

The University Senate of Michigan Technological University

Proposal 16-16

(Voting Units: Full Senate)

Proposal for Amendment to Search Procedures for Department Chairs and School Deans: Interim Candidate Ineligibility for Permanent Position

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Background:

When an interim candidate is given the option to apply for a permanent position in which they have held it on a temporary basis, it may lead to an unfair disadvantages for any internal or external candidates. It may also impact the diversity of the pool of candidates by preventing candidates from applying for the position. The interim candidate holds an unfair advantage in that they can lobby and campaign for the position, hold power (perceived or actual) over faculty and staff causing undue influence, have access to privileged information, and be given opportunities that other potential candidates will not have. It may also lead to morale issues and turnover problems, which can be quite costly to the university. An internal candidate can make promises and form exclusionary groups resulting in groupthink and counterproductive practices. It also prevents bringing in new ideas from outside candidates who may bring more experience and expertise than eligible internal candidates.

Proposal:

1. Interim Department Chairs and School Deans cannot apply for permanent position, thereby keeping the position as truly interim.
2. If faculty or staff want to apply for a vacant position, they cannot serve as an interim in that position.
3. If there are no interim candidates from within the department or the school, but an individual who will apply for the position on a permanent basis, the latter still cannot hold the position of interim.
4. If there are no interim candidates in the current unit (school or department), the Provost will ask qualified individuals from related departments or units to serve as an interim. The interim may also be appointed from the executive team within the university.
5. The interim appointment should be for a term no longer than one year.
6. A vote for an interim becomes a popularity contest and does not necessarily put the best person in the position.

7. In the case of a School Dean, an interim will be appointed by the Provost with input from the unit. In the case of a Department Chair, an interim will be appointed by the College Dean and affirmed by the Provost.
8. All appointments to an interim post will be approved by the executive team of the University.

Related Procedures:

Related procedures include 805.1.1 and 802.1.1 which are appended to the end of this proposal.

SEARCH PROCEDURES FOR DEPARTMENT CHAIRS AND SCHOOL DEANS

[\(Proposal 16-92\)](#)

[\(Proposal 6-11\)](#)

Senate Procedures 805.1.1

Background:

The Senate has the responsibility and authority to establish procedures for the selections of Deans, School Deans and Department Chairs ([Senate Constitution Article III.F.1.a.10](#)) and the responsibility to make recommendations for their evaluation ([Senate Constitution Article III.F.4.b.9](#)). Following the adoption of the departmental governance policies defined by [Senate Proposal 16-92](#), university units established revised procedures for searching for new Chairs and evaluating the performance of those serving as Chairs.

Over the last twenty years, the University administration has come to believe that these procedures should be defined by University-wide policy and not on a unit-by-unit basis. Among the rationales for this change is the fact that Chairs and School Deans are administrative officers and thus serve at the discretion of the president, but units have rights of appeal as defined in the grievance policy outlined by [Senate Proposal 23-00](#). As an extension of this fact, units have the power of review and comment during searching, hiring, and evaluating/reviewing.

Academic units and members of the administrative team have disagreed whether an individual unit can direct a search to be for internal or external candidates. This proposal mandates an **open** search for a School Dean and grants the authority to resolve this issue to the appropriate **College** Dean or the Provost in consultation with the department for a Chair search.

This proposal contains language duplicated from current, approved charter procedures for both School Deans (i.e., Forestry) and Department Chairs (i.e., Chemical Engineering). Editorial and other changes have been made to the material which afford the following differences:

1. All School Dean searches will be open in scope.
2. The proposal contains an annual mechanism by which the Provost, School Dean (for Associate Deans), or a majority of the School's faculty and staff can initiate an interim review.

3. Units still have to evaluate their chairs after three years of service, but a mechanism for surveys after the second and fifth years of service so as to provide useful feedback for improvement is included. Most charters previously allowed for this at the end of every year but only if a Senator requested one or if a majority of the unit faculty assessed by vote requested one.
4. School Deans and Chairs currently serving terms during the term when this proposal is approved will enter the evaluation cycle according to the years passed since their most recent appointment or reappointment.

Proposal Text:

This policy applies to Departmental Chairs and Deans of Schools only. Search provisions for Deans of Colleges and the Dean of the Graduate School are governed by [Proposal 19-07 \(Senate Procedures 802.1.1\)](#) and [Proposal 17-07 \(Senate Procedures 803.1.1\)](#) respectively.

I. Searching for and Evaluating School Deans and Associate School Deans

The School Charter shall specify who is eligible to vote at all stages of the search and evaluation process.

A. Searching for a School Dean and Appointing an Associate School Dean

1. In the event of a vacancy in the School Dean's position, the Provost shall appoint a search committee consisting of at least five faculty members from the School. The Provost will consult with the faculty of the School on these appointments. The search committee will include the following persons:

- i. At least four of these faculty members must be tenured.
- ii. One faculty member from another unit on campus
- iii. A member of the advisory board
- iv. The Provost in consultation with the faculty of the School will also appoint a staff representative.
- v. One student (chosen by the School's undergraduate student organizations).
- vi. One graduate student member (chosen by the School's graduate students).

2. The search committee shall conduct an open search, in accordance with all applicable State and Federal laws and University policies and guidelines. For guidance regarding procedures and methods of deliberation, the committee will consult **Senate Procedures 802.1.1** pertaining to the search procedures for College Deans. The committee will identify the best-qualified individual. The Provost will make final selection of the new School Dean. Approval of the Board of Control is also necessary if the appointment includes tenure.

3. If the school has an Associate School Dean position, and in the event of a vacancy in this position, the School Dean shall appoint an Associate School Dean from the tenured/tenure-track members of the School faculty. The School Dean's choice for Associate School Dean must be confirmed by a secret ballot of the voting members of the School (as defined in the School's Charter) within 60 days. In the event the faculty does not confirm the Associate School Dean, a new Associate School Dean will be chosen by the School Dean from the tenure-track members of the School faculty and confirmed by another secret ballot vote.

4. Appointment of Interim or Acting School Dean: When it is evident that the School Dean will be unable to perform his/her duties for more than one semester or a search for a School Dean has failed, the Provost will appoint an Interim School Dean. If a search has failed, a new search will begin at the earliest possible opportunity.

A. Searching for Department Chairs

1. The Department Charter shall specify who is eligible to vote at all stages of the search process.

2. Procedure for Determination as to Internal or Open Search: When a new Chair must be selected, the Dean of the College will visit the department and discuss whether the search will be open or restricted only to internal candidates. The College Dean will consider the will of the faculty, and after consultation with the Provost, will determine if the search will be an internal only or open search. Both external candidates and current Michigan Tech faculty are encouraged to apply for any open search, since the distinction is made here only in reference to publication and marketing of the search.

3. Search Committee: The Search Committee for the Chair will be elected through a secret ballot organized by the Senator of the department and one other faculty member selected by the department's faculty. The number of members on the Search Committee will depend on the number of faculty in a department. Departments with twelve members or fewer will have a committee of at least three members. Departments consisting of more than twelve faculty members will have a committee of at least four faculty members. In each case, one additional person from outside of the department will be appointed by the College dean. If the department has professional staff, one staff member should be elected by the staff to be on the committee. The chair of the search committee will be elected by the committee at its first meeting. At least one person on the search committee has received training in recruiting strategies to improve diversity and on the legal aspects of faculty hiring. At the first convening of the Search Committee, a representative from Human Resources will be invited to review appropriate hiring procedures. Following this consultation and review, the committee will determine the process for evaluating and voting upon candidates after they visit campus. The procedures must comply with Human Resources policy that promotes best practices ensuring equal opportunity to all interviewed candidates. No committee member can be under consideration as a candidate.

4. Search Procedure: The Search Committee, with input from the present Chair, the Dean, and the Affirmative Action Officer, will produce the first draft of the position description and position advertisement. The Search Committee will complete the Request for Posting Memo and send it to the Human Resources Office. The Committee is responsible for ensuring that the search conforms to current legal requirements, and for maintaining the applicant flow log. Applications for the position are made to the Chair of the Search Committee. Departmental faculty may nominate candidates. In the case of an open search, the position will be advertised in appropriate professional journals, and faculty should distribute position descriptions to their professional colleagues.

5. Short List of Candidates: The Search Committee will review the applications to produce a short list of candidates. These candidates will be invited for an interview. For each candidate who accepts the interview invitation, the committee should attempt to obtain independent assessments from referees not listed by the candidates and should solicit faculty help in identifying these referees. If the search is only internal, all applicants will be on the short list of candidates. The committee is expected to obtain faculty input during the screening process. No committee member can be under consideration as a candidate.

6. Candidate Interviews: The application materials of each candidate on the short list will be available to all departmental faculty and staff. The letters of recommendation will be accessible to members of the department, but the letters cannot be copied. The candidates will be informed of this requirement, and will be furnished with copies of the position description, departmental charter, statements of departmental goals, and recent annual departmental report.

While each candidate is on campus, the Search Committee will make arrangements for each individual to make two presentations:

1. A technical presentation in his/her field of specialization that includes trends, directions and opportunities for research in the field. (In the case of an internal search, this presentation can be waived.)

2. A presentation that may include, but is not limited to the following issues: the candidate's administrative philosophy and plans for meeting short and long term goals; The direction of undergraduate and graduate education in the department; Resources needed to attain the goals. The Search Committee will arrange the candidate's schedule and set up appointments with appropriate administrators and other persons outside of the department (Dean, VP for Research, Provost, other department chairs if overlapping research interest).

7. Selection of Chair: After the candidates have completed their interviews, the Search Committee will arrange a meeting of faculty and staff to discuss the candidates. The Search Committee will solicit the opinions of graduates and undergraduate students. The Search Committee will conduct a vote by secret ballot to determine if the candidates are acceptable or unacceptable to serve as Department Chair. The staff vote takes place first, and will be advisory to the faculty vote. The search committee will tabulate the votes. The search committee will prepare recommendations based on ballot results and strength and weaknesses of the acceptable candidates and meets with the Dean to discuss the recommendations. No candidate will be deemed acceptable for department chair who does not obtain a majority vote of the faculty. The Dean has the final responsibility for making the appointment subject to the approval of the Provost and President.

8. Failed Search: If the Department finds no acceptable candidates following the interviews or the Dean is unable to hire a chair from the list of finalists advanced by the Search Committee, the search is considered to have failed. The Dean will appoint an Interim Chair as provided by II.A. 9.

9. Appointment of Interim or Acting Chairs: When it is evident that the Department Chair will be unable to perform his/her duties for more than one semester or a Chair search has failed, the Dean will appoint an Interim Chair. Interim Chairs serving more than two years must be evaluated as detailed in Section B. If a search has failed, a new search will begin at the earliest possible opportunity.

An Interim Chair is different from an "Acting Chair" or someone serving as "Next In Charge." If a Department Chair expects to be absent from campus or otherwise unable to perform his or her duties for a period of time, they appoint another individual to serve as "Next In Charge." For somewhat longer absences, they can appoint someone as Acting Chair. "Next In Charge" appointments are intended only for very brief periods, generally lasting a few days. A serving Chair can appoint an Acting Chair to cover medium-term absences lasting up to one semester. If a Chair will be absent for more than one semester, he or she should step down and allow the Dean to appoint an Interim Chair.

D. Confidentiality

Instructions for the Chairperson of the Committee: *It is the responsibility of the Chairperson of the Recruitment/Hiring Committee to read the following statement regarding confidentiality to the entire committee at the beginning of the process before the committee discusses criteria, drafts interview questions, reviews applications and/or resumes or begins any work. A form published by San Jose State University at: <http://www.sjsu.edu/hr/docs/wfp/forms/confidentiality.pdf> is suitable for this purpose.*

STATEMENT

All information learned from any recruitment document or during interviews is privileged. The information is not for public disclosure. In the eyes of the law, each committee member is viewed as an agent of the university. During the selection process, it is important that we do not create a liability for the university or for ourselves as individuals. Members who disclose privileged information run the risk of involving themselves and/or the university in a lawsuit involving a tort action. Examples are the tort of defamation, which is committed when an individual communicates false, injurious information about another; and tortious invasion of
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privacy, which includes placing another in a false light in the public eye or public disclosure of private facts. In any lawsuit it is possible for an individual to be named as a defendant as well as the university.

An appropriate response to questions from individual applicants or the public about any aspect of the selection process should be:

Selection is a confidential process and therefore I am unable to respond to your question.

The recruitment process is treated with confidentiality, so it would be inappropriate for me to answer your question or that of any other applicant.

If the person inquiring is not satisfied with your response, please ask them to refer the question to Workforce Planning in the Human Resources.

COMMITTEE MEMBER SIGNATURES

I confirm that the Confidentiality Statement has been read to me and that I understand it and agree to abide by the provisions and requirements of the statement.

Signature	Print Name	Date

Proposal 16-92:

Adopted as Amended by Senate: 29 September 1993
Approved by President: 15 February 1994
Approved by Board of Control: 18 March 1994

Proposal 6-11:

Introduced to Senate: 10 November 2010
Revised and reintroduced: 23 November 2010
Senate Returned to Committee: 08 December 2010
Revised and reintroduced to Senate: 19 January 2011
Edited at Senate Meeting: 19 January 2011
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Amendments Adopted by Senate: 23 March 2011
Editorial change: 15 January 2013

The University Senate of Michigan Technological University

SEARCH PROCEDURE FOR COLLEGE DEANS

[\(Proposal 19-01\)](#)

[\(Proposal 3-07\)](#)

[\(Proposal 19-07\)](#)

[\(Proposal 12-13\)](#)

Senate Procedures 802.1.1

The following procedure is for searches for deans of the College of Engineering and the College of Sciences and Arts. Searches for deans of schools are described in the school charters.

1.0 Inception

- 1.1 The person to initiate the search for a College Dean will be the President, or the Provost as the President's designee.

2.0 Search Committee

- 2.1 Departmental Representatives: The person initiating the search will ask each department in the college to elect one departmental representative to the Search Committee. The representative must be a member of the faculty of the department, and may be the department Chair. The departmental Senator and a person appointed by the department Chair will conduct the election. Balloting will follow departmental charter procedure or standard University Senate procedure. The Senator and the appointed individual will count the ballots and announce the results. Ties will be resolved by a random process. The Senator will report the name of the departmental representative to the person initiating the search and to the President of the University Senate, who will announce the membership of the Committee at the next meeting of the Senate.
- 2.2 Student Representatives: The person initiating the search will ask the Undergraduate Student Government and the Graduate Student Council each to elect one Committee representative and one alternate, who should be enrolled in the college.
- 2.3 Staff Representative: The person initiating the search will select at least one staff member to serve on the Search Committee. The staff member should be employed within the college.
- 2.4 At-large Representatives: The person initiating the search will select three individuals from the University community (faculty, staff, students, administrators, alumni) to serve on the Committee.
- 2.5 The person initiating the search will ask Human Resources to designate a representative to serve without vote.
- 2.6 A list of the names of Committee members will be posted electronically, and will be submitted for publication in *Tech Topics* and *The Lode*.

2.7 Confidentiality

All Search Committee members are responsible for signing a confidentiality statement at the beginning of the process before the committee begins any work including discussion of criteria, drafting of interview questions, reviewing of applications and/or resumes. Confidentiality statement can be found at: <http://www.mtu.edu/affirmative-programs/hiring/faculty-hiring/hiring-forms/>

3.0 Meetings

- 3.1 The person initiating the search (President or Provost) may call the first meeting of the Committee as soon as at least a three-fourths majority of Committee members have been named.
- 3.2 The person initiating the search (President or Provost) will deliver the charge to the Committee. He/She will relate the guidelines for the search process including staffing and the budget for advertising and interviewing.
- 3.3 The person initiating the search will inform the Committee of the role of the Board of Control in the search process.
- 3.4 The person initiating the search will supervise the election of a chair and associate chair by written ballot, in closed session, at the first meeting. During the first meeting the Committee and the person initiating the search will specify the responsibilities of these individuals.
- 3.5 The person initiating the search and the Committee will agree on a target date for selection of the candidate and on other time lines of the search.
- 3.6 The Human Resources representative or other designated persons will provide an orientation for the Search Committee at the outset of the search, and will be available thereafter for any needed consultation. The Committee should discuss the legal issues involved in record keeping and be informed of their legal responsibilities and liabilities. As of the writing of this procedure, notes must be kept for three years.
- 3.7 The representative from Human Resources will assist the Committee with its tasks of organizing paperwork, documenting activities, advertising the position, and following guidelines for the search and screening processes.
- 3.8 Searches will proceed under the principle of openness. Committee meetings will be open to members of the University community unless a closed meeting is necessary to maintain confidentiality.
- 3.9 The Search Committee should expedite the search process by forming working subcommittees for appropriate tasks.

4.0 Goals

- 4.1 In order to select appropriate candidates, the Search Committee must consider the published goals, the mission, and the vision of the college.

5.0 Position description and list of qualifications and attributes

- 5.1 The Search Committee, with input from the person initiating the search, from Human Resources, from appropriate administrators, and from the Office of Institutional Equity, will draft a position description (e.g., qualifications, duties, expected achievements, etc.) that is consonant with the college goals.
- 5.2 Before soliciting candidates, and in consultation with the person initiating the search, the Committee will establish the essential qualifications and desired attributes (inter-personal skills, management style, etc.) of candidates, and will group (weight) the attributes by major and minor importance.

- 5.3 The draft position description and list of qualifications and attributes will be sent via email or otherwise to all faculty and staff of the college, and will be posted electronically. Faculty, staff, and students will be invited to send comments to the Committee. The Committee will hold an open meeting of faculty, staff, and students to discuss the position description and the list of qualifications and attributes.
- 5.4 The Committee will consider the comments, and then write a final description and list of qualifications and attributes. The final version will be published in *Tech Topics*, *The Lode*, posted electronically, and sent to applicants.

6.0 Mechanism for identifying candidates

- 6.1 At the discretion of the President, the search may be conducted using the services of a search firm or consultants. The Search Committee will direct the efforts of the firm or consultants.
- 6.2 To ensure a diverse, well-qualified applicant pool that meets EEO requirements, the Committee should solicit applicants according to procedure established by the Office of Institutional Equity and work with the Institutional Equity Officer.
- 6.3 In the case of an open search, the position will be advertised in appropriate professional journals and publications. Faculty should be invited to nominate both internal and external candidates. Faculty should be encouraged to contact colleagues and to send them position advertisements.
- 6.4 The Committee will screen applicants according to its published criteria. If an applicant appears to be a strong contender for the position, the Committee will check applicant information (e.g., degrees, positions held) and references.
- 6.5 Within time and budgetary constraints, the Committee may schedule and hold screening interviews with a select pool of candidates (usually less than 10). The identity of those interviewed will be held in confidence.
- 6.6 As the search progresses, deviations from the budgetary guidelines must be approved by the person initiating the search.

7.0 Semifinalist candidates

- 7.1 The Committee, after reviewing vitae, reference letters or phone calls, other relevant material, and conducting screening interviews, will produce a short list of candidates. As a professional courtesy, the search committee should inform candidates prior to checking references. Upon approval of the person initiating the search, these candidates will be invited for on-campus interviews.
- 7.2 The candidates become semifinalists on acceptance of an interview.

8.0 Interview Process

- 8.1 A short vita of each semifinalist candidate will be sent via email or otherwise to all faculty and staff of the college at least two work days prior to the campus visit. A full resume will be made available in the Human Resources office for examination by all faculty, staff, and students of the University.
- 8.2 The interview process will include, among other assessments, the response to a hypothetical job situation that reveals how the candidate approaches problem-solving, decision-making, and ethics.
- 8.3 Each candidate will be asked to make two seminar presentations:

- A. A seminar open to the public addressed to the department in which the Dean is likely to be given a tenured position. The presentation might include but not be limited to the following topics:
- 1) Trends, directions, and opportunities for research in the field of the candidate's expertise.
 - 2) The course(s) the candidate would like to teach, if time permitted.
 - 3) Direction of education in the department (e.g., what should and will be the attributes of the college's graduates ten years from now).
 - 4) Responses to questions from departmental faculty and staff.
- B. An open presentation, addressed to the college, which includes but is not limited to the following issues:
- 1) The candidate's administrative philosophy and a plan for meeting the short- and long-term goals of the college.
 - 2) The direction of education in the college and the role of the college in the intellectual life of the University (e.g., will the engineering education component be more general; will the B.S. degree program extend from its current four to five years, etc.).
 - 3) The debates and trends at the national and state level that may affect research funding opportunities for the college.
 - 4) The resources needed to attain the goals of the college.
 - 5) Questions from the audience.
- C. The departmental presentation (8.3.A) will be waived for internal candidates who have already been granted tenure in an academic department at Michigan Technological University. Tenured internal candidates will be required to make the open presentation to the college following the guidelines stated in 8.3.B above.

- 8.4 The Search Committee will make appointments for the candidate to meet the Provost, the President, the Vice President for Research, the Department Chairs of the college, the Academic Deans, and other appropriate personnel as selected by the person initiating the search. The Board of Trustees may also request an interview.
- 8.5 The Search Committee will schedule and appropriately publicize at least one open public meeting for the candidate.
- 8.6 Faculty, staff, and students will be invited to provide oral and written feedback to the Committee on the entire slate of semifinalist candidates, based on the published position description, qualifications and attributes. The Committee will share these comments with the person who initiated the search.

9.0 Selecting the final candidate(s)

- 9.1 Selection of the final candidate(s) will begin only after the on-campus interview process for all semifinalist candidates is complete.
- 9.2 After considering the feedback from the University community, the Committee will develop in closed session a list of at most three acceptable individuals from the list of semifinalists.

- 9.3 For semifinalists, who are acceptable after the campus interview, the Committee will obtain independent assessments from referees not listed by these candidates, which would be a part of the due diligence verification process. The Committee should solicit faculty help for identifying appropriate referees. As a professional courtesy, the search committee must inform these semifinalists prior to the due diligence checks. These checks are only required for the selected semifinalists. The names of independent references will not be disclosed. If a semifinalist refuses to allow due diligence checks, the semifinalist should be informed that this refusal limits the committee's ability to complete its evaluation and that the semifinalist will be withdrawn from consideration. All questions asked and issues raised must be job-related and should be similar for all candidates.
- 9.4 The person who initiated the search (President or Provost) will also develop a list of acceptable individuals from the list of semifinalists.
- 9.5 The Committee and the person who initiated the search will meet and agree on mutually acceptable finalist candidate(s). If no agreement can be reached, the search will be reopened.

10.0 Negotiating salary and tenure

- 10.1 The Provost or President will negotiate with the chosen candidate(s). Should negotiations with the candidate(s) be unsuccessful, the Committee and President or Provost will meet to reach a consensual decision on the selection of a new finalist(s) from list of semifinalists. The search will be reopened if no acceptable candidate is found.
- 10.2 The President or Provost will negotiate tenure with the Chairs and Deans of appropriate academic units, and will make any recommendation of tenure to the Board of Trustees.
- 10.3 An explicit part of the negotiation will be salary as a tenured faculty member should the candidate resign as dean.
- 10.4 Other professional benefits will be negotiated between the candidate and the appropriate administrative officer(s). The Search Committee will be informed of the final accepted offer.

11.0 Closure

The Search Committee should inform the Senate of any changes it deems necessary in the search procedure.

Proposal 19-01:

Adopted by Senate: 8 May 2002

Approved by President: 24 May 2002

Proposal 3-07:

Adopted by Senate: 11 October 2006

Approved by Administration: 20 October 2006

Proposal 19-07:

Adopted by Senate: 31 January 2007

Approved by Administration: 8 February 2007

Proposal 12-13:

Introduced to Senate: 23 January 2013

Friendly amendment added (in blue): 23 January 2013

Committee amendments (in green): 6 February 2013

Approved by Senate: 6 March 2013

Approved by Administration with editorial changes (in purple): 1 April 2013

Senate Approved editorial changes: 10 April 2013

September 2015: Name changed from Board of Control to Board of Trustees