Whereas the Missouri S&T Faculty Senate agrees with the stated motivation behind the changes in the proposed CRR 20.110 (see Appendix D), namely that competent, effective department chairs are essential for the efficient operation of the university’s academic departments, and

Whereas department chairs have a dual role not only to manage their departments but also to represent the views of their departments’ faculty to the dean and other administrators, as stated in the American Association of University Professors’ (AAUP) Redbook of Policy Documents and Reports (see Appendix A), and

Whereas the department faculty are the individuals most immediately invested in the successful operation of their own department and should, therefore, play a major role in the selection of the department chair—a principle enshrined in the AAUP Redbook (see Appendix A)—yet are not mentioned explicitly in the proposed CRR, and

Whereas the proposed CRR instead places into the hands of the dean all authority over hiring the chair and the appointment of the search committee and fails to address the search committee’s role in recommending candidates, resulting in a consolidation of power in the hands of a single individual, an effect that is inimical to the principles of shared faculty governance, AAUP guidelines, standard practice at peer, public land-grant universities (see Appendix B), and thousands of years of political theory and experience that has concluded that such concentration of power is more likely to result in favoritism and corruption than is the diffusion of power into the hands of multiple individuals, and

Whereas the proposed CRR gives no role to the department faculty in the evaluation of the department chair, which likewise contradicts the AAUP Redbook policies and common practice at peer institutions, and

Whereas only the general faculty of Missouri S&T has the authority to propose and pass amendments to our campus bylaws (see Appendix C), and finally,

Whereas all of these deficiencies add up to an unwarranted erosion of the rights and privileges of the faculty at Missouri S&T and at other UM System universities,

Therefore, Be it Resolved that the Faculty Senate of Missouri S&T cannot support the proposed revision to CRR 20.110 in its current form, yet

Being eager to continue to work with the Missouri S&T and UM System administration to find ways to ensure that effective chairs are selected to lead our academic departments, it proposes the following:

1) That the chair’s role as representative of the department faculty and executor of department policies be stated specifically in the list of chair responsibilities, and

2) That the department faculty’s role in the search process be explicitly identified, including the department faculty’s right to select at least half of the members of the search committee, and the right of all voting faculty members in the department to express their opinions on the search committee’s list of finalists, and

3) That the search committee’s role be identified more explicitly, including the committee’s right to present a list of acceptable candidates to the dean after consultation with the entire department faculty, and
4) That the dean should be able to reject or override the search committee’s finalists only under extraordinary circumstances that are explained fully to the department faculty, and
5) That the CRR specify the department faculty’s role in the evaluation of the department chair, and
6) That the word “abolishes” be removed from the clause mentioning our campus bylaws, (i.e., CRR 330.030.D1.a.(3)), and furthermore,

The Missouri S&T Faculty Senate proposes that this resolution be submitted on its behalf to Missouri S&T’s deans, provost, and chancellor, the IFC representatives of the other system universities, the UM System Senior Associate Vice President for Academic Affairs, and the UM System President.

Appendix A: AAUP Redbook Selections

Statement on Government of Colleges and Universities, p. 121.

“The chair or head of a department, who serves as the chief representative of the department within an institution, should be selected either by departmental election or by appointment following consultation with members of the department and of related departments; appointments should normally be in conformity with department members’ judgment. The chair or department head should not have tenure in office; tenure as a faculty member is a matter of separate right. The chair or head should serve for a stated term but without prejudice to reelection or to reappointment by procedures that involve appropriate faculty consultation. Board, administration, and faculty should all bear in mind that the department chair or head has a special obligation to build a department strong in scholarship and teaching capacity.”

Faculty Participation in the Selection, Evaluation, and Retention of Administrators, pp. 130-31.

“... the Statement on Government asserts the expectation that faculty members will have a significant role in the selection of academic administrators, including the president, academic deans, department heads, and chairs. As a corollary, it is equally important that faculty members contribute significantly to judgments and decisions regarding the retention or nonretention of the administrators whom they have helped select....

“The role of the faculty in the selection of an administrator other than a president should reflect the extent of legitimate faculty interest in the position. In the case of an academic administrator whose function is mainly advisory to a president or whose responsibilities do not include academic policy, the faculty’s role in the search should be appropriate to its involvement with the office. Other academic administrators, such as the dean of a college or a person of equivalent responsibility, are by the nature of their duties more directly dependent upon faculty support. In such instances, the composition of the search committee should reflect the primacy of faculty interest, and the faculty component of the committee should be chosen by the faculty of the unit or by a representative body of the faculty. The person chosen for an administrative position should be selected from among the names submitted by the search committee. The president, after fully weighing the views of the committee, will make the final choice.
Nonetheless, sound academic practice dictates that the president not choose a person over the reasoned opposition of the faculty.

“Institutions should develop procedures for periodic review of the performance of presidents and other academic administrators. The purpose of such periodic reviews should be the improvement of the performance of the administrator during his or her term of office. This review should be conducted on behalf of the governing board for the president, or on behalf of the appointing administrator for other academic administrators. Fellow administrators, faculty, students, and others should participate in the review according to their legitimate interest in the result, with faculty of the unit accorded the primary voice in the case of academic administrators....

“All decisions on retention and nonretention of administrators should be based on institutionalized and jointly determined procedures which include significant faculty involvement.... In no case should a judgment on retention or nonretention be made without consultation with all major constituencies, with the faculty involved to a degree at least co-extensive with its role in the original selection process.”

Appendix B: Department Chair Procedures at Selected Peer Institutions

1) Arizona State University

“They and Chair Search Committees

The administrator responsible for the hiring decision will be responsible for constituting a search committee. At least half of the members of the search committee shall be elected by the members of the academic unit; remaining members of the search committee may be appointed by the hiring officer. Alternatively, the search committee may be constituted by other democratic processes defined by the unit’s or the college’s bylaws. One or more members of a search committee should take the available diversity training and all members are expected to assure equal opportunity through affirmative action in the search process.”

2) Texas A&M

Selection and Review of Department Heads

Department heads are appointed and serve at the pleasure of the dean of their college; however, the selection and continuation of a department head is significantly influenced by the faculty of his/her department. In accordance with University Rules, the search committee for the department head must be predominantly composed of faculty from the department, and the

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1 Note that this is not an exhaustive list but was selected from AAU public land-grant universities whose policies on chair selection were relatively easy to find online.

2 https://www.asu.edu/aad/manuals/acd/acd111-01.html

process of selection must include a vote and ranking opportunity for the entire eligible faculty (in accordance with University definition or approved departmental guidelines) of the department. The search committee recommendation and faculty votes are considered by the dean in making his/her selection of a department head. Appointment of a department head requires approval by the dean of faculties and associate provost and the provost.”

3) **University of Illinois**

“The head of a department shall be appointed without specified term by the Board of Trustees on recommendation by the chancellor/vice president and the president after consultation with the dean of the college and all members of the department faculty. The head may be relieved of title and duties as head of the department by the chancellor/vice president on the recommendation of the dean of the college. The performance of the head shall be evaluated at least once every five years. As one component of this evaluation, views shall be solicited from the entire department faculty.

4) **University of Kansas**

Selection and Review of Chairpersons

10.1.0 The by-laws of a college or school may provide procedures for the selection of chairpersons, directors, or administrative heads of academic departments and other units.

10.1.0.1 Procedures adopted by a College or School pursuant to this section shall provide the opportunity, at some point during the process of selecting the chair or other administrative head, for the department or unit’s voting members to express their support for the candidate in a secret ballot. Student and staff input should also be sought and considered in a way that protects their confidentiality.

10.1.0.2 Only in extraordinary cases should the dean select a chair who is not supported by a substantial majority of the voting members of the department or unit. In such a case, the dean should provide a confidential explanation to the voting members of the department. If the dean does not provide an explanation or if a majority of the voting members do not accept the dean’s explanation, the matter will be referred to the Provost.

10.1.0.3 In consultation with the Faculty Senate Executive Committee, the Office of the Provost may adopt default procedures for the selection of chairpersons, directors, or administrative heads, consistent with the provisions of this section, for use if the by-laws of a College or School do not provide such a procedure.

5) **University of Wisconsin-Madison**

5.30. DEPARTMENTAL CHAIR: SELECTION.

A. All members of a department as defined in 5.10. and 5.20. and those members of the academic staff who have been invited to participate in the annual preference balloting, shall be given the

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4 [https://www.bot.uillinois.edu/governance/statutes](https://www.bot.uillinois.edu/governance/statutes)

5 [http://policy.ku.edu/governance/FSRR#art10sect1](http://policy.ku.edu/governance/FSRR#art10sect1)

6 [https://secfac.wisc.edu/governance/faculty-legislation/fpp_ch_5/#5.30](https://secfac.wisc.edu/governance/faculty-legislation/fpp_ch_5/#5.30)
opportunity to express their preference for chair each year by secret ballot, and all ballots shall be transmitted by the departmental chair to the dean. The department may by annual vote authorize a committee to count the votes before the ballots are transmitted to the dean. A voting member of the departmental faculty who is on leave is eligible to participate in the balloting, but not by proxy.

6) Michigan State

2.1. UNIT ACADEMIC ADMINISTRATORS
2.1.2.1. A department chairperson or school director serves as the chief representative of his or her department or school within the University. He or she is responsible for the unit’s educational, research, and service programs—including the outreach components of all three; budgetary matters, academic facilities, and personnel matters, taking into account the advisory procedures of the unit. The chairperson or director has a special obligation to build a department or school strong in scholarship, teaching capacity, and service....

2.1.3. Faculty and students shall advise or consult in the appointment of unit academic administrators.

2.1.3.1. The voting faculty of each department or school shall have shared responsibility with the relevant dean to determine procedures for the nomination of chairpersons and directors to be selected by the Provost.

7) Ohio State

3335-3-35 Chairs of departments, directors of schools.
(A) The chair of each department and the director of each school shall be the administrative head, respectively, of the department or school. The department chair and the director of a school perform a dual function. In addition to being the administrative head of the department or school, the chair or director represents the faculty of the department or school in dealing with the dean or others in the university administration. Upon the nomination of the president or his or her designee, the board of trustees shall appoint each chair and director for a term of four years subject to the annual review provisions of the Office of Academic Affairs. A chair or director shall be eligible for reappointment. In selecting a chair or director, the president or his or her designee shall confer with the dean of the college involved. The dean, in turn, will consult with the faculty of the department or school on all campuses, as well as other appropriate university officials. The president or his or her designee shall give substantial weight to faculty recommendations in reaching a decision regarding the nomination or recommendation for reappointment. Department chairs and directors of schools report to the deans of their colleges.
(B) The president or his or her designee may remove a chair or director during a four-year term after consultation with the voting faculty and dean of the unit involved. The views of the faculty

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7 https://acadgov.msu.edu/sites/default/files/content/1_BylawsforAcademicGovernanceApp_20170621_0.pdf

8 https://trustees.osu.edu/university-faculty-rules/3335-3
shall be given substantial weight in arriving at any decision to remove a chair or director from office.

8) University of Colorado\textsuperscript{9}

a. Prior to initiating search and nomination procedures for a department chair, the faculty of the department should meet with the dean of the school or college to discuss the needs and expectations of the department as they relate to the appointment of a new chair, the role of the chair, and the type of search (i.e., internal or external) that will most likely assure that an appropriate candidate is recommended, and to discuss any budgetary considerations related to the search and appointment of a new chair.

b. A search and nominating process will be carried out by the faculty of the department in accordance with department procedures. The faculty will subsequently submit its recommendation to the dean.

c. If the dean does not concur with the department faculty's recommendation, the dean will meet with the department faculty to discuss his/her reasons for disagreement.

d. The campus chancellor will approve appointments of department chairs.

e. It will be the responsibility of the deans and the chancellors to assure that recruitment and appointment procedures for department chairs reflect the University's commitment to equal opportunity and affirmative action. In order to achieve this objective, efforts should be made to provide experience for females and minorities that will prepare them for these positions.

9) University of Texas at Austin\textsuperscript{10}

Recommendations on appointments of department chairpersons shall be submitted by the deans to the President, who is responsible for the appointment of department chairpersons. Only those having the rank of professor shall be eligible to serve as a department chairperson, except when circumstances make this not feasible.

In the initial selection of a department chairperson, the dean shall consult with all voting members of the department or with their elected representatives. The procedures for consultation shall be formally communicated in writing to the voting members of the department's faculty. The department's voting faculty shall be given a reasonable opportunity to comment to the dean on the procedures. Possible means of consultation include consultative committees, which may be elective in whole or may include additional appointed members (especially appropriate in large departments), written comments from members of the department, or oral consultation with all members (in small departments). The dean shall make appropriate provisions to ascertain the views of teaching assistants and students in the department including, if a consulting committee is employed, representatives of those groups on the consulting committee.

When circumstances warrant, the dean may include in the consultative process members of the faculty from related departments. A statement of the consultative process employed shall accompany the dean's recommendation to the President.

At an appropriate time and not later than the end of any four-year period of service of a chairperson, the dean shall review the administration of the department, including consultation

\textsuperscript{9} https://www.cu.edu/regents/appendix-b-roles-and-responsibilities-department-chairs/

\textsuperscript{10} https://policies.utexas.edu/policies/selection-and-evaluation-department-chairpersons
with its members and submit to the President an evaluation report and recommendation as to whether the incumbent should be reappointed to that position.

Appendix C: Amending Missouri S&T Bylaws
CRR 330.030.G

Amending the Bylaws—Amendments may be proposed by twenty (20) faculty members of the General Faculty by submitting them to the Rules, Procedures, and Agenda Committee. This committee must transmit the proposal to the General Faculty within fifteen (15) school days and then include the proposal in the agenda of the next General Faculty meeting. Voting on the proposed amendment shall be by a mail ballot and shall take place within fifteen (15) school days after completion of its consideration at a meeting of the General Faculty. A two-thirds (2/3) majority of those voting shall be required for the adoption of the proposed amendment. If adopted, the amendment will become effective immediately upon approval by the Board of Curators.

Appendix D: Proposed Revisions to CRR 20.110

20.110 Department Chair
Executive Guideline No. 7, 2-2-73, Revised 7-14-08, Amended and Superseded Bd. Min. ________.

A. Chair Responsibilities.

1. The Department Chair is a position of strategic importance in the context of an academic institution. Academic departments are organizational units closest to the day-to-day working of the University, and the Department Chair serves as chief executive and academic officer of the department. In this capacity the Department Chair is responsible for the effective and efficient administration of the department, including:

   Developing the strategic vision and plans for the Department, consistent with those of the University;
   Recruiting, retaining, developing, supervising, evaluating and leading faculty and staff;
   Making budgetary decisions and resource allocations;
   Assigning appropriate workloads;
   Engaging in philanthropy; and
   Ensuring that excellence is achieved in all areas included in the University’s strategic priorities.

2. The Chair is accountable to the Dean in fulfilling these responsibilities, and to this end, the Dean delegates to the Chair sufficient authority as is required to fulfill this role. The
Dean, working with the Provost, shall ensure that the Department Chair receives adequate professional development and leadership education opportunities on no less than an annual basis.

B. Chair Selection and Appointment.

1. The Chair is selected by, and receives their appointment from the Dean, with the approval of the Chancellor and the Provost. In selecting and appointing a Chair, the Dean shall first appoint a search committee comprising an inclusive and diverse group of faculty, staff, and other relevant constituents in order to ensure shared governance and diverse input on candidates. So we attract and recruit the best talent, the search may be national in scope and include internal and external candidates. Alternatively, and with the prior approval of the Chancellor and the Provost, the Dean may choose to not conduct a national search and limit the search to internal candidates.

2. The search is expected to identify candidates with demonstrated academic and research excellence and who exhibit, through prior experience or personal characteristics, a significant likelihood of success as an academic administrator and leader.

3. As with all administrative appointments, the Department Chair appointment is an at-will administrative appointment terminable with or without cause.

4. While appointment as Department Chair is an at-will administrative appointment, the initial appointment may be made with the stated intent that it will last between one and five years, subject to satisfactory performance. The appointment is subject to annual reviews, including a comprehensive review at the mid-point of any multi-year term, and satisfactory performance as evaluated by the Dean. Responsibilities of the Chair are continuous throughout the calendar year and the Chair should be compensated in a manner and appropriate to the responsibilities.

C. Miscellaneous.

1. At universities with no schools or colleges, “Provost” should be substituted for “Dean” in this Collected Rule 20.110.

2. This Collected Rule 20.110 abolishes and supersedes Collected Rule 330.030.D1.a.(3) and previous versions of Collected Rule 20.110.