

ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBISPO

AS-95-80/EC
March 4, 1980

RESOLUTION REGARDING APPOINTMENT OF INSTRUCTIONAL DEPARTMENT CHAIRS

Background:

Amendment of CAM 315.5 to authorize appointment of department chairs for renewable fixed terms of three years in lieu of indefinite-term department heads could significantly improve faculty-administration communications and relations by providing the following:

- 1) A departmental leader who is an advocate of his faculty as well as a representative of the administration.
- 2) A channel for the introduction of new ideas.
- 3) Possible reduction of long-term personality conflicts between faculty and departmental leaders.
- 4) A means for the administration to respond periodically to changed conditions, without undue disruption or excessive friction.
- 5) A means for departmental leaders to withdraw gracefully from positions which they no longer wish to occupy.

RESOLVED: That the following CAM 315.5 changes be made:

315.5 Appointment of Instructional Department ~~Heads~~ Chairs

- A. Instructional department ~~Heads~~ chairs are members of the ~~university's administrative line organization and as such academic departments who~~ are directly responsible to the appropriate school dean for administration of their respective departments. They are appointed by the University President for ~~indefinite terms~~ renewable three year terms. The President will consult with the Vice President for Academic Affairs and the dean of the school to which the department is assigned, the departmental faculty, and any other individual or group as considered necessary in reaching a decision on instructional department ~~Head~~ chair appointments. The dean will inform the faculty of all pertinent personnel information governing the appointment of the department ~~Head~~ chair.
- B. Variations in department size suggest flexible guidelines governing faculty participation in the consultative process. Consequently, the department, by majority vote of the full-time faculty (tenured and probationary), will recommend for

approval by the school dean, the Vice President for Academic Affairs, and the President, procedures for the selection of nominees for the department head chair position. If the department faculty and the current department chair agree to renew the department chair's term of office, only the current department chair's name need be forwarded to the President through the school dean and Vice President for Academic Affairs. If the department faculty or current department chair desire a change in the department chair, an effort should be made to present several nominees acceptable to the department to the President through the school dean and the Vice President for Academic Affairs. In the event that these procedures require the creation of ad hoc committees, their duties and membership shall be determined by a majority vote of the full-time faculty.

- C. The department's full-time faculty may decide, by a two-thirds majority vote, not to follow the guidelines specified in "B" above. In that case, the school dean will confer with the President or a designee in order to determine the nature and extent of the consultative procedures to be followed. In This . . .
- D. The appointment of the acting, interim or temporary department ~~heads~~ chairs will also be made by the University President following consultation with the Vice President for Academic Affairs and the appropriate school dean and the department faculty. Consultation with the department faculty in selecting an acting, interim or temporary department ~~head~~ chair will not follow the extensive procedure outlines for regular ~~indefinite~~ ~~term~~ department ~~head~~ chair appointments.

RESOLUTION REGARDING THE ROLE OF DEPARTMENT CHAIRS

WHEREAS the Higher Education Employee Relations Act states the following:

Article 6.5 Supervisors

3580.3. "Supervisory employee" means any individual, regardless of the job description or title, having authority, in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. With respect to faculty or academic employees, any department chair, head of a similar academic unit or program, or other employee who performs the foregoing duties primarily in the interest of and on behalf of the members of the academic department, unit or program, shall not be deemed a supervisory employee solely because of such duties. Employees whose duties are substantially similar to those of their subordinate shall not be considered to be supervisory employees;

and

WHEREAS the CSUC Board of Trustees recently directed that the following be issued to department chairs at San Francisco State University:

The Higher Education Employer-Employee Relations Act (HEERA), which became effective July 1, 1979, establishes criteria which define supervisory employees as those employees who have the authority, for example, to perform or effectively recommend the performance of such personnel actions as hiring, disciplining, reviewing professional performance, determining class schedules and space assignment and adjusting grievances. These criteria are consistent with the usual language of labor relations and collective bargaining law.

Existing CSUC Board of Trustees policy states that Department Chairs are appointed by and serve at the pleasure of the President. The Board of Trustees has determined further that those Department Chairs or persons holding equivalent positions who have the authority to perform the activities illustrated above are to be designated as supervisors;

and

WHEREAS the SFSU administration has rejected every previous SFSU Academic Senate proposal acceptable to the general faculty to define the nature and duties of department chairs; and

WHEREAS the SFSU Academic Senate is opposed to any effort to redefine the role of department chairs so as to make them into supervisors and is convinced that any such effort is based upon a misunderstanding of the collegial nature of faculty governance;

NOW, THEREFORE, BE IT RESOLVED that the SFSU Academic Senate finds this interpretation of the role of department chairs to be contrary to the understanding of the SFSU Academic Senate, contrary to the tradition of this campus, and contrary to both the letter and intent of the Higher Education Employee Relations Act; and

BE IT FURTHER RESOLVED that the SFSU Academic Senate reaffirms its position that the role of a department chair is that of *primus inter pares*, and is distinctly not of a supervisory or managerial nature; and

BE IT FINALLY RESOLVED that copies of this resolution be sent to all other Academic Senates in the CSUC system, to the Board of Trustees CSUC, to the Education Committees of the State Legislature, and to the Public Employment Relations Board (PERB).