

**SAN JOSE STATE UNIVERSITY  
ONE WASHINGTON SQUARE  
SAN JOSE, CA 95192**

**S14-8, University Policy, Selection and Review of Department  
Chairs and Directors**

**Legislative History:**

**Rescinds University Policy F10-4**

At its meeting of May 12, 2014, the Academic Senate approved the following policy recommendation presented by Senator Peter for Professional Standards Committee. The revision of F10-4 is necessary to clarify several issues including that the old policy was silent on the removal of department chairs, and was ambiguous about the use of acting, interim and permanent chairs.

**Action by University President:**

**Approved and signed by  
President Mohammad Qayoumi  
on June 5, 2014**

**University Policy:  
Selection and Review of Department Chairs and Directors**

**Resolved:** That F10-4 be rescinded and replaced with the following policy, effective immediately for all new nominations and reviews.

**Rationale:** This revision of F10-4 is needed to clarify several issues with the selection and removal of department chairs that have arisen in recent years. The old policy was largely silent on the removal of Chairs, and was somewhat ambiguous about the appropriate use of acting, interim, and permanent chairs. Numerous situations have also arisen in recent years in which there are no internal candidates for Chair, and the old policy made no provision for such situations.

**Approved:** May 5, 2014

**Vote:** 7-0-1

**Present:** Gottheil, Brown, Green, Maldonado-Colon, Peter, Cara, Kallis, Du

**Absent:** Bros-Seemann, Kauppila

**Financial Impact:** No direct impacts. It is possible that this policy, by clarifying process, could result in some savings.

Workload Impact: No direct impacts, although the clarification of methods for selection and review of department chairs could potentially prevent some time consuming failures of process.

**POLICY  
RECOMMENDATION**

**Selection and Review of Department Chairs and Directors**

The selection of a Department Chair is the most important collective decision of department faculty.

**DEFINITIONS**

Throughout this policy, the term “Chair” refers both to Chairs of Departments and Directors of Schools, while the term “Department” refers both to Departments and to Schools.

Departments elect a “nominee” to be department Chair; the President appoints a nominee to become Chair. Hence department elections are a nomination process with the outcome of choosing a “Chair nominee”

**I. APPOINTMENT**

The President appoints and removes the Department Chair in consultation with the Provost, College Dean, and department faculty. The term of the appointment is normally four years.

At the time of appointment, a Chair will be provided with a job description by the College Dean, after vetting through the department personnel committee.

**II. REVIEW OF DEPARTMENT CHAIRS**

1. Timing of Review: If the incumbent wishes to continue in his or her position beyond the fourth year, a review of the incumbent shall be initiated according to the provisions of this policy in the fourth year of an incumbent's term.

At any time, department faculty may request a formal review of the Department Chair by submitting to the Dean a petition signed by 50% of the department electorate as defined by F02-4. Except in rare instances and for compelling reasons, after this request from the department faculty, the College Dean will initiate the formal review of the Department Chair.

2. Appointment and Composition of Review Committee: At the beginning of the fourth year of the Department Chair's term, under the direction of the College Dean, the tenured and tenure-track department faculty shall elect from its ranks a peer review committee to evaluate the Department Chair's performance<sup>1</sup>. The review committee, in consultation with the College Dean, will determine the procedures and scope of the review.

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<sup>1</sup> See CFA/CSU Agreement Article 15

3. Criteria for Review: The review committee, in consultation with the College Dean, shall specify the criteria for evaluating the incumbent's job performance. The principal criteria shall be derived from the job description that was provided to the Chair at the time of appointment. The incumbent shall be asked to examine the criteria developed and to make such comments or suggestions as may seem advisable.
4. Procedures for Review: The review committee, in consultation with the College Dean, shall develop procedures for conducting the review. The procedures shall be designed to secure appropriate information and appraisals of performance from as many persons as may be feasible who are knowledgeable of the incumbent's performance. If he/she so desires, the incumbent shall be given an opportunity to provide the review committee with a self-evaluation based upon the criteria developed by the committee. The opinions and judgments received by review committees, the deliberations and reports of such committees, and any accompanying materials, shall be confidential.
5. Report of the Review Committee: At the conclusion of its evaluative activities, the review committee shall prepare a written report embodying findings and conclusions. The report of the review committee shall include a statement of strengths found and improvements desired in the incumbent's performance with respect to the evaluative criteria. All raw data collected for review shall accompany, but not be part of, the review committee's summary narrative. Before forwarding the final report to the College Dean, the review committee shall:
  - a. Provide a draft copy of the narrative portion of the report to the incumbent;
  - b. Provide the incumbent with an opportunity to meet with the review committee in order to discuss the report;
  - c. Provide the incumbent with the opportunity to submit to the committee a written statement which shall become part of the report to the College Dean.

The review committee shall forward its final report to the College Dean. The College Dean will discuss the findings with the Department Chair and will report in general to the department faculty. On completion, the final report from the review committee, additional evaluation by the College Dean, and any response from the Department Chair will be forwarded to the Provost.

6. Confidentiality. The review committee, college dean, and officers of the University shall hold in confidence data received by the review committee, its report, and accompanying materials.

### III. NOMINATIONS FOR DEPARTMENT CHAIR

Every four years, the department faculty shall identify one or more nominees for Department Chair by secret ballot vote following the procedures outlined in F02-4. These are also the preferred procedures, when time permits, for departments to recommend candidates for an acting role as Chair (in V below.)

1. Chair nominee requirements: The nominees for chair must be tenured faculty holding positions of Associate or Full Professor or equivalent at the time the appointment to Chair would become effective.
2. Charging the Department: The Dean (or designee) should attend a Department meeting at the beginning of the nomination process to provide this policy, the department voting rights policy, and the Chair's job description, and to explain the process for nominating a Chair.
3. The election for the nomination of the Department Chair: All faculty (tenured, tenure-track, temporary) may suggest names to appear on the ballot for the election of the Department Chair. The votes will be counted by an election committee that will consist of a minimum of one member of the College RTP committee plus one representative from the Dean's office and one representative (other than any nominee) from the Department. To promote transparency, and to the extent possible while preserving the principle of secret ballots, the elections committee will allow the counting of the ballots to be observed by any interested parties.
4. Voting procedures. The department voting rights for the selection and review of Department Chair are included in the Department Voting Rights policy, (F02-4 as of May, 2014, or its successor policy).
5. Chair appointment: Except in rare instances and for compelling reasons, the President shall appoint a person recommended by the department faculty. Technical details concerning the appointment of a Chair (appointment letters, salary adjustments, etc.) will be coordinated by the Office of the Provost.

#### IV. SELECTION OF AN INTERIM CHAIR

An interim appointment occurs when a Department Chair's position has or will be vacated and there is insufficient time or it is otherwise impractical to complete the regular nomination process explained in Section III. The interim Chair serves only as long as required to complete the appointment of a permanent chair.

1. Appointment procedure. The President may make interim appointments after consultation with the College Dean and department faculty, normally by soliciting advice from as many faculty as possible at a department meeting called for this purpose.

2. Interim Chair requirements. Interim appointments should be a member of the department in which they will serve and they should be tenured faculty members.
3. Transition to permanent Chair. The department, under the leadership of the interim Chair, should initiate the normal process for the nomination of a department Chair. The interim Chair should serve until a permanent Chair is appointed and able to assume office, normally by the end of the current semester, but not more than six months. If the department cannot transition to a permanent Chair within six months, the situation should be resolved under section VI of this policy.
4. Technical details concerning the appointment of an interim Chair (appointment letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

#### V. SELECTION OF AN ACTING CHAIR

An acting appointment occurs when a Department Chair is on a temporary absence (illness, vacation, or leave) but is expected to return within a year. If the absence is less than one month, the Dean, in consultation (if possible) with the continuing Chair may determine that there is no need for an acting Chair. Otherwise, an acting Chair is appointed and serves only until the permanent Chair returns.

1. Planned need for acting Chair. When the short-term absence of a Chair can be anticipated, the Department should nominate an Acting Chair using the procedures outlined in III (normal nomination.)
2. Sudden need for acting Chair. When there is insufficient time or it is otherwise impractical to complete the regular nomination process explained in Section III, an Acting Chair should be designated using the procedures outlined in IV (interim.)
3. Limit on length of service. An Acting Chair should not serve more than one year. A Chair who is absent for more than one year should be replaced.
4. Technical details concerning the appointment of an acting Chair (appointment letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

#### VI. FAILURE TO OBTAIN CHAIR NOMINEES AS DESCRIBED ABOVE

Departments may be unable to successfully conclude a normal nomination for Department Chair. This could be the case in a department with no senior (associate or full professor) leadership qualified to be Chair, or no willing candidates. If a department fails to reach consensus (majority vote of the tenured and probationary faculty) following a normal nomination

process (Section III), the Dean shall consult with the faculty at a department meeting to determine the best course of action. This could be either the nomination of an interim or acting Chair, initiation of an external search, extension of a prior interim appointment, or nomination of a non-departmental interim Chair-- as per the relevant sections of this policy.

1. External Searches:

- a. Request for an external search. An external search is a search in which candidates from outside San Jose State University are invited to apply to be hired as a tenured faculty member and as department Chair. Department faculty may request an external search for department chair with the understanding that a successful search might have a negative impact on funding available for other recruitment. At the option of the department, an external search could also allow internal candidates to apply and be granted equal consideration. A department request for an external search should take the form of majority vote of the department (following normal procedures for department voting rights). Such requests are not automatically granted.
- b. Procedures for an external search. Successful completion of an external search for a department Chair requires coordination of two separate tasks: the appointment of a new faculty member in accordance with the appointment policy and the recommendation to the President of a Chair nominee in accordance with this policy. To expedite the successful conclusion of such a search, departments may combine some procedures that are common to both processes as outlined below (i,ii,iii.) Departments should determine which of these three alternatives they will use by majority vote (following the normal procedures for department voting rights), and they must do so prior to the start of a search. Whichever method the department adopts, the recruitment committee must conform to the normal requirements of the appointment section of the Appointment, Retention, Tenure and Promotion policy .
  - i. Departments may designate all permanent and probationary faculty as a recruitment committee "of the whole" so that the appointment recommendation and the nomination recommendation are coterminous. When this method is chosen, the committee of the whole must provide temporary faculty with the opportunity to provide confidential feedback on the search prior to final recommendations.
  - ii. Departments may use separate processes for the appointment and for the nomination functions associated with an external search for a department Chair. Using this method, a smaller recruitment committee makes a recommendation under the normal appointment policy. Then the department as a whole votes to endorse or not to endorse the recommendation of the recruitment committee. For each candidate, the department's endorsement must specify whether or not that candidate is acceptable as a Chair. If more than one candidate is

acceptable, the department must rank them in order of preference. The department's endorsement serves to nominate a candidate to be Chair, but should be accompanied by the recruitment committee's report to justify the appointment. In the event of conflict between the recommendations of the recruitment committee and the department, the department makes the final recommendation as to who to nominate as its Chair, but may only nominate from among those candidates deemed to be acceptable finalists by the recruitment committee. When this method is chosen by a department, time must be budgeted to allow these procedures to take place at the conclusion of the search.

- iii. Departments may choose to delegate their prerogative to nominate a Chair exclusively to their recruitment committee.
  - c. In conformity with the ARTP (Appointment, Retention, Tenure, and Promotion) policy, an external nominee for Chair shall be reviewed and must receive a favorable recommendation for tenure from the appropriate personnel committee of the department before the appointment can be completed.
2. Extended interim Chairs. If there has been a failure to reach consensus, and an interim Chair is serving and was not a candidate for Chair, the interim Chair may be extended by six months to allow time for more permanent solutions. Normally, a department should not have to operate under interim leadership for more than one year.
  3. Non departmental interim Chairs. In extreme cases, and only when all of the aforementioned measures fail, the President may appoint a SJSU faculty member from outside the department to serve as interim Chair, after consultation with the College Dean and department faculty. Consultation with the department faculty is normally done by the Provost and Dean soliciting advice at a department meeting. The goal of the appointment of a non departmental interim Chair should be to prepare the department to choose its own Chair at the earliest possible time. If a non departmental interim Chair is in office for longer than one year, the situation should be reviewed by the Organization and Government Committee of the Academic Senate, which will report its findings to the President, the Academic Senate, and the faculty of the department.

## VII. REAPPOINTMENT OF A DEPARTMENT CHAIR

In order to serve one or more subsequent terms, the Department Chair must proceed through the review process and regular nominating process.

## VIII. REMOVAL OF DEPARTMENT CHAIR

In rare circumstances it may become necessary to remove a Department Chair prior to the expiration of the four year term. There are two possible situations in which a Chair may be removed.

1. Administrative removal. The administrative removal of a Chair previously recommended by the faculty of a department is a very serious matter, and should only be undertaken for compelling reasons, such as criminal activity, manifest breach of ethics, gross malfeasance of duties, or other extremely serious personnel matters. Prior to removal, the President or Provost should meet with the Dean and the faculty assembled in a department meeting to explain the action and solicit advice on the transition. If it is impossible to meet prior to the removal, then the meeting should be held as soon as a majority of the faculty can be assembled. Replacement of the Chair should be initiated according to the procedures in sections III or IV of this policy.
  
2. Faculty initiated removal. Faculty may not initiate the removal of their Chair unless a formal review has been completed within the previous six months. (They may initiate such a review as per II.1 of this policy.) Following the conclusion of any faculty-initiated early review, the department will vote to determine if their Chair should be recalled. The recall vote will follow normal procedures for department voting rights. A vote of 2/3 of the probationary and permanent faculty is sufficient to forward a recommendation to the President that the Chair be removed, with the votes of temporary faculty also reported as per the governing department voting rights policy. If removed, replacement of the Chair should be initiated according to the procedures in sections III or IV of this policy.