

RUTGERS UNIVERSITY SENATE
Faculty Affairs and Personnel Committee

Report and Resolution on Charge S-0308 "Procedures for Chair Appointments by Deans"

Approved by the University Senate October 24, 2003

Charge S-0308: Evaluate the current procedures for chair appointments by deans, and make recommendations for changes where needed. In particular, evaluate the procedures of the ballot for the faculty advisory vote, the availability of the results to the voting faculty, the frequency of appointments that do not follow the advisory ballot of the faculty, and the procedures in the latter case. In particular, explore the level of communication of the reasoning to the affected faculty and the existence of recourse. Report to Senate Executive Committee by October 2003.

Data were obtained from New Brunswick Faculty Council members on whether department votes have indeed been overridden by deans and whether the results and the reasoning were communicated to the faculty. One report was presented from Newark, there were no data from Camden. Briefly the following emerged:

There were cases where the dean had overturned the departmental recommendation in several units. From responses from 16 departments, it appears that there is wide variation in the practices across units. A nominating or other faculty committee runs the election and reports the results back to the faculty and the dean (on occasion only the ranking) in 10 of the 16 responses. Out of these 10, 4 report overturning of the nomination by the dean, two without any explanation given to the faculty. Factional faculty, resentment and vindictive behavior has been reported.

The dean runs the election and does not inform the department in three of the 16 departments reporting. In one unit with seven departments, the dean circulates a memo on "Guidelines for Appointment of Collegiate Department Chairpersons", dated 6/27/78, in which the Provost indicates that "Deans are strongly encouraged not to reveal the results of the nominating ballot to the faculty". Reversal of the nomination with no explanation and adverse ramifications is claimed in one of the two departments reporting. In two cases, from another unit, it seems that the dean appointed a chair without going through the process of polling the faculty. General resentment is reported. Finally in one case a national search was initiated but the internal candidate chosen so that the search committee de facto usurped the role of the nominating faculty.

The committee felt that a vote should be required unless specific reasons obviate that (such as a single candidate). Since the unit in which there were cases where the process was circumvented do require a vote, it was suggested that it would make sense to require the dean to certify that department and school bylaws were followed when informing the department and the relevant VP or Provost of the chair

selection. Another suggestion was that violations of bylaws or complaints of inadequate explanation of reasons for overriding faculty votes should be reportable to the relevant VP or Provost with anonymity guaranteed.

It was also decided to require deans to explain all decisions not to follow the faculty vote to the faculty, as well as to the Vice President or Provost of that Unit. For this to be relevant, the faculty need to be apprised of the results of the voting. The committee was divided on whether to report the actual vote rather than the ranking. Some felt there should sometimes be discretion in reporting the vote if there might be ramifications for its being known (such as hurting the feelings or reputation of those who lose a vote). Some felt that informing of the ranking of the candidates would be a good compromise. No clear consensus was reached other than that at a minimum the ranking should be reported. Specific determination should be left for the departmental bylaws.

In conclusion, the committee found that rules for electing a chair are apparently inconsistent across departments and units. The recommendation emerged to put together a set of minimal rules for the selection of a chair that should be communicated to deans and incorporated into every unit and department's bylaws. The committee approved the following resolution:

Faculty Affairs and Personnel Committee

RESOLUTION

Whereas, one of the most important aspects of faculty governance is for a department to select a colleague to serve as chair of the department, to represent them in matters of the department both within and outside the department and university, and

Whereas, department chairs are appointed by the dean of their school on the recommendation of the faculty, and

Whereas, departments most often convey their recommendation for chair via a department-wide vote, and

Whereas, in a number of cases the dean has exercised the decanal prerogative and appointed department chairs contrary to the recommendation of that department's faculty, and

Whereas, in many of these cases no clear or adequate explanation was provided for the dean's decision to override the vote of the faculty, and

Whereas, in some cases the dean has not followed the bylaws of the dean's own school and of the relevant department, and

Whereas, in several cases the results of the recommendation vote are not disclosed to the faculty, in

some units as a matter of policy,

Therefore, be it resolved that the University Senate recommends that the University establish minimal rules for the selection of department chairs by deans that must be followed by all deans and departments, and

Be it further resolved that these rules should require the dean to consult with the faculty and obtain a recommendation for chair via a vote of the faculty, and

Be it further resolved that these rules should recognize that the administration of the voting process is a prerogative and responsibility of the faculty and require that unit and department bylaws do so recognize, and

Be it further resolved that these rules should require that at least the ranking of the candidates be reported back to the faculty at the same time as they are communicated to the dean, and

Be it further resolved that these rules should require that, in the cases when the decanal prerogative of not following the recommendation of the faculty is exercised, the dean provide adequate explanation to both the members of the department and the Vice President or Provost to which the dean reports, and

Be it further resolved that these rules should require the dean to certify, at the time of announcement of the chair selection, to both the members of the department and the Vice President or Provost to which the dean reports that all department and school bylaws have been followed, and

Be it finally resolved that these rules should allow faculty to report to the appropriate Provost or Vice President violations of bylaws in the selection of a chair by a dean, or to report that inadequate explanation was given for a decision by the dean to appoint a chair that does not follow the faculty recommendation, with anonymity of the reporter guaranteed.