

**Mark H. McCormack Department of Sport Management
University of Massachusetts Amherst**

**Bylaws
(Approved: October 1, 2019)**

1. **Preamble:** In accordance with Article 12 of the UMass-MSP Collective Bargaining Agreement (CBA), these Bylaws have been adopted by a majority vote of the faculty of the Mark H. McCormack Department of Sport Management (the "Department") in the Isenberg School of Management (the "School") at the University of Massachusetts Amherst (the "University" or "UMass"). Federal and state laws, UMass Trustee policies (including, but not limited to, T76-081, the Academic Personnel Policy, aka the "Red Book"), the Collective Bargaining Agreement (the "CBA"), and other established university policies will prevail in instances of conflict with these bylaws. As required by Article 12, these bylaws are subject to review by the Administration and MSP to ensure that the bylaws do not conflict with prevailing laws, policies, and the CBA; such review must occur before the bylaws or their amendments take effect.

2. **Faculty membership, rights, privileges, and responsibilities.** The Department's faculty (the "Faculty") includes all faculty in the Department without regard to bargaining-unit status, tenure status, or full-time equivalency. In general, all members of the Faculty have both the right and duty to participate in governance of the Department, including voting on matters brought before the Faculty, except as specified otherwise below and elsewhere in these Bylaws.
 - 2.1 *Non-Unit Faculty.* Non-unit faculty (department chair/head, associate deans, deans, and other non-unit administrators) may not participate as voting members in personnel actions governed by the CBA. Such non-unit faculty members may not serve on DPCs and may not participate as members of the Faculty in promotion and tenure cases. Non-unit faculty may participate in other aspects of academic governance (such as curricular decision-making and faculty searches), provided those faculty do not have separate administrative purview over the same matters.
 - 2.2 *Access & Voting Rights.* All bargaining-unit Faculty may have access to relevant information and may deliberate on all promotion and tenure cases but may vote only on cases where they have themselves achieved the rank and/or tenure status under consideration for the candidate.

- 2.3 *Graduate Faculty.* Only Faculty who have been designated Graduate Faculty by the Dean of the Graduate School may deliberate and vote on graduate program and graduate curricular matters.
 - 2.4 *Part-Time Faculty Appointments Under 50%.* Part-time bargaining-unit non-Graduate Faculty with an FTE less than 50% may have access to relevant information and may deliberate on all non-graduate programmatic and curricular matters but may not vote on such matters.
 - 2.5 *Faculty Appointments Greater than 50%.* Bargaining-unit, non-Graduate Faculty with an FTE of 50% or greater, without regard to tenure status, should have access to relevant information and may deliberate and vote on all non-graduate programmatic and curricular matters.
 - 2.6 *Duty to Participate in Governance.* Except where the composition of an individual's assigned workload would prohibit such an obligation, all members of the Faculty have a responsibility to participate in governance of the Department and in service to the Department, the School, and the University.
 - 2.7 *Rights and Duties of Faculty on Leave.* Faculty on full-time paid leave (including parental leave and sabbatical leave, and faculty on sick leave so long as the parameters of the leave allow.) maintain their rights during the leave to exercise their rights to participate in the governance of the Department.
3. **Standing Committees:** The Department maintains the following standing committees:
- 3.1 *Department Personnel Committee (DPC).*
 - 3.1.1 DPC Purview. The DPC will perform the functions assigned to it by the CBA, including but not limited to reviewing the Annual Faculty Review and Evaluation of every member of the Department's Faculty; reviewing and making recommendations on all promotion and tenure applications within the Department; reviewing and making recommendations on all reappointments of tenure-track Faculty within the Department; reviewing and making recommendations on all promotions of non-tenure-system faculty; participating in Periodic Multi-Year Review of Faculty as prescribed by the CBA; reviewing and determining Pool A allocations of merit pay among the Department's eligible Faculty as provided for by the CBA; reviewing and making recommendations for anomaly adjustments to salaries as provided for by the CBA; leading the review process for potential reappointment of the Chair/Head.
 - 3.1.2 Composition & Eligibility. The DPC will consist of all tenure stream faculty, as well as all non-tenure stream faculty with a FTE of full-time

50% or greater.. For all reappointment, promotion, and tenure cases within the DPC's purview as determined by the CBA, the DPC will be reduced to include only those departmental faculty whose rank and tenure status is equal to or greater than that of the proposed personnel action. (For example, only tenured Faculty may vote on applications for tenure.)

- 3.1.3 Leadership of the DPC. At the beginning of each academic year, members of the DPC will select their own committee chair. The DPC Chair must be a tenured faculty member within the Department. The Department Chair/Head must not influence this selection in any way.
- 3.1.4 Independence of the DPC. On personnel actions for which the CBA identifies independent roles for the DPC and the Chair/Head—such as AFR reviews, reappointment, promotion, tenure, PMYRs, merit-pay allocations, and anomaly recommendations—the DPC will operate independently, and the Chair/Head must not convene or deliberate with the DPC, nor may the Chair/Head attempt by any means to influence the deliberations or judgment of the members of the DPC.
- 3.1.5 DPC Meetings and Operations. The DPC should organize and schedule its meetings as necessary to perform its duties and meet the deadlines established by the campus master calendar or by College or Department policies. The DPC requires a quorum of two-thirds of its eligible members in order to conduct official business; in voting and in drafting written materials, the DPC may conduct its business electronically. When addressing confidential personnel matters, DPC meetings will not be open to non-DPC members. The DPC should keep a record of its meetings and transactions, which the Department should retain for five years *and should be available to subsequent DPC members; the DPC need not keep meeting minutes.*

3.2 *Curriculum Committee.* The Curriculum Committee is responsible for all curriculum-related matters within the Department, and will meet on an as-needed basis. The Committee will consist of all tenure stream faculty, as well as all all non-tenure stream faculty with an FTE of 50% or greater. At the beginning of each academic year, members of the Curriculum Committee will select their own committee chair. While the Chair of the Committee will normally be the Undergraduate Program Coordinator or the Graduate Program Director, any tenure stream faculty member can serve as Chair. The Curriculum Committee requires a quorum of two-thirds of its eligible members in order to conduct official business; in

voting and in drafting written materials, the Committee may conduct its business electronically.

4. Representation by Faculty on College- and University-Level Committees.

Faculty may volunteer for or may agree to be appointed by the Chair/Head to service on college- and university-level committees and in similar roles.

Service on the following committees, however, is by election as described below:

4.1 School Personnel Committee (SPC). All of the Department's Faculty will annually elect one representative to the SPC to perform the functions assigned to it by the CBA. Eligibility for service on the SPC will be limited to full-time tenured faculty who have achieved the rank of Professor. If no faculty member at the rank of Professor is able to serve, then the representative must be chosen from the group of Associate Professors. Should the SPC member also be a member of the DPC they would not be allowed to vote on candidates from their own department

4.2 School Review Committee (SRC). The SRC reviews the promotion applications of Lecturers and Senior Lecturers and is elected at large across the School by Faculty with any form of the title Lecturer. The Department's Faculty with any form of the title Lecturer will annually nominate from among themselves one person to stand for election to the SRC.

5 Ad-Hoc Committees.

6 The Chair may appoint ad-hoc committees to complete selected tasks.

7 Search Committees. Search committees for tenure track and full-time lecturer positions will be comprised by at least 4 members of the DPC and, if possible, comprised of both tenure track faculty and full-time lecturers. Search committee chairs should be tenure track faculty. Search committees should ensure that all departmental faculty have the opportunity to interact with the candidates (e.g., teaching demonstration, research talk, lunch, dinner, etc.) whether they are on the search committee or not.

6. Department Specifications for Reappointment, Promotion, and Tenure (RPT). All standards and most procedures related to reappointment, promotion, and tenure of Faculty are governed by the CBA and the Red Book. The following additional terms do not alter or interpret those standards and procedures but

instead set department-level specifications where the CBA and Red Book permit local control.

5.1 External Reviews of RPT Cases.

- 5.1.1 Personnel Actions Requiring External Reviews.* All promotion and all tenure cases for tenure-system faculty require external reviews (as specified in the Red Book and CBA). Reappointments of tenure-system faculty during their probationary periods do not require external reviews. Neither reappointments nor promotions for non-tenure-system faculty require external reviews; however, as permitted by the CBA's Article 21, Lecturers may request external reviews.
- 5.1.2 Number of External Reviews.* The Department Chair/Head will make a good-faith effort to secure at least six "arm's-length" external reviews for every promotion and/or tenure case that requires external reviews. The Chair/Head may solicit and add to the file any number of reviews from reviewers "close" to the candidate, where "close" means a personal friendship (as opposed to, say, a colleague one might see occasionally at a conference), a past supervisor, or a past or current co-author. Such close reviews are especially helpful in cases where the reviewer can describe the candidate's particular contributions to collaborative work.
- 5.1.3 Identification and Solicitation of External Reviewers.* The CBA charges the Chair/Head with soliciting external reviewers and permits the candidate to suggest external reviewers, some or all of whom will be solicited by the Chair/Head. The Chair/Head may consult with the DPC or other members of the Faculty in identifying appropriate external reviewers but may not delegate the solicitation process to others. Similarly, the Chair/Head may receive assistance in describing the "standing" of each external reviewer in the candidate's file, but the Chair/Head is ultimately responsible for ensuring that that description clearly and completely makes the case for why each external reviewer is well positioned to perform the review; this description should be crafted for academic audiences who are unfamiliar with the pertinent scholarly field. Under most circumstances, the solicitation of external reviews should occur no later than three months before the candidate's file submission deadline.
- 5.1.4 Qualifications of External Reviewers.* In general, external reviewers should be well recognized scholars or professionals in the

candidate's field, should have active scholarly programs, and should be at institutions that are at least peers of UMass. External reviewers who do not meet these criteria may be appropriate and acceptable, but in describing the "standing" of such reviewers, the Chair/Head should carefully explain why such reviewers are appropriate for the task of commenting on the candidate's having met the relevant standards.

5.1.5 Candidate's Rights Regarding External Reviewers. Before making such solicitations, the Chair/Head must show the solicitation list and solicitation message to the candidate, who may comment on but may not demand changes to the list or message. One-half of the external reviewers on the list should be from those suggested by the candidate, with the other one-half selected by the Chair/Head. If the candidate identifies a conflict of interest with any of the proposed reviewers, the Chair/Head should assess whether a true conflict exists and, if one does, should eliminate, mitigate, or manage the conflict.

5.2 Internal Reviews of RPT Cases.

5.2.1 Identification & Solicitation of UMass Faculty & Staff Reviews. The candidate and the Chair/Head may identify potential reviewers internal to UMass Amherst. Such internal reviews are not required and cannot be regarded as substitutes for external letters. Internal letters may be especially helpful in cases where the reviewer can describe the candidate's particular contributions to collaborations within the department or across campus. Only the Chair/Head can individually solicit such internal reviews.

5.2.2 Identification and Solicitation of Student Reviews. The Chair/Head may solicit confidential comments from individual students. These comments can only be assured confidentiality if they are individually solicited and the candidate waives the right to see the letters

5.2.3 Written, signed comments from individual students—especially from those for whom the candidate has served as an advisor, mentor, or collaborator—are especially helpful in identifying the candidate's work outside the classroom. Such reviews should be individually solicited. The Chair/Head may also solicit comments from groups of students; responses to such non-individual solicitations are never protected by the candidate's waiver of access

rights, and any “group solicitations” should advise potential respondents that their responses will not be confidential.

5.2.4 Waiver of Rights of Access to Review Letters. A candidate for RPT may waive or decline to waive her/his rights of access to internal and external review letters that have been individually solicited. The decision whether or not to waive those rights belongs exclusively to the candidate, and neither the Chair/Head nor any other member of the Faculty should pressure the candidate to decide one way or another.

5.3 Evaluation of Research, Teaching, and Service Effectiveness for RPT. The evaluation of a faculty member’s effectiveness in each of research, teaching, and service is governed by the Department’s document entitled “Tenure/Promotion Guidelines” (Approved September 1, 2011). Voting should occur in a secret, written, ballot.

6. Implementation of these bylaws: By at least a two-thirds' majority vote of the Faculty, these bylaws are adopted and take effect on October 1, 2019. The terms of these bylaws supersede existing policies or practices of the Department to the extent that they address or conflict the matters addressed by such policies and practices.

7. Amendment of these bylaws: By majority vote, the Faculty may elect an ad hoc committee to review and propose amendments to these bylaws. Adoption of any such amendments, including their dates of effectiveness, requires a two-thirds' vote of the Faculty.