consist of at least three members, including members of the Executive Committee (excluding any parties to the grievance). If additional members are necessary to form a committee of at least three, they will be selected by unanimous agreement of the Executive Committee members (excluding any parties to the grievance). The Ad Hoc Grievance Committee will review and act on the grievance within 28 days of receiving the complaint.

5. Appeal beyond the department – if either party is not satisfied with the Ad Hoc Grievance Committee’s ruling, they may appeal to a higher level within the university. It is the responsibility of the party that has made the final departmental ruling (which could be the Chair, Associate Chairs, or the Ad Hoc Grievance Committee, depending on which procedure was followed) to inform the parties of the appropriate path of appeal, depending on the nature of the grievance (i.e. Arts & Sciences Council, Faculty Assembly, Graduate School, Dean, Provost, Chancellor, President).

IX. Amendments or Changes to the By-Laws

A. Amendments or changes to the by-laws may be presented by any member of the Core Faculty. Any proposed amendment shall be circulated to the Core Faculty in writing prior to the meeting at which it shall be discussed. Passage shall require a two-thirds majority of all votes cast. The rules and regulations of the University of Colorado, the Boulder campus, and the College of Arts and Sciences shall apply at all times.

B. These By-Laws shall be reviewed at the beginning of each new term of the Chair.