

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

ACADEMIC SENATE

FACULTY AFFAIRS COMMITTEE

REPORT TO

THE ACADEMIC SENATE

FA-005-223

**Request to update the Academic Senate Policies for a Vote of Confidence in a
Department Chair and a College Dean**

Faculty Affairs Committee

Date: 03/14/2023

Executive Committee
Received and Forwarded

Date: 03/22/2023

Academic Senate

Date: 04/05/2023
First Reading
04/26/2023
Second Reading

Referral

Request to update the Academic Senate Policies for a Vote of Confidence in a Department Chair and a College Dean

Background

The Academic Senate adopted a Resolution that faculty may request a vote of confidence in the performance and leadership of a Dean on May 20, 2009. This was followed by a Resolution that faculty may request a vote of confidence in the performance and leadership of a Department Chair on October 2, 2013. Both resolutions include policies detailing how to request a vote of confidence.

This is a request to review these policies and make sure they are still appropriate. The policy for the Vote of Confidence in a Department Chair still refers to quarters. Both policies should be given policy numbers and be added to the Academic Manual. It is suggested that the policy should be numbered in the 100 – 200 series because this is an Executive Committee action (see 1.0 purpose for both resolutions) and therefore the policies should be contained in the Shared Governance section.

Notable differences between vote of confidence resolutions for Department Chair and Dean:

1. Dean resolution requires 30% of **tenured** faculty for petition, Department Chair requires 30% (or 3 whichever is greater) of **faculty members** which is defined as tenured and probationary faculty, faculty participating in FERP who are teaching the semester that the action is taken, and 1.0 lecturers. This probably makes sense since there are fewer faculty members in the department versus the college.
2. Department Chair has **14** calendar days to respond. College Dean has **30** days and there is a statement that the Dean should only address the complaints in the petition.
3. For the Dean's Vote of Confidence, the Executive Committee notifies the President and the College Dean. Suggest that the Provost should be notified also. The Department Chair Resolution does notify the Provost.
4. The Vote of Confidence for the Dean requires a simple majority and does not specifically address abstentions (or those that don't vote). In the past, EP has just not considered those votes in the count. The Vote of Confidence for the Department Chair also requires a simple majority but specifically states that abstentions will be counted as a vote of confidence.
5. For the Dean, if the result of the vote is a lack of confidence, the EC requests a "formal investigation". For Department Chair, the EC requests "immediate removal".

Resources

[Resolution | Vote of Confidence in Department Chair](#)

[Resolution | Vote of Confidence in Dean](#)

Val Otto, Academic Senate Analyst

Academic Senate Chair (past and present)

Academic Senate Vice Chair (past and present)

Details of past votes of confidences (redacted as appropriate)

Discussion

For ease of discussion, the issues raised in the referral are discussed as items below each point below:

1. Dean resolution requires 30% of **tenured** faculty for petition, Department Chair requires 30% (or 3 whichever is greater) of **faculty members** which is defined as tenured and probationary faculty, faculty participating in FERP who are teaching the semester that the action is taken, and 1.0 lecturers. This probably makes sense since there are fewer faculty members in the department versus the college.
 - a. The FAC discussed this and agrees the language is fine; the numbers are needed to ensure a fair process for the Chair.
2. Department Chair has **14** calendar days to respond. College Dean has **30** days and there is a statement that the Dean should only address the complaints in the petition.
 - a. The FAC discussed this and agrees that the disparity between response times is adequate given the differing size of the stakeholders involved. We did agree that the chair should be advised to respond only to the complaints and added such language.
3. For the Dean's Vote of Confidence, the Executive Committee notifies the President and the College Dean. Suggest that the Provost should be notified also. The Department Chair Resolution does notify the Provost.
 - a. Language was added to this
4. The Vote of Confidence for the Dean requires a simple majority and does not specifically address abstentions (or those that don't vote). In the past, EP has just not considered those votes in the count. The Vote of Confidence for the Department Chair also requires a simple majority but specifically states that abstentions will be counted as a vote of confidence.
 - a. Language was added stating that Abstentions shall count as a vote of confidence.
5. For the Dean, if the result of the vote is a lack of confidence, the EC requests a "formal investigation". For Department Chair, the EC requests "immediate removal".
 - a. We agreed with this as it is not within the purview of the EC to request immediate removal of a Dean. However, we do now require that the outcome of the investigation be delivered to the college faculty.
6. For the Department Chair, if at any stage the Department Chair resigns, the process concludes. There is no such statement for a Dean.
 - a. The FAC agreed that the investigation should continue into the actions of the (former) dean upon resignation, especially since they may exercise retreat rights and then be eligible for other leadership roles in the university.

The FAC agreed that these changes to the policies are minor. Additionally, we added the provision to section H of the Vote of Confidence in a Dean to read "The Elections and Procedures Committee shall conduct the vote as planned through the senate staff to ensure

confidentiality and impartiality of the process. The voting ballot presented to the College's senate constituency shall contain the following statement only..." The reason for the addition is to ensure that if the EPC has constituency from the college or department in question, the process can be fair and impartial.

Recommendation

These changes were unanimously agreed upon by the FAC as these changes were minor and clarified an otherwise daunting process.