



Office of the Vice Chancellor for Faculty and Staff Relations

535 East 80 Street, New York, N. Y. 10021

212/794-5353

MEMORANDUM

October 5, 2000

TO: The College Presidents  
The Dean of The CUNY Law School

FROM: Vice Chancellor Brenda Richardson Malone *BRM*

SUBJECT: Department Chairpersons

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Although department chairpersons are not technically managerial employees,<sup>1</sup> they are vested with important responsibilities that impact upon the operation of the colleges. Presidents, accordingly, should exercise appropriate oversight to insure that department chairpersons are, in fact, fulfilling their responsibilities.

As set forth in section 9.1.b. of the *Bylaws* of the Board of Trustees ("*Bylaws*"), department chairpersons are normally elected by a majority vote<sup>2</sup> of all members of the department who have faculty rank,<sup>3</sup> subject to the approval of the President and the Board of Trustees ("*Board*").<sup>4</sup>

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<sup>1</sup> Department Chairpersons, along with others on the instructional staff, are members of the collective bargaining unit represented by the Professional Staff Congress/CUNY ("*PSC*").

<sup>2</sup> Proxy or mail voting is not permitted. *Bylaw* section 9.1.b.

<sup>3</sup> *Bylaw* section 8.1 defines faculty rank and delimits voting rights as follows:

The presidents, vice presidents, deans, associate and assistant deans, the business managers and all persons who are employed full-time on an annual salary basis in titles on the permanent instructional staff, except college laboratory technicians, shall have faculty rank. All persons having faculty rank shall have the right to vote both in the faculty of which they are members and in their respective departments provided, however, that they have not received notice of non-reappointment, or submitted a resignation. A person with faculty rank who is retiring shall retain his/her voting rights during his/her last year of service. . . .

Faculty on Travia Leave, however, are not permitted to vote. Unless the Governance Plan provides to the contrary, members of the Executive Compensation Plan do not ordinarily participate in departmental elections.

<sup>4</sup> The department chairperson must be tenured or have been approved by the Board for tenure at the time of his/her election, except in departments fewer than seven years old. *Bylaw* section 9.1.b.

Presidents should take whatever steps they can to encourage their respective faculties to elect, as chairpersons, individuals who have the personal and administrative skills to be consensus builders and good managers.

Presidents should bear in mind, however, that they do have the authority to remove and appoint department chairpersons. Section 9.1.c. of the *Bylaws* explicitly provides as follows:

In any case where the president does not approve the election of a department chairperson, or at such other time as the interests of the college may require the removal of a chairperson and the appointment of a new one, he/she shall confer with the department and thereafter shall report to the board any subsequent action by the department with respect thereto, together with his/her own recommendation for a chairperson. The recommendation by the president to the board for the designation of the department chairperson should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president shall base his/her recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesperson and as a participant in the formation, development, and interpretation of college-wide interest and policy.

Presidents also have the authority to appoint chairpersons in departments with fewer than three tenured professors, associate professors, and assistant professors, in accordance with *Bylaw* section 9.1.d., and in the library, in accordance with *Bylaw* section 9.1.b.

A corollary to the Presidents' authority to remove department chairpersons and appoint new ones is the concomitant authority to evaluate department chairpersons. Department chairpersons are, of course, subject to evaluation as faculty members under Article 18 of the PSC collective bargaining agreement. However, each President should develop procedures for the evaluation of the performance of chairpersons as chairpersons on an annual basis. Such evaluations might best be conducted by the appropriate dean and/or the provost, depending upon the administrative structure of the college. These evaluations should be limited to evaluating the chairpersons in the performance of their duties as the executive officers of the department and should not otherwise intrude into their performance as members of the faculty. Section 9.3.a. of the *Bylaws* sets forth the duties of department chairs as follows:

The department chairperson shall be the executive officer of his/her department and shall carry out the department's policies, as well as

those of the faculty and the board which are related to it. He/she shall:

1. Be responsible for department records.
2. Assign courses to and arrange programs of instructional staff members of the department.
3. Initiate policy and action concerning the recruitment of faculty and other departmental affairs subject to the powers delegated by these bylaws to the staff of the department in regard to educational policy, and to the appropriate departmental committees in the matter of promotions and appointments.
4. Represent the department before the faculty council or faculty senate, the faculty, and the board.
5. Preside at meetings of the department.
6. Be responsible for the work of the department's committee on appointments or the department's committee on personnel and budget which he/she chairs.
7. Prepare the tentative departmental budget, subject to the approval by the department's committee on appointments or the department's committee on personnel and budget.
8. Transmit the tentative departmental budget to the president with his/her own recommendations.
9. Arrange for careful observation and guidance of the department's instructional staff members.
10. Make a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget or department committee on appointments when recommending an appointee for tenure on the following:
  - a. Teaching qualifications and classroom work.
  - b. Relationship of the appointee with his/her students and colleagues.

- c. Appointee's professional and creative work.
11. Hold an annual evaluation conference with every member of the department after observation and prepare a memorandum thereof.
12. Generally supervise and administer the department.

Consistent with *Bylaw* section 9.1.c., evaluation of a department chair should essentially be based upon his/her ability "to act effectively as the departmental administrator and spokesperson and as a participant in the formation, development, and interpretation of college-wide interest and policy." The Council of Presidents strongly endorsed the creation of a uniform evaluation tool for department chairpersons. Attached is the "Department Chairperson Conference Memorandum," which should be used to evaluate department chairpersons on an annual basis. This evaluation form groups the various areas of a chairperson's responsibilities under three rubrics:

- **Overall Administrative Responsibilities**, including maintenance of departmental files and records, assignment of courses to and arrangement of programs for instructional staff members in the department, arrangement of timely classroom observation and annual evaluation of instructional staff members in the department, recruitment of new instructional staff members to the department, scheduling and conducting department meetings, chairing the department personnel and budget (P&B) committee, and representing the department P&B committee at division or college-wide P&B committee meetings, preparation and management of the department budget, and availability to faculty, students and staff.
- **Leadership and Guidance**, including the chairperson's fulfillment of his/her responsibility to direct the academic mission of the department and/or to provide guidance to individual members of the department on their professional performance, including defining the mission of the department, inspiring an atmosphere of collegiality among department members, encouraging and facilitating scholarly achievement, initiating methods of providing effective guidance to instructional staff members in the department, including innovative methods of supervising the professional performance of untenured or uncertified instructional staff members, maintaining a curriculum which will attract and retain students, and fostering a sound environment for students, faculty and staff.
- **Department Goals**, including development of new curriculum, implementation of new methods of learning, acquisition of new materials and/or equipment, receipt of grants, and receipt of prestigious fellowships

and/or participation in prestigious conferences by instructional staff members in the department.

In the event that a chairperson is found to be seriously deficient in the performance of his/her duties, the President should consider removing the chairperson, in accordance with the provisions of *Bylaw* section 9.1.c.<sup>5</sup> Notice should be given to the incumbent or elected chairperson and to the members of the department, and the President must confer with the department in making a recommendation for the appointment of a new chairperson. *Bylaw* section 9.1.c. further requires the President to report to the Board any subsequent action by the department, together with his/her recommendation for a chairperson.

Please call if you have any questions.

Attachment

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<sup>5</sup> Poor performance of administrative duties is not the only basis for removing a department chairperson; a President may remove a department chairperson whenever the interests of the college so require. *Bylaw* Section 9.1.c.

# The City University of New York

## Department Chairperson Conference Memorandum

College \_\_\_\_\_ Department \_\_\_\_\_

Chairperson \_\_\_\_\_ Faculty Rank \_\_\_\_\_

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**INSTRUCTIONS FOR COMPLETING THIS FORM:** The responsibilities of the department chairperson are described in section 9.3 of the Bylaws of the Board of Trustees of The City University of New York. The dean, vice president, or other college administrator to whom the department chairperson reports should periodically discuss with the department chairperson his/her fulfillment of those responsibilities. This Conference Memorandum should be completed in accordance with the criteria listed below and signed by the administrator and the department chairperson who participated in the conference.

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### **CRITERIA FOR EVALUATION:**

**I. Overall Administrative Responsibilities** - Comment on the department chairperson's performance of his/her overall administrative responsibilities, including, but not limited to: maintenance of departmental files and records; assignment of courses to and arrangement of programs for instructional staff members in the department; arrangement of timely classroom observation and annual evaluation of instructional staff members in the department; recruitment of new instructional staff members to the department; scheduling and conducting department meetings; chairing the department personnel and budget (P & B) committee, and representing the department P & B committee at division or college-wide P & B committee meetings; preparation and management of the department budget; and availability to faculty, students and staff.

**II. Leadership and Guidance** - Comment on the department chairperson's fulfillment of his/her responsibility to direct the academic mission of the department and/or to provide guidance to individual members of the department on their professional performance, including, but not limited to: defining the mission of the department; inspiring an atmosphere of collegiality among department members; encouraging and facilitating scholarly achievement; initiating methods of providing effective guidance to instructional staff members in the department, including innovative methods of supervising the professional performance of untenured or uncertified instructional staff members; maintaining a curriculum which will attract and retain students; and fostering a sound academic environment for students, faculty and staff.

**III. Department Goals** - List and briefly discuss the administrative and/or educational goals which the department has established and/or achieved under the department chairperson, including, but not limited to: development of new curriculum; implementation of new methods of learning; acquisition of new materials and/or equipment; receipt of grants; and receipt of prestigious fellowships and/or participation in prestigious conferences by instructional staff members in the department.







III. Department Goals. [List and briefly discuss any administrative or educational goals which the department has established and/or achieved under the department chairperson, pursuant to the criteria on page 1 of this form. Please note any areas of special achievement and/or any areas of needed improvement.]

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IV. Department Chairperson's Comments (if any).

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\_\_\_\_\_  
Department Chairperson

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Date

\_\_\_\_\_  
College Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title




# The City University of New York

*The Chancellor*

October 6, 2000

TO: College Presidents

FROM: Matthew Goldstein 

SUBJECT: Department Chairpersons

Throughout the last academic year, Presidents stressed the pivotal role of department chairpersons and the need for them to be responsive to college and University goals and initiatives. They voiced enthusiastic support for the issuance of a memorandum that would provide University-wide guidance on the evaluation of department chairpersons. In particular, Presidents recommended that all colleges use the same evaluation tool.

Attached is a memorandum from Vice Chancellor Brenda R. Malone prepared pursuant to extensive discussion with the Council of Presidents' Committee on Faculty, Staff, and Administration, which took place in the last academic year. While the attached memorandum does not change any policies of the University, it is significant in that (1) it reviews the President's authority to accept or reject the faculty's recommendation for chairperson, (2) it reinforces the President's authority to remove chairpersons in the best interests of the college, and (3) it requires the annual evaluation of chairpersons.

Pursuant to this memorandum, department chairpersons are to be evaluated as chairpersons and not as faculty members. The purpose of these evaluations is to assist in measuring the success of individuals as chairpersons, to help them improve their performance, or, when necessary, to provide support for the decision to remove them. I expect that the Presidents will evaluate department chairpersons annually, using the form attached to Vice Chancellor Malone's memorandum. Your cooperation in this effort will be appreciated.

Attachment