

ARTICLE 20
Departments and Department Chairpersons

Section A. Departments.

Subd. 1. The President may, after meeting and conferring, designate or redefine various academic departments and programs consistent with the university's mission and scope of academic activity. Departments or programs defined as of the date of execution of this Agreement shall continue to exist unless the President, after meeting and conferring with the Association, redefines departments or programs based upon the needs of the university. Redefinition of departments or programs shall occur no more than once each year, and shall be announced by and effective with the posting of seniority rosters on March 1. Effective July 1, 2018, redefinition of departments or programs shall occur no more than once each year, and shall be announced by February 1st and effective with the posting of seniority rosters on March 1. Such actions shall not be subject to the provisions of the grievance procedure.

Subd. 2. Each faculty member shall be a member of at least one (1) department/ administrative unit. In departments where the Administration has decided not to have a chair, the department faculty may elect and propose annually a person to carry out any procedures required by this Agreement.

Subd. 3. Department faculty shall establish, annually or more frequently as appropriate, through a democratic process and in a manner consistent with university procedures and the provisions of this Agreement, departmental goals, objectives, policies, procedures, and teaching and other work schedules. In addition, each program may establish program-specific goals, objectives, policies, procedures and schedules.

- a. The department shall make every effort to ensure that teaching and other work schedules meet program, department, college and university objectives. The administration may develop guidelines to aid in this effort.
- b. The department may establish appropriate committees as needed. The department may make recommendations, forwarded through the department chair, on its own behalf concerning such matters as personnel actions, budgetary matters, teaching assignments, departmental curriculum/curricula, classroom and equivalent duty schedules, etc. All departmental recommendations must be reviewed and approved by the department's faculty, and forwarded to the administration by the chair with a statement verifying that the requirement has been met. Individual faculty members and programs within departments may also make recommendations on these same matters.
 - a. Departments may use electronic voting.
 - b. Department faculty shall notify the department through the chair of application for and acceptance of grants and/or the faculty member's selection as the individual primarily responsible for the administration of a contract between the university and an external third-party. The faculty member's failure to provide such notice shall not be grievable.

Subd. 4. Departmental faculty and chairs shall base their personnel recommendations on the five criteria contained in Article 22, Section B. In accordance with Article 5, Section A, Subd. 44, recommendations for a personnel action must be signed and dated by the person or persons making them. The department may conduct a vote on any personnel matter and forward it to the appropriate supervisor, but the vote shall not constitute a recommendation.

Subd. 5. All faculty members, other than fixed-term faculty in the first year of such status, who have at least three-fourths (3/4) time FTE appointments in the department during the current academic year, are eligible to vote in matters pertaining to the chair and to make recommendations in personnel matters and curriculum matters. All faculty members who have at least one-half (.5) time appointments in the department during the current term are eligible to vote in all other matters pertaining to the business of the department. The Academic Vice President shall arbitrate disputes which may arise concerning voting eligibility in any department. This decision shall not be subject to the grievance procedure.

Subd. 6. Departmental actions may not add to, subtract from, or modify in any way the terms of the Agreement, and are not effective until filed with the immediate supervisor.

Section B. Duties of Department Chairpersons.

Subd. 1. The chair provides academic and administrative coordination, and fosters an environment which enhances individual and departmental growth and development.

Subd. 2. The department chair coordinates the activities of the department through a process of regular consultation with all the members of the department and the President/designee. The chair provides coordination within a department with respect to departmental rights and functions as described in Section A of this article. (See Appendix E.)

Subd. 3. The chair forwards recommendations of the department to the appropriate administrative personnel, and is expected to submit his or her own reactions or recommendations to the President/designee on such matters as tenure, promotion and nonrenewal, whether or not such chair recommendations coincide with others made. Copies of such reactions and recommendations shall be made available to the department members, except for those concerning personnel matters. Recommendations and/or reactions pertaining to personnel actions shall be in accordance with the provisions of the appropriate article(s) in this Agreement and a copy shall be given to the affected faculty members.

Section C. Department Chair Reassigned Time and Compensation.

Subd. 1. All chairs of departments of five (5) or more FTE members shall be offered appointments of at least one hundred ninety-six (196) duty days; however, a chairperson may decline any portion of the schedule beyond one hundred sixty-eight (168) days, subject to concurrence by the President/designee that the department will be able to function effectively. Chairs of smaller departments may be offered appointments of longer than one hundred sixty-eight (168) duty days in duration if in the discretion of the President/designee the duties of such chairs require extended appointments. The one hundred ninety-six (196) duty days of the extended appointment shall consist of the one hundred sixty-eight (168) academic duty day schedule plus twenty eight (28) additional duty days which shall be mutually agreed upon by the chair, the Association, and President/designee.

Subd. 2. During the regular academic year or nine-month appointment year, chairpersons shall have reassigned time according to the listed schedule below to carry out the duties of the chair as described in Section B of this article. Reassigned time may be averaged during the course of the academic year in order to meet the requirements of the listed schedule.

<u>FTE</u>	<u>Reassigned Time</u>
1 - 4 FTE Members	by arrangement
5 - 15 FTE Members	at least 1/3 time
16 - 24 FTE Members	at least 1/2 time
25 or more	at least 2/3 time

Beginning July 1, 2016, chairs of departments of 1-4 FTE members shall receive at least 1/8 reassigned time.

At Metropolitan State University, alternative arrangements shall be made by the President/designee for chairs with substantial numbers of community faculty and scheduled alternative teaching strategies and shall be subject to local meet and confer. Arrangements shall be subject to approval by the President/designee after consultation with the chair.

Subd. 3. Chairs on more than nine-month appointments shall not have a teaching load which exceeds one course of not more than four (4) credits in one (1) summer session.

Section D. Department Chair Selection.

Subd. 1. Search. When a chair is to be selected, the President/designee shall consult with the department faculty regarding departmental, college, and university objectives. After consultation with the department faculty, the President/designee shall determine whether the new chair is to be chosen from within the university or whether the search shall include candidates from outside the university. In either case, an election shall be held by the faculty of the department for the purpose of selecting the nominee.

Subd. 2. Nomination.

- a.** The name of the candidate receiving the majority vote in a secret ballot election shall be submitted to the President/designee as the department's nominee for the position of chair.
- b.** Within ten (10) working days of the receipt of such nomination, the President/designee shall either appoint the nominee or notify the members of the department in writing that he/she declines to appoint the nominee, and upon request of the department shall hold a meeting with the department faculty to discuss the reasons therefore.
- c.** If the President/designee declines to appoint the nominee, the department faculty shall conduct a second election and the department shall submit the name of a different nominee to the President/designee.
- d.** Within ten (10) working days of receipt of the name of the second nominee, the President/designee shall appoint the nominee, except that the President retains the right to decline to appoint the nominee if he/she has reason to believe that state or federal anti-discrimination laws were violated, and subsequently appoint an interim chair, for a period not exceeding one (1) academic year, without election. The President shall explain his/her reasons for believing that the laws were violated at a meet and confer before appointing an interim chair.

Subd. 3. Temporary Vacancies. For temporary vacancies (such as when a chair is on leave or during the interim period when an election is being conducted), the President/designee may, after consultation with the faculty members of the department, appoint an interim chair for a period not to exceed nine (9) months unless a longer period is mutually agreed upon by the President and the department, in which case the appointment may be for a period not to exceed fifteen (15) months.

Section E. Department Recall.

Subd. 1. Upon presentation to the President/designee of a petition signed by a majority of the department members eligible to vote, excluding the chair, to recall the chair of that department, the President/designee shall within ten (10) working days give to all members of the department written notice setting forth the time, date (during an academic year), place and purpose of a meeting to consider the recall petition. The President/designee shall preside at the meeting.

Subd. 2. A two-thirds (2/3) vote by secret ballot of all department members who are eligible to vote shall be required to recommend that the President/designee declare a vacancy to exist in the departmental chair. Upon receipt of such a recommendation, together with a written record of the minutes of such a departmental meeting and a record by number of the votes cast, the President/designee shall meet with the department members and the chairperson and discuss the matter. If the President rejects the recall recommendation, he/she shall, after discussions with the department and within ten (10) days, call for another vote upon the recall, the results of which shall be binding. The effective date of recall shall be immediate, except that in the case of a first-year chairperson the President shall set an effective date of recall which shall not be later than the end of the academic year in which the recall action was taken. The President's/designee's action to implement the department action to recall a chairperson, or the effective date of such a recall in the case of a first-year chairperson, shall not be subject to the grievance procedure.

Section F. Removal. The President may, after he/she or his/her designee has held a meeting with the department faculty, declare a vacancy to exist in the position of chairperson. Such action shall not be subject to the grievance procedure.

Section G. Vacancies. In filling vacancies due to the resignation, recall or removal of the chair, the selection shall be made in accordance with the provisions of Section D of this article.

Section H. Term.

Subd. 1. The term of a chairperson shall be three (3) years.

Subd. 2. At the end of each completed term, the office of chair shall be considered vacant.

Subd. 3. No faculty member may serve more than three (3) consecutive terms as chair.

Subd. 4. A faculty member who serves as a department chair for at least two full years during his/her probationary period shall be entitled, upon request, to a one-year extension of the probationary period provided by Article 21, Section E, Subd. 6.

Section I. Directors and other Coordinating Assignments.

Subd. 1. During the spring semester of each year prior to April 15, the President/designee shall submit to the Association a list of all directors or similar positions for which reassigned time and/or remuneration is provided. The list shall include the position description, length of term, and the compensation (monetary and/or reassigned time). A meet and confer shall be held after the receipt of the list but prior to the end of spring semester to exchange views and concerns with regard to directorships. This exchange shall include but not be limited to additions, modifications, discontinuations, procedures and changes in compensation relating to the directorship or similar position.

Subd. 2. During the regular academic year, directors of academic programs shall be granted reassigned time and/or compensation in accordance with Article 12, Section B, Subd. 3, commensurate with their activities.