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Faculty Welfare Committee Motion Regarding Votes of No Confidence in Department Chairs

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Approved by the Senate: 6/6/2012

Not Approved by the Senate:

Approved by the President:

Not Approved by the President: 6/29/2012

Faculty Welfare Committee Motion Regarding Votes of No Confidence in Department Chairs

Submitted by: Robert Costomiris

5/9/2012

Motion:

In the interests of shared governance and consistency across academic departments, The Faculty Welfare Committee moves that the following policy be adopted by the Faculty Senate and placed in the Faculty Handbook.

A vote of no-confidence may be called for at any time during a Chair's term. To call a vote of no confidence, the faculty will meet in the absence of the chair to determine the level of confidence in the chair. If 30% of the eligible tenured voting faculty believe the evidence warrants a vote of no confidence in the chair the faculty will petition the Dean of the College to call the question. The Dean must then meet with the department in the absence of the chair to discuss the petition and, if it is deemed necessary at that time by the faculty, to oversee a vote of no-confidence. Voting will be by secret ballot at the time of the meeting or electronically. Votes will be tabulated by two members of the department and the results presented to the Dean. A simple majority of the eligible voting faculty will be required to pass a vote of no confidence in a Chair. After considering the vote of the faculty and following any additional consultations deemed appropriate, the Dean will either allow the chair to continue in his/her term as Chair or begin the process to select a new Chair.

If the Dean decides to continue the term of the Chair after a faculty vote of no confidence, he/she will provide to the faculty in writing a summary of the complaints that were made against the Chair and an explanation of his/her decision to continue the Chair's appointment. Further, the Chair, in the interest of departmental cohesion, will provide a written plan to address the complaints brought forth by the faculty in the vote of no confidence.

If, after consideration of the Dean's and the Chair's response, the faculty is dissatisfied with the results, upon a vote of 70% or more of eligible faculty, they may appeal the decision of the Dean to the Provost for further review and action.

Rationale:

Academic departments sometimes lose confidence in the leadership of the department chair. Currently the university has no formal procedure by which members of a department can express a lack of confidence in a department chair. The Faculty Welfare Committee believes it is in the interest of all parties and the well-being of the university to have a clear policy regarding votes of no-confidence that can be used by all departments in all colleges when the need arises.

Response:

SEC Response: 5/25/2012: The Senate Executive Committee voted unanimously to include this motion on the agenda of the June 6 meeting.

Senate Response: 6/6/2012: 8. A Motion Regarding Votes of No Confidence in Department Chairs: Robert Costomiris (CLASS). Original Motion: "Faculty Welfare Committee moves that the following policy be adopted by the Faculty Senate and placed in the Faculty Handbook.

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Voting will be by secret ballot at the time of the meeting or electronically. Votes will be tabulated by two members of the department and the results presented to the Dean. A simple majority of the eligible voting faculty will be required to pass a vote of no confidence in a Chair. After considering the vote of the faculty and following any additional consultations deemed appropriate, the Dean will either allow the chair to continue in his/her term as Chair or begin the process to select a new Chair.

If the Dean decides to continue the term of the Chair after a faculty vote of no confidence, he/she will provide to the faculty in writing a summary of the complaints that were made against the Chair and an explanation of his/her decision to continue the Chair's appointment.

Further, the Chair, in the interest of departmental cohesion, will provide a written plan to address the complaints brought forth by the faculty in the vote of no confidence. If, after consideration of the Dean's and the Chair's response, the faculty is dissatisfied with the results, upon a vote of 70% or more of eligible faculty, they may appeal the decision of the Dean to the Provost for further review and action."

Costomiris noted and distributed several proposed amendments based on comments from the Senate Executive Committee: In the second full paragraph, first sentence, it should read "A vote of no confidence may be called for at any time during a Chair's term, but no more than once per semester." In the fourth line of that paragraph, the word "eligible" should be struck because unnecessary. In line 10 he proposed adding the language that votes be tabulated by two members of the department and the results presented to the department and to the dean. He further noted a second unwanted "eligible" to be struck in the succeeding line; Reed Smith (CLASS) pointed out more "eligibles" in the final paragraph, and striking these was added to the amendments list. The amendments were Approved; the amended motion was Approved.

President's Response: 6/29/2012: Following review of the recommendation adopted by the Faculty Senate at the June 6, 2012, Faculty Senate meeting, as provided in your memo of June 7, 2012, I am DEFERRING this motion to the Council of Deans (CoD) for discussion and recommendations and charge the Provost with responsibility to carry forward a recommendation to the Senate from the CoD. There is nothing to preclude votes of no- confidence at the present time, but I am also very concerned that codifying procedures for votes of no-confidence into the Faculty Handbook sends a very wrong message related to civility and collegiality. I am also concerned that codifying such a procedure may in fact significantly hamper a Dean's ability to effectively manage a college. Because the Deans are charged with responsibility for appointing and overseeing the various department chairs, it seems appropriate that they be provided an opportunity to provide input into this motion before the President takes action.

The Council of Deans met on Wednesday, July 11th to discuss two motions approved by the Faculty Senate: Evaluation of Chairs; Votes of No Confidence in Chairs. Their recommendations were as follows: The Deans unanimously voiced philosophical opposition to the proposal for creating a policy which formalized votes of no confidence. Ineffective Chairs are a concern for all Deans. They expressed their expectation for faculty to voice any concerns and provide input on Chair performance whenever there was an issue or concern. In the event that issues brought to the Dean's attention were not resolved, Deans expect faculty to bring this to the attention of the Dean. Deans noted that Chairs work at the pleasure of the Dean and that, at times, it may be critically important to support a Chair who is positioned to make/sustain needed change in a Department. They further believe that the policy as written is outside the scope of faculty responsibility and contains procedural flaws that make it inappropriate.