CALIFORNIA STATE UNIVERSITY EAST BAY

ACADEMIC SENATE
http://www.csueastbay.edu/senate
510-885-3671

FACULTY AFFAIRS COMMITTEE

Designation Code: 12-13 FAC 12
May 15, 2013

TO: The Academic Senate

FROM: The Faculty Affairs Committee (FAC)

SUBJECT: 12-13 FAC 12: Separation of Department Chairs section from the Appointment and Review document

ACTION REQUESTED: That the Academic Senate approve the following Appointment and Review of Department Chairs Policy and Procedures as a stand-alone document; effective 2014-2015

BACKGROUND:
While working to improve the Appointment and Review of Administrative Officers and Department Chairs of CSUEB document, FAC found the Department Chairs section of the document to greatly differ in process from the Appointment and Review of Administrative Officers. For this reason, the decision was made to pull the chairs' section to create two separate documents: the Appointment and Review of Administrative Officers of CSUEB and the Appointment and Review of Department Chairs Policy and Procedures.

See the Department Chairs Policy and Procedures document attached below.

Note: This document was amended by Excom on 10/1/13 to reflect the correct year of effect.

ACTION REQUESTED:
FAC voted unanimously to create a separate Appointment and Review of Department Chairs Policy and Procedures document; FAC recommends approval of this action to the Academic Senate; effective 2014-2015.

CALIFORNIA STATE UNIVERSITY EAST BAY

ACADEMIC SENATE POLICY

http://www.csueastbay.edu/senate

Appointment and Review of Department Chairs Policy and Procedures

Article I: Appointment and Review of Department Chairs ……...……...1
Section 1: Appointment …….1
Section 2: Removal ……3
Section 3: Interim Chair ……...….3
Section 4: Acting Chair …….4
Section 5: Recruitment of an Outside Chair ……4
Section 6: Review ……..4
Article II: Department Associate Chairs ……...……...4
Section 1: Appointment ……..…4
Section 2: Term ……..……5
Section 3: Removal ……....…5
Article III: Interpretation ……...……...5

History:
12-13 FAC 12

ARTICLE I
APPOINTMENT AND REVIEW OF DEPARTMENT CHAIRS

Section 1: Appointment

1. Department Chairs shall be appointed for a term of three years. The faculty of each department shall be consulted by the College Dean and the President in regards to who should hold the Department Chair. To affect such consultation, a Department Advisory Committee shall be formed in accordance with provisions of Article I, Section 1.2. After due consideration according to guidelines provided in Article I, Section 1.3. and Article I, Section 1.4. below, the Advisory Committee shall recommend to the College Dean the person or persons the committee believes best qualified for the position of Department Chair. The committee may recommend that the incumbent be reappointed, or it may recommend another person or persons. No priority or preference for the incumbent shall be assumed, nor shall membership on the Advisory Committee itself be considered a bar to being recommended for and appointed Chair. An incumbent Chair shall not sit on the Advisory Committee.

2. Early in the third year of service of the incumbent Chair, or whenever for any reason a vacancy appears or is anticipated, the College Dean shall inform the department of the need to elect an Advisory Committee. The committee shall be composed of three tenured regular members of the department faculty, elected through a secret ballot by the regular voting members of the department. However, by a majority vote of these members taken in advance of the election of the Advisory Committee, two tenured regular members of the faculty of

other departments in the same college may be added to the three chosen from within the department. In the case of a department with fewer than three regular tenured members available to serve, the membership of the committee shall be brought up to three by election of a tenured regular faculty member or members from other departments in the same college. If for either of these reasons the election of outside faculty is necessary, the regular voting members of the department shall nominate and elect them from a list of all eligible faculty in the college provided by the College Dean or College's Election Committee.

3. The Department Chair and each regular faculty member of the department shall rank candidates, usually tenured faculty, for the Department Chair by confidential preferential ballot. This shall not exclude faculty members on leave with or without pay who would otherwise be eligible to rank candidates. The ranking ballot shall list all eligible members of the department, including members on leave with or without pay, and also provide an opportunity for the faculty to express a preference for a named or yet-to-be-sought person outside the University. Each faculty member shall be encouraged to rank no fewer than three and no more than five of the names on the ballot. The ballots shall be returned to the Advisory Committee for use in identifying viable candidates for the Department Chair position.

4. The Advisory Committee shall carefully but expeditiously consult with the candidates who received preferential ranking on the ranking ballot to determine each candidate's willingness to serve as Department Chair. The Advisory Committee shall solicit the view of lecturers, staff, and students. The deliberations and recommendations of the committee, including any rankings, shall be treated in the strictest confidence.

5. The Advisory Committee shall create a ballot containing the names of the candidates who indicated their willingness to serve as Department Chair. The Department Chair and each regular faculty member of the department shall rank candidates on a confidential preferential ballot. This shall not exclude faculty members on leave with or without pay who would otherwise be eligible to rank candidates. The Advisory Committee shall use the results of the preferential ballot to make its recommendation. The rankings shall be treated in the strictest confidence.

6. The Advisory Committee shall render its written recommendation of one or more potential Department Chairs to the College Dean by the end of the Winter Quarter.

7. If the Dean does not accept the Advisory Committee's recommendations, the Advisory Committee shall be so informed in writing, along with the reason for such action. The Advisory Committee may request a meeting with the Dean and may meet again to make a further recommendation.

8. The Dean shall submit his or her recommendation, along with that of the Advisory Committee, to the Provost and Vice President of Academic Affairs. The Dean's Office shall also send a copy of the Dean's recommendation to the Advisory Committee.

9. The Provost shall approve the recommendation(s) from the Dean and the Advisory Committee and forward to the President or return the recommendation(s) to the Dean's Office for reconsideration by the Dean and the Advisory Committee.

10. The President shall appoint a Chair from the name or names submitted by the Provost or return the recommendation to the Provost's Office for reconsideration.

11. After the appointment of a Chair, the department faculty and any other candidates shall be notified prior to any public or general announcement.

12. So long as the above general procedures are followed, a department's regular faculty may propose and adopt supplementary requirements and procedures, subject to the approval of the Faculty Affairs Committee and the President or President's designee.

Section 2: Removal

A Department Chair may be removed from that position at any time by the President, after full consultation by the President with the College Dean and the department faculty. In extraordinary circumstances, the President may remove a Department Chair without prior consultation, but shall thereafter meet with the department faculty to explain the reasons for such action.

Section 3: Interim Chair

1. If the procedures outlined in Article I, Section 1 do not lead to selection of a Department Chair in a reasonable length of time (i.e., one full academic quarter after the Advisory Committee has begun its work), the President or the President’s designee, after receiving the recommendation of the College Dean, will appoint an Interim Chair for a period not to exceed three quarters, with an extension of one but no more than two additional quarters if necessary. The expectation is that the Interim Chair will be selected from among the department faculty.

2. If the incumbent Department Chair is unable or unwilling to complete the term of appointment, the College Dean shall consult with regular department faculty members in person or by telephone or electronic mail within ten days regarding the appointment of an Interim Chair. The President or the President’s designee, after receiving the recommendation of the College Dean, will appoint an Interim Chair in a timely manner for a period not to exceed three quarters, with an extension of one but no more than two additional quarters if necessary.

3. Within one and a half quarters of the appointment of an Interim Chair, the College Dean shall inform the department of the need to elect a Departmental Advisory Committee in order to begin the procedures outlined in Article I, Section 1. The Interim Chair shall not sit on the Advisory Committee. The Interim Chair may be considered by the Advisory Committee as a candidate for the position of Department Chair.

4. An Interim Chair may be reappointed to the position of Interim Chair after the end of the first appointment period only if a simple majority of the regular faculty members approve the recommendation. If there is no simple majority, a new Interim Chair must be appointed, subject to the process described in Article I, Section 3, 1-3.

5. In extraordinary circumstances, the President may appoint an Interim Chair without prior consultation for a term not to exceed one quarter, but shall thereafter meet with the department faculty to explain the reasons for such action.

Section 4: Acting Chair

1. In the event of a temporary vacancy of a Department Chair, the College Dean shall consult with the Chair, if available, or with the regular department faculty in person or by telephone or electronic mail within ten days regarding the appointment of an Acting Chair. In the event of a sabbatical (or Summer Quarter for chairs with an academic year appointment), the Acting Chair will serve for the length of the sabbatical or for the length of the Summer Quarter.

2. In the event that a Department Chair is removed by the President, or if a vacancy is expected to last for an indefinite period of time, the Acting Chair will serve until the process for an Interim Chair in Article I, Section 3 is concluded.

Section 5: Recruitment of an Outside Chair

1. When an outside chair is deemed necessary by the faculty of a department, college and University procedures for seeking approval of an outside position must be followed, including the negotiations for a position with other College Chairs and the Dean. The search must be approved by the Provost and President as for the hiring of any tenure track faculty member. Once the position has been approved, the procedures for a Department Advisory Committee in Article I, Section 1, 3-7 shall be generally followed but must be modified to match the requirements of an outside search as set out in University hiring policy.

Section 6: Review

1. In the first and second year of a Chair's term, the College Dean shall arrange for special meeting(s) with the faculty and staff of the department to discuss the performance of the Chair. The Department Chair shall not be present at this meeting. In a subsequent individual conference with the Chair, the Dean shall review the Chair's performance and may report to the President as appropriate.

2. Upon receiving a formal request in writing from the department faculty, the President shall initiate a special review of the performance of a Department Chair. Such request must be made by one-third or more of the tenured faculty members of the department, but never by fewer than two persons. Such a special review shall not substitute for the annual review with the College Dean provided for in Article I, Section 6.1, or for the regular three-year evaluation of persons for the position of Department Chair as specified in Article I, Section 1.1.

ARTICLE II
DEPARTMENT ASSOCIATE CHAIRS

Section 1: Appointment

An Associate Chair may be appointed by the College Dean upon request by the Department Chair. This request may be made only with the support of the majority of the regular faculty members of the Department and only after the Department Chair has consulted all members of the Department.

Section 2: Term

An Associate Chair will normally be appointed for at least one year, but in no case for longer than the appointment of the Chair.

Section 3: Removal

An Associate Chair serves at the discretion of the Dean and may be removed by the Dean at any time, provided only that the Dean explain to the department faculty either orally or in writing why such action was taken.

ARTICLE III
INTERPRETATION

Any question about the meaning of provisions of this document shall be referred to the Executive Committee of the Academic Senate. The interpretation of the Executive Committee shall be forwarded to the President.