

ARTICLE 10 GOVERNANCE

Section 1. Board of Trustees

The government of the University is vested in a board of eleven trustees who shall be appointed by the Governor, with the advice and consent of the Ohio Senate. The authority of government vested by law in the Board shall in fact be exercised by the Board. The Board may consult with Faculty Senate about shared collegial academic governance in such fundamental areas as curriculum, subject matter and methods of instruction, and faculty research. Administrative decisions about the utilization of available resources, organizational structure, the operation and staffing of all auxiliary facilities, and administrative personnel shall be the exclusive prerogative of the Board, consistent with Article 3 (Management Rights).

Notwithstanding the exclusive right of Akron-AAUP to negotiate and reach agreement on terms and conditions of employment, recognized in Article 2 (Recognition), and the right of the University to carry out its ordinary and customary functions of management, recognized in Article 3 (Management Rights), the parties agree that it is mutually desirable that the collegial system of shared academic governance be maintained and strengthened so that faculty will have a mechanism and procedures, independent of collective bargaining, for appropriate participation in the governance of the University.

The Board and Akron-AAUP recognize that interdependence among the constituents of the University serves to enhance the University's ability to address educational issues and that this interdependence necessitates that bargaining unit faculty and others have roles in: (a) the selection of the President, the Provost, academic deans, and department chairs/school directors, and (b) the performance reviews of the academic deans, and department chairs/school directors. The recommendation for the positions of academic deans, and department chairs/school directors, to the Board shall be the responsibility of the President. Such recommendation shall be made with the advice of, in consultation with, and with participation of the appropriate bargaining unit faculty as set out below.

Section 2. Faculty Participation in the Selection of Deans in Degree-Granting Colleges and University Libraries

The deans of degree-granting colleges and University Libraries are appointed by the Board upon recommendation of the President through the Senior Vice President and Provost ("Provost"). They hold office at the discretion of the President, are responsible to the President through the Provost, and are selected as follows:

- A. A search committee shall be appointed by the Provost.
 1. The Provost meets with the chairs/school directors and other college academic administrators to assess strengths and areas of

concern for the college.

2. Chairs/school directors and other academic administrators submit to the Provost a recommended list of at least five (5) potential college representatives to serve on the search committee.
3. College bargaining unit faculty submit to the Provost a recommended list of at least five (5) elected bargaining unit faculty member representatives to serve on the search committee.
4. The Provost will appoint a search committee, chaired by a dean, that will include at least two (2) from the list recommended by the chairs/school directors and at least two (2) from the list of elected bargaining unit faculty. Other college, university, and/or community members will be appointed to represent the wide range of individual expertise in the college, including but not limited to, varying lengths of tenure with the University, excellence in teaching, research, and service especially in collaboration with other campus units and community partners, diversity of gender and ethnicity, and administrative and faculty roles.

- B. The search committee evaluates candidates and provides their evaluation and recommendation to the Provost.

Section 3. Faculty Participation in the Review of Deans in Degree-Granting Colleges and University Libraries

The dean shall establish annual goals which shall be communicated to all members of the college. The Provost shall assess annually the performance of the dean measured against those goals.

- A. Deans, and those who have served into their fourth (4th) year as Interim Deans, shall be subject to a more formal review every four (4) years. The review will be coordinated by an associate provost. To assist the Provost in the conduct of the review, there shall be established a review committee that shall be comprised as follows:
 1. A dean from another college, exclusive of the associate provost coordinating the review, shall be appointed by the Provost to serve as the chair of the committee.
 2. At least one (1) member from the college contract professional constituency selected by the Provost from a list provided by the dean.
 3. At least one (1) member from the college staff constituency

selected by the Provost from a list provided by the dean.

4. At least four (4) members of the bargaining unit of which three (3) are elected by the bargaining unit faculty and one is appointed by the Provost.
5. At least one (1) department chair/school director, where applicable, selected by the Provost from a list provided by the dean.

The Provost shall charge the review committee prior to the commencement of the review.

- B. Deans under review shall provide to the review committee materials which are necessary and appropriate to the review process. These shall include a self-study by the dean under review, which details accomplishments of management and leadership, problems encountered and solutions provided thereto, and other issues perceived by the dean as germane to the dean's performance.
- C. The evaluation process shall include the opportunity for individual bargaining unit faculty to make professional written qualitative and summary evaluations of the dean, which may be anonymous to the extent permitted by law. The review committee's recommendation shall include a summary of the individual bargaining unit faculty's evaluations.

The committee's evaluation shall be reported to the Provost and communicated to the dean by the Provost.

- D. The Provost shall conduct an independent review of the dean taking into consideration the review committee's report. The Provost shall then meet with the dean and convey the results of the Provost's review. In the event the dean determines not to continue as dean following this meeting, the Provost shall communicate this decision to the review committee, the bargaining unit, contract professionals and staff of the college. Otherwise, the Provost shall meet with the review committee and convey the results of the Provost's review in writing. Thereafter, the results of the Provost's review shall be communicated to the bargaining unit, contract professionals and staff of the college and shall include the Provost's recommendation for the dean.

Section 4. Faculty Participation in the Selection of Department Chairs/School Directors

Department chairs/school directors are appointed by the Board with the advice of and upon recommendation of bargaining unit faculty, the dean of the college, the Provost, and the President. Each shall be appointed for an initial term recommended by the

President (but of not more than four (4) years); they hold office at the discretion of the President; they are responsible to the deans of their colleges; and they are the representatives and academic leaders of the departmental bargaining unit faculty.

- A. Department chairs/school directors are selected by the appropriate dean, who, after consulting with the bargaining unit faculty within the department and the Provost, recommends the candidate for approval by the President and the Board. If the dean or President considers appointment of someone not on the University faculty, that candidate, at the dean's invitation, usually visits the University and is interviewed by members of the department concerned and chairs of related departments. In this case, the dean, after consulting with the bargaining unit faculty within the department and the Provost, recommends the candidate for approval by the President and the Board.
- B. When a vacancy occurs in an academic administrative appointment of department chair/school director, the dean confers with the Provost about the need for an interim appointment of a current employee because of timing and available resources to launch a search either nationally or internally for the next appointee to the position. No search process nor waiver is necessary in these circumstances; it is sufficient to make the availability of the position public along with any requirements for the interim appointee's qualifications and experience. The Provost and the dean will then construct a process that obtains the advice and conferral of the appropriate bargaining unit faculty, staff, and contract professionals.
- C. A search committee shall be utilized regarding the permanent appointment of department chairs/school directors; each is selected and shall hold office as follows:
 1. The search committee is appointed by the dean of the college. The dean shall appoint at least two (2) committee members from a pool of bargaining unit faculty elected by the department, and the bargaining unit faculty, whether elected or appointed, shall constitute a majority of the committee. Other members will be appointed to represent the wide range of individual expertise in the college or department, including but not limited to, varying lengths of tenure with the University, excellence in teaching, research, and service especially in collaboration with other campus units and community partners, diversity of gender and ethnicity, and administrative and faculty roles.
 2. The search committee evaluates candidates and provides their evaluation and recommendation to the dean. The evaluation process shall include the opportunity for individual bargaining unit faculty to make a written qualitative and summary evaluation of

each candidate which may be anonymous to the extent permitted by law. The committee's recommendation shall include a summary of the individual bargaining unit faculty's evaluations. Whenever possible, the search committee should recommend multiple candidates.

Section 5. Faculty Participation in the Review of Department Chairs/School Directors

In consultation with the bargaining unit faculty of the department and with the concurrence of the dean, the chair/school director will establish annual goals. The dean shall assess annually the performance of the chair/school director measured against those goals and shall report the results of that assessment to the chair/school director.

During the final year of the department chair's/school director's term of appointment, those who wish to be considered for an additional term shall be subject to a more formal performance review of the preceding term. The review shall also apply to those who have served into their fourth (4th) year as interim chair/director. In units without department chairs/school directors, evaluation of bargaining unit faculty may be the responsibility of a first-line academic administrator other than that of the dean. If this administrator is an associate or assistant dean, he/she shall be reviewed in the same manner as a chair/director. If this administrator is not an associate or assistant dean, he/she shall be selected and reviewed in the same manner as a chair/director. The review shall include:

- A. A faculty review:
 - 1. An evaluation of the chair's/school director's performance shall be conducted by a committee of four (4) members of the bargaining unit of the department: two (2) elected by the bargaining unit faculty, one (1) appointed by the dean, and one (1) appointed by the Provost.
 - 2. The evaluation shall be conducted according to the process set forth in the college and departmental guidelines and approved by the dean and the Provost. Units without guidelines shall promptly prepare and submit them to the Provost.
 - 3. The evaluation process shall include the opportunity for individual bargaining unit faculty to make professional written qualitative and summary evaluations of the chair/director, which may be anonymous to the extent permitted by law. The committee's recommendation shall include a summary of the individual bargaining unit faculty's evaluations.
 - 4. The committee shall report its recommendation to the dean after

conferring with the bargaining unit faculty by a process established in the college's guidelines.

B. A decanal review:

1. The dean shall conduct an independent evaluation of the department chair/school director by a method appropriate to the unit and approved by the Provost.
2. The results of the dean's review shall be communicated to the chair/school director. In the event the chair/school director administrator determines not to continue to serve in this capacity following this meeting, the dean shall communicate this decision to the bargaining unit faculty. Otherwise, the dean shall communicate to the bargaining unit the dean's decision.

Section 6. Faculty Participation in the Selection of the Senior Vice President and Provost and President

In recognition of the legitimate concerns and interests of bargaining unit faculty, when the University selects either a Provost or President, the bargaining unit shall participate in that selection through a subcommittee composed of bargaining unit faculty only, who shall have the opportunity to discuss orally with the full Board in executive session, their collective views with respect to each finalist candidate. This subcommittee shall consist of six (6) representatives, three (3) of whom shall be selected by the Faculty Senate and three (3) of whom shall be selected by the Akron-AAUP.

Section 7. Compensation

The economic success of the University is, in part, dependent upon the productivity of faculty, and the faculty efforts to increase the revenue base upon which the University operates and grows. Special efforts of members of the bargaining unit that contribute to the economic success of the University shall be rewarded as provided in Article 16 (Compensation).

Section 8. Meetings between the President of Akron-AAUP and the Senior Vice President and Provost

The President of Akron-AAUP and the Provost, or their respective designees, shall meet as necessary to discuss implementation issues with respect to this Article and any other provision of this Agreement.