Proposed Changes to *The Guide to Faculty Governance*
Section on Selection of Department Chairs

1. Move the last two sentences of the present document to the beginning of the document and change the wording of the first sentence to read: Department chairs are responsible [omit “to the Dean”] for the normal operations of their departments, including . . . .”

Rationale: These two sentences are essentially a “job” description and, as such, should come first in the document. “[T]o the Dean” should be omitted because department chairs are responsible to others besides their deans, e.g., their faculty colleagues in their departments. If “to the Dean” is going to be included, then all those others to whom a chair is responsible should be included as well. To avoid doing that and raising an unnecessary issue, it would be better not to list anyone, except possibly “the University,” to whom chairs are responsible.

2. Then what is now the first two sentences of the document would become a new paragraph and changed to read: All department chairs are appointed and removed by the President of the University. In practice, however, and in the spirit of shared governance, the President delegates to the Provost, deans, and departments the responsibility of appointing and removing chairs in the manner prescribed below.

Rationale: This simply makes clear that the President’s authority pertains to both the appointment and removal of chairs, and that the document intends to address how both those actions should be done.

3. The rest of the present document would become paragraph three (pertaining to the selection of chairs).

4. A fourth paragraph should be added to the document and should read:

A department chair may be removed before the end of her/his term, but removal should be a last resort to be used only if the chair is unwilling to modify her/his problematic behavior. With two exceptions, explained below, a chair may not be removed unless both the Dean and a majority of the department’s regular, full-time faculty agree to the removal. Removing a chair can be initiated by either the Dean or by a majority of the department’s regular, full-time faculty, but before any such attempt is made, the chair must be notified in writing by the concerned party (Dean or department faculty) of the problematic behavior and be given an opportunity to explain, defend, and/or modify it. If the concerned party is not satisfied with the chair’s response, it should request the chair to resign. If the chair refuses to resign, the concerned party should meet with the other party (Dean or department faculty) to secure its support for removing the chair. If such support is not secured, the chair may not be removed, except in the following two situations. First, when the alleged grounds for removing a chair are the chair’s failure and likely continued failure to perform the officially prescribed duties of a chair, the party (Dean or department
faculty) making the allegation may appeal to the Provost, who, after hearing the arguments and evidence presented by the Dean, department faculty, and the chair, will decide whether the chair should be removed on the grounds of failing to perform officially prescribed duties. The second exception is when the Dean has clear and credible evidence that the chair, in the exercise of her/his authority as chair, has engaged in illegal activity. In such a case, the Dean, with the concurrence of the Provost, may remove a chair without consulting with the department’s faculty or making public the reasons for the removal. Whenever a decision has been made to remove a chair, for whatever reason, the chair will be given the option of resigning prior to being removed, except when that option is not allowed by law.

Rationale: This allows for two fairly clear and limited situations in which a chair can be removed without the approval of both his/her Dean and the regular, full-time faculty of her/his department. It also attempts to protect a chair from any unwarranted removal by giving him or her some “due process” type protections.

If these changes are approved, the entire document would read as follows:

Department chairs are responsible for the normal operations of their departments, including scheduling of classes, assignment of instructors, preparation of annual budgets, and recommendation of employment, promotion, tenure and salary increases of faculty members in their departments. Chairs represent their departments to the administration as well as in the Academic Council and the University Senate and are expected to keep their departments informed of actions of both of these bodies.

All department chairs are appointed and removed by the President of the University. In practice, however, and in the spirit of shared governance, the President delegates to the Provost, deans, and departments the responsibility of appointing and removing chairs in the manner prescribed below.

Department chairs in the School of Arts and Sciences and the Robins School of Business ordinarily are nominated by the regular full-time department faculty acting as a collective and deliberative body and voting ordinarily by secret ballot. The person nominated will have the approval of at least half of the department’s members. The department’s nomination will be in the form of a letter to the Dean of their school that explains the department’s choice of a chair. Although individual members of the department should be informed that they have the right to send a confidential letter of their own to the Dean, such letters should not be required or even solicited by the Dean. If the Dean does not support the department’s nomination, the Dean meets with the department to explain his or her reasons for not supporting the nomination. The department will then reevaluate its nomination and consider the Dean’s objections. Subsequently, the department will communicate its choice of candidate for chair to the Dean. The Dean and the
department will remain in consultation until a mutually agreeable candidate has been selected and has agreed to serve as chair. A mutually agreeable candidate is a person who has the support of both the Dean and at least 50% of the regular full-time department faculty. The consensus candidate’s name is forwarded to the Provost and then to the President as a recommendation for appointment. In rare instances when a consensus is not attained in a timely manner after protracted effort, the record of consultations and reasoning on all sides will be communicated to the Provost for resolution and recommendation to the President. Chairs are appointed for a term of a specified number of years and normally are eligible for reappointment for additional terms.

A department chair may be removed before the end of her/his term, but removal should be a last resort to be used only if the chair is unwilling to modify her/his problematic behavior. With two exceptions, explained below, a chair may not be removed unless both the Dean and a majority of the department’s regular, full-time faculty agree to the removal. Removing a chair can be initiated by either the Dean or by a majority of the department’s regular, full-time faculty, but before any such attempt is made, the chair must be notified in writing by the concerned party (Dean or department faculty) of the problematic behavior and be given an opportunity to explain, defend, and/or modify it. If the concerned party is not satisfied with the chair’s response, it should request the chair to resign. If the chair refuses to resign, the concerned party should meet with the other party (Dean or department faculty) to secure its support for removing the chair. If such support is not secured, the chair may not be removed, except in the following two situations. First, when the alleged grounds for removing a chair are the chair’s failure and likely continued failure to perform the officially prescribed duties of a chair, the party (Dean or department faculty) making the allegation may appeal to the Provost, who, after hearing the arguments and evidence presented by the Dean, department faculty, and the chair, will decide whether the chair should be removed on the grounds of failing to perform officially prescribed duties. The second exception is when the Dean has clear and credible evidence that the chair, in the exercise of her/his authority as chair, has engaged in illegal activity. In such a case, the Dean, with the concurrence of the Provost, may remove a chair without consulting with the department’s faculty or making public the reasons for the removal. Whenever a decision has been made to remove a chair, for whatever reason, the chair will be given the option of resigning prior to being removed, except when that option is not allowed by law.

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