



UNIVERSITY OF NEVADA, LAS VEGAS

DEPARTMENT OF KINESIOLOGY

BYLAWS

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Chapter 1 Organization of the Department of Kinesiology

1.3 Mission Statement

The mission of the Department of Kinesiology is to advance, apply and discover knowledge of physical activity as it relates to physical fitness, health, and performance. We do this with the conviction of developing and supporting research and academic programs that focus on a) injury prevention and rehabilitation b) maintenance and improvement of physical fitness, wellness and performance and c) understanding factors that govern human movement. It is our intention that the research and academic programs will prepare professionals to be successful in future educational pursuits as well as careers in the Allied Health area.

1.4 Delegated Authority

The University of Nevada, Las Vegas Bylaws (Chapter I, section 4.4) delegates the authority to the Department of Kinesiology faculty to create bylaws.

1.5 Purpose of Department Bylaws

1.5.1 Contents. The Bylaws shall identify the departmental and faculty organization; and specify procedures for developing and implementing the policies of the department.

1.5.2 Interpretation. The bylaws committee is granted authority to interpret the intent of the Bylaws. If consensus of the committee can not be reached, the faculty as a whole will be polled as to intent.

1.5.3 Amendment. Any faculty member of the department may propose an amendment to the Bylaws. Proposed amendments shall be circulated 10 working days prior to the Department of Kinesiology meeting in which they will be discussed.

1.5.4 Faculty Approval. Amendment of these Bylaws shall require approval of two-thirds of the faculty. Voting is by a secret ballot at a faculty meeting or by secret mail ballot if the publicized proposed amendment is changed during the meeting. If a vote is taken by a mail ballot, the ballots must be returned in 10 working days. Members of the Bylaws Committee shall serve as tellers.

1.6 Organization of the Department

1.6.1 Academic Units, Degree Programs and Laboratories.

1.6.1.1 Units

The Department of Kinesiology consists of the following units: Kinesiology including a program in Athletic Training.

1.6.1.1.1 The Athletic Training program is directed by the Athletic Training Program Director. The Athletic

Training Program Director is appointed by the Chair.

1.6.1.2 Degree Programs

The department offers the following degrees: Bachelor of Science in Kinesiological Sciences; Bachelor of Science in Athletic Training; Bachelor of Science in Fitness Management; Master of Science in Kinesiological Sciences; and Master of Science in Exercise Physiology.

1.6.1.3 Laboratories

The department consists of the following laboratories: Athletic Training Research Laboratory, Biomechanics Laboratory, Exercise Physiology Laboratory, and Motor Behavior Laboratory.

1.6.2 Formation of new programs, centers or laboratories.

New units within the department may be recommended to the Chairperson of Kinesiology, a committee of the faculty, or by the Chairperson's initiation. The recommendation shall be accompanied by the rationale utilized in recommending the action. The Chairperson may request a review and recommendation from the department curriculum committee. Once data and recommendations are available, the faculty of the department will vote as to the establishment of the requested unit. Two-thirds of the faculty must approve the request to achieve a positive recommendation.

1.6.3 Splitting, Consolidating, or Eliminating Existing Programs, Centers or Laboratories.

Actions to split, consolidate, or eliminate existing units may be recommended to the Chairperson by members of the affected unit, or by petition of two-thirds of the faculty of the department, or by the Chairperson's initiation. The recommendation shall be accompanied by the rationale utilized in recommending the action. The Chairperson may request a review and recommendation from the curriculum committee. Once data and recommendations are available, the faculty of the affected unit and the faculty of the department will vote. Two-thirds of the faculty must approve the recommendation to split, consolidate or eliminate the unit. This vote will be forwarded to the Dean for approval.

1.6.4 Administrative Approval.

Recommendations for forming, splitting, consolidating or eliminating units shall be assembled by the Chairperson. Recommendations of the Chairperson, as well as those specified in 1.4.1.1 and 1.4.1.2 shall be forwarded to the Dean, Provost, and the President. Recommendations requiring approval of the Board of Regents shall be forwarded by the appropriate authority.

1.7 Administrators of the Department

1.7.1 Chairperson.

The chief administrative officer shall be the Chairperson of the Department of Kinesiology. The Department Chairperson shall normally be a tenured member of the faculty who holds the rank of Associate Professor or higher.

1.7.1.1 The Chairperson of the Department of Kinesiology shall have final approval of budgeting, coordinating faculty teaching assignments, selecting classified staff, and other duties, taking into consideration the advice of the faculty within the Department. The Chair shall be available and accessible as needed. This includes daily accessibility during the regular semesters, peak periods of registration, orientation, placement testing during the summer, and at the end of every semester during the period set aside for the submission of grades.

1.7.2 Appointment of the Chairperson.

A Chairperson nominated and approved by the faculty shall be appointed by the Dean. In the event the Department faculty cannot agree on a candidate, the Dean shall nominate the Chairperson after consulting with the faculty of the Department. Candidates for Department Chairperson must be acceptable to the Dean and the Senior Vice President and Provost, and are finally appointed by the President.

1.7.3 The Chairperson may appoint ad hoc committees as needed and may appoint faculty to represent the Department to various School and University committees when requested to do so.

1.7.4 The Chairperson will provide communication to faculty members regarding criteria for promotion, tenure, and merit ratings.

1.7.5 The Chairperson shall be evaluated according to the UNLV Bylaws as described in the section entitled "Evaluation of Administrators Other Than the President", Chapter III, Section 14.3. Each administrator shall be evaluated at least once every three years. The faculty, operating as a committee of the whole, shall evaluate the Chairperson every three years. In the intervening years, the Dean shall conduct an evaluation with input from the faculty.

1.7.6 The Chairperson is normally appointed for a three-year term. However, the Chairperson serves at the pleasure of the Dean and may be removed at

any time by the Dean. In addition, at the formal written request of two-thirds of the full-time faculty members within the Department, removal of the Chair may be recommended to the Chairperson's Dean, Provost, and the President.

1.7.6.1 In the third year of appointment, the faculty shall vote on whether or not the Chairperson should be renewed.

1.7.7 The Department Chairperson is responsible for personnel recruitment, personnel evaluation, and recommendations on retention, tenure, promotion, annual performance evaluation, and merit. The Chairperson will prepare a written annual evaluation of each faculty member in the Department.

1.7.8 The Department Chairperson is responsible to perform any other appropriate assignment that Department or School circumstances may require.

1.8 Membership of the Department

1.8.1 The Department faculty shall consist of those people holding a full-time academic appointment with the NSHE within the School of Allied Health Sciences who are recommended by the faculty and approved by the Chairperson and Dean for appointment to the Department.

1.8.2 Adjunct faculty and visiting faculty assigned to the Department and emeritus faculty shall be non-voting members of the Department faculty.

1.8.2.1 Adjunct faculty candidates must be nominated by a Department faculty member and approved by the Department faculty.

1.8.3 The Department faculty, under the direction of the Chairperson, shall have authority over the Department's educational policy. The Department faculty shall prescribe the Bylaws under which it will administer the programs of study for which the Department has responsibility. Such Bylaws must be consistent with provisions of the UNLV and School Bylaws. The Chairperson or designee shall present any action of the Department, which requires the consideration, and/or approval of the School faculty to that body, via appropriate channels.

1.8.4 A faculty member who splits duties between the Department of Kinesiology and another department may have a vote in the Department of Kinesiology provided a majority of the assigned duties are in this Department. If duties are equally divided among two or more departments, the faculty member may have a vote in the department mutually agreed upon by the Department Chairpersons of the School/College and the faculty member concerned. No faculty member

shall have a vote in more than one department. The voting status of such a member may be reviewed and changed only at the close of an academic year. In the event that mutual agreement cannot be reached, the final decision will rest with the Dean.

- 1.8.5 All faculty members may make recommendations and may vote on all matters of educational policy that affect undergraduate programs of instruction.
- 1.8.6 Appointment to the Graduate Faculty is governed by the Graduate College Bylaws. Only faculty duly appointed to the Graduate Faculty may propose or vote on graduate matters.
 - 1.8.6.1 Renewal of Graduate Faculty status will be requested by a faculty member to the department. Requests that are approved by the Department are forwarded to the Graduate College for review and approval.

Chapter 2 Department Meeting

2.1 Schedule for Meetings.

The Department shall meet at least once each semester. Meetings shall be scheduled by the Chairperson during normal working hours, 8:00 a.m. - 5:00 p.m., Monday through Friday. Additional meetings may be called as necessary during the academic year. These meetings may be initiated by (a) the Chairperson or (b) a written request of at least one-third of the department faculty. A meeting shall be held no later than 7 working days after the Chairperson receives the written request.

2.2 Notification of Meeting and Agenda.

At least five working days prior to a meeting, written notice of the meeting with a tentative agenda shall be distributed to the membership. Notification of a meeting shall constitute notice to individual faculty to submit agenda items. Agenda items shall be submitted to the Department office at least two days prior to the meeting. A copy of the final agenda shall be distributed at the meeting. The agenda must be approved at the beginning of the meeting.

2.3 Chair of Meetings.

The Chairperson of the Department or a designee of the Chairperson shall chair the Department meetings.

2.4 Proceedings.

Meetings shall be conducted according to the latest edition of Robert's Rules of Order, except where proceedings conflict with these Bylaws, then the Department Bylaws shall take precedence. All meetings must conform to the open meeting laws of the State of Nevada.

2.5 Quorum.

A quorum shall be established if 51% of the faculty of the Department are present.

2.6 Proxies.

Proxies will be allowed in votes taken by the faculty of the Department. Only one proxy per person will be allowed, and there must be written documentation directing the proxy how to vote on each specific agenda item that will be voted on during that meeting.

2.7 Voting.

Each member of the Department (see Section 1.6) shall have one vote. Decisions shall be made by simple majority voting in favor of a motion unless otherwise designated (Section 1.3.3.1, Section 1.4.1.1, and Section 1.4.1.2). Voting may occur at a meeting or by mail.

2.8 Reconsideration of a Vote.

Any action taken at a Department meeting on an item not on the agenda distributed at the meeting is subject to reconsideration. For reconsideration to occur, a petition to the Chairperson requesting that the vote be nullified shall be signed by any member of the Department not present at the meeting. The petition must be submitted to the Chairperson no later than ten working days after distribution of the minutes. The item shall automatically become a published agenda item for the next meeting of the Department. The reconsideration vote does not apply to items voted upon by mail ballot.

2.9 Secretary.

The Chairperson will be responsible for providing secretarial support for Department faculty meetings. The secretary will maintain accurate records and prepare the minutes of the meeting.

2.10 Minutes.

The minutes for each meeting shall be distributed to the Department faculty within ten working days. An archive of approved minutes shall be kept in the department office.

Chapter 3 Committee Structure

3.3 Committees of the Department

3.3.1 Purpose of Department Committees.

Committees are established to facilitate the functioning of the Department, recommend policies, and provide input into the governance of the Department.

3.3.2 Ad Hoc Committees may be established for specified purposes by the Chairperson or vote of the Department faculty. Membership will be determined by the charge of the committee, but may have representatives elected by the Department membership or appointed by the Chairperson. Ad hoc committees shall remain in existence until the work of the committee is completed but not exceed two years. Ad hoc committees become standing committees by amendment of the Bylaws.

3.3.3 The Department Tenure and Promotion Committee shall be the tenured members of the Department faculty (also see 4.5.3).

3.3.4 Creation or Elimination of Standing Committees.

The creation or elimination of Standing committees shall require an amendment to these Bylaws.

3.3.5 Operating Procedures

3.3.5.1 Standing Committees.

Each standing committee shall be prepared to report on actions at each regular meeting of the Department, and submit in writing an annual report to the members of the Department.

3.4 Department Representation on University Committees

3.4.1 The Department's faculty will select a faculty member to represent the Department on the following standing School committees: Academic Standards Committee, Curriculum Committee, Faculty Affairs Committee, Bylaws Committee, and any other standing committee created in the future for which a Department representative is required. In cases where a member of the Department's faculty has been elected as the School's representative to a University standing committee, that faculty member will also serve as the Department's representative to the analogous School committee.

3.4.2 The Department Chairperson will serve as the Department's representative to the School Executive Committee.

Chapter 4 Faculty Personnel Policies

4.1 Workloads for Academic Faculty

- 4.1.1 The workload for each academic faculty member shall be determined by the Department Chairperson in accordance with the School of Allied Health Sciences and UNLV Faculty Workload Policies.

4.2 Faculty Recruitment

- 4.2.1 The faculty in the Department along with the Chairperson will identify and prioritize the Department's staffing needs and submit same to the Dean and the Executive Committee. The recruitment of faculty for the Department will be conducted by a committee appointed by the Chairperson with the approval of the Dean, and shall be in accordance with University procedures. Prospective faculty who are offered appointments in the Department must be acceptable to a majority of the current faculty and the Chairperson.

4.3 Personnel Recommendations

- 4.3.1 Recommendations relative to personnel shall be in accordance with policy and procedure for the University as set forth in the applicable sections of the UNLV Bylaws and the Department Bylaws included herein.

4.4 Annual Evaluation of Department Faculty

- 4.4.1 The department chair shall write an annual evaluation and present it to the faculty member for review. If the faculty member disagrees with the evaluation, then he or she (a) within thirty calendar days after notification, may submit a written response to the evaluation to be incorporated therewith, and (b) within fifteen calendar days after notification, may request in writing to the school dean or appropriate vice president the formation of a committee of peers to conduct a separate annual evaluation.

The elected peer review committee shall consist of tenured faculty members regardless of rank. The peer review committee shall be constituted within fifteen calendar days after receipt of a request for peer review. The committee's purpose shall be to file a report, which either recommends upholding the administrator's original evaluation or reversing that evaluation and recommending an alternative one. The committee shall complete its work no later than the end of B-contract period. Both the original evaluation and the recommendation of the peer review committee shall be forwarded to the appropriate dean and vice president or Executive Vice President and Provost and both evaluations shall be placed in the faculty member's master personnel file. The appropriate vice president or Executive Vice President and Provost shall make the final decision on the evaluation to be issued to the faculty member for the year.

- 4.4.2 The quality of each faculty member's performance in teaching, scholarship, and service, including University, professional, and community service, will be evaluated with the following performance categories: unsatisfactory, satisfactory, commendable, or excellent.
- 4.5 Promotion or Appointment to Academic Rank
 - 4.5.1 The Doctorate degree is considered to be the terminal degree for faculty appointed in the Department.
 - 4.5.2 There are three academic ranks in the Department: Assistant Professor, Associate Professor, and Professor. The Department expects an appropriate record of accomplishments in support of each promotion and appointment as described in the UNLV Bylaws, Chapter III, Section 16. Appointment to each rank also requires different levels of accomplishment as outlined in the UNLV Bylaws (16.3, 16.4, & 16.5).
 - 4.5.3 Promotion Procedure.

The tenured faculty members of the Department constitute the Department's Promotion Committee. They will individually determine the suitability of a candidate for promotion and make a recommendation to the Department Chairperson. The Department Chairperson must also make a determination about the suitability of a candidate and file a recommendation. The faculty recommendation and Chairperson's recommendation and all supporting documentation are forwarded to the Dean and the School Faculty Affairs Committee. Voting members will be at the rank or higher of the candidate's requested rank.

If the decision is adverse, the candidate may follow procedures for requesting reasons and reconsideration as outlined in NSHE Code section 5.2.4.
 - 4.5.4 The applicant for promotion bears the responsibility for completing all applicable paperwork related to the application, and for documenting contributions and effectiveness in the areas of teaching, scholarship, and service.
- 4.6 Awarding of Tenure
 - 4.6.1 Eligibility.

Only academic faculty members as defined in NSHE Code 3.4.2/UNLV Bylaws 4.3 are eligible to apply for tenure. Administrators are eligible for tenure only in the capacity of academic faculty.
 - 4.6.2 Purpose.

Tenure is awarded to those faculty who have demonstrated during their probationary period a level of competence in teaching, scholarship, and service, and a commitment to the goals of the Department, School,

University, and profession such that their permanent appointment to the faculty is warranted.

4.6.3 Criteria for Awarding Tenure.

A faculty member under consideration for tenure must be evaluated on the basis of their effectiveness and contributions in three areas: teaching, scholarship, and service. In order to be recommended for tenure, the faculty member must receive an excellent rating in either teaching or scholarship, and at least satisfactory ratings in the remaining two areas as per NSHE Code 3.4.2, plus they must have demonstrated an ability to work with their colleagues to advance the mission of the Department.

4.6.4 Documentation by Applicant.

The applicant for tenure bears the responsibility for completing all applicable paperwork related to the application, and for documenting contributions and effectiveness in the areas of teaching, scholarship, and service.

4.6.5 Rating of Applicant.

Individuals and committees responsible for rating applicants for tenure shall assign ratings of (i) Unsatisfactory, (ii) Satisfactory, (iii) Commendable, or (iv) Excellent. No other rating terminology is permitted. In order to be recommended for tenure, the faculty member must receive an excellent rating in either teaching or scholarship, and at least satisfactory ratings in the remaining two categories as per NSHE Code 3.4.2.

4.6.6 Tenure Procedures.

The tenured faculty members of the Department will constitute the Department's Tenure Committee. They will individually determine the suitability of a candidate for tenure and make a recommendation to the Department Chairperson. The Department Chairperson must also make a determination about the suitability of a candidate for tenure and file a recommendation. The faculty recommendation, and the Chairperson's recommendation, and all supporting documentation are forwarded to the Dean and the School Faculty Affairs Committee.

If the decision is adverse, the candidate may follow procedures for requesting reasons and reconsideration as outlined in UCCSN Code section 5.2.4.

4.6.6.1 Mid-Tenure Review.

A mid-tenure review shall be conducted to determine progress toward tenure. The review shall follow policies and procedures published by the School of Allied Health Sciences. The review shall focus on the individual's activities since appointment, and

will assess the quality and quantity of the individual's productivity related to teaching, scholarship, and service. Strengths and areas of needed improvement shall be identified. Suggestions for strengthening the overall record of productivity shall be provided by the Chairperson and Dean. The review shall normally occur no later than the end of the Spring semester in the third year of appointment

4.7 Denials or Appeals

4.7.1 Denial of Tenure, Salary Increases, Promotion or Reappointment.

In accordance with the NSHE Code (Chapter 5, Sections 5.2.3 and 5.2.4) and UNLV Bylaws a faculty member may request the reasons (Section 6.4) for denial of appointment with tenure, salary increases (including merit awards), promotion or reappointment, and reconsideration (Section 6.5) of personnel actions. Appeals may be initiated after the faculty member has requested reconsideration and the request has proceeded through regular administrative channels to the Provost. (UNLV Bylaws, Section 6.6). The Personnel Appeals Committee of the School shall hear the appeal.

4.7.2 Salary Increase.

Faculty salaries may be increased via cost of living increases, equity or merit pay. All increases are originated at the system level or university level, and are not available every year. Faculty must be performing at a satisfactory level as identified on their annual evaluation to be considered for either a cost of living or an equity increase.

4.7.3 Grievance Policies.

A grievance is an "act" or "omission to act" by an employee of the system (administration, chairs, directors, faculty) which results in an adverse impact on the faculty or student. A grievance must address the interpretation or administration of an existing policy, practice or regulation or violation of the Code. (NSHE Code, Section 5.7.1).

The grievant, student, or faculty member, shall attempt to resolve the grievance informally. If resolution does not occur, each individual or committee within the Department of Kinesiology must forward a recommendation to the next applicable level within 10 working days. Identified below are the procedural steps to be followed.

Faculty grievances are defined in the NSHE Code 5.7.2 and exclude cases involving denial of promotion, tenure, salary increases, and/or merit which are decided by the Appeals Committee. A grievance procedure is designed to resolve problems informally. Grievances can be filed between faculty members or between students and faculty members. In the case of a faculty member grievance, the Chairperson will appoint three members

of the Department faculty to hear the grievance. In the case of a student filing a grievance against a faculty member, the Chairperson will appoint three faculty members and two students to hear the grievance. In either case, the committee will make a recommendation to the Chairperson as to how the grievance may be resolved. This committee recommendation is advisory. Upon completion of this informal hearing, the Chairperson will make a recommendation that will be distributed to each party and to the Dean of the School. Either party in the grievance process has the right to appeal the decision to the Dean of the School, the Academic Vice President and Provost, and/or the University Grievance Committee.

4.8 Equal Employment Opportunity and Affirmative Action Policies

4.8.1 Sexual Harassment in the Work Place.

The Department adheres to the policies of the University as stated in the Discrimination/Harassment Policy Manual and Complaint Procedures, November 1991, Affirmative Action Office. If a faculty member believes that a violation has occurred, the individual should follow the steps outlined in the manual.

4.8.2 Equal Employment Claims.

If a faculty member believes that a violation has occurred, the individual should contact the Affirmative Action Office.

Chapter 5 Bylaws Revisions

5.1 Revising the Bylaws

- 5.1.1 These Bylaws may be revised by a two-thirds majority vote of the faculty in the Department of Kinesiology.