

ARTICLE 10 GOVERNANCE

Section 1. Board of Trustees.

The government of The University of Akron 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 of Trustees of The University of Akron shall in fact be exercised by the Board of Trustees. The Board of Trustees 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 of Trustees, 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 Administration 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 of Trustees and Akron-AAUP recognizes that interdependence among the constituents of the University serves to enhance the University's ability to address educational issues; and, that one facet of this interdependence is that bargaining unit faculty and others have a role in the selection of the President, the Provost, academic deans, and department chairs. The recommendation for the positions of academic deans and department chairs to the Board of Trustees 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 of Trustees upon recommendation of the President through the Senior Vice President and Provost. They hold office at the discretion of the President, are responsible to the President through the Senior Vice President and Provost, and are selected as follows:

- A. A search committee shall be appointed by the Senior Vice President and Provost.
 - 1. The Provost meets with the chairs and college academic administrators to assess strengths and areas of concern for the college.
 - 2. Chairs and academic administrators submit to the Provost a recommended list of at least 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 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 2 from the list recommended by the chairs and at least 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 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.
- B. The search committee evaluates candidates and provides their evaluation and recommendation to the Senior Vice President and Provost.

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

The dean shall establish annual goals. The Senior Vice President and Provost shall assess annually the performance of the dean measured against those goals.

- A. Deans shall be subject to a more formal review every four 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, appointed by the Provost, shall be 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 members of the bargaining unit of which three are elected by the bargaining unit faculty and one is appointed by the Provost.
5. At least one department chair, 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. The committee's evaluation shall be reported to the Provost and communicated to the dean by the Provost.

- B. 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.

Department chairs are appointed by the Board of Trustees with the advice of and upon recommendation of bargaining unit faculty, the dean of the college, the Senior Vice President and Provost, and the President. Chairs 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 are selected by the appropriate dean, who, after consulting with the bargaining unit faculty within the department and the Senior Vice President and Provost, recommends the candidate for approval by the President and Board of Trustees. 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 Senior Vice

President and Provost, recommends the candidate for approval by the President and Board of Trustees.

- B. When a vacancy occurs in an academic administrative appointment of Department Chair or 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; department chairs are 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 an anonymous (to the extent permitted by law) written qualitative and summary evaluation of each candidate. 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.

In consultation with the bargaining unit faculty of the department and with the concurrence of the dean, the chair will establish annual goals. The dean shall assess

annually the performance of the chair measured against those goals and shall report the results of that assessment to the chair.

During the final year of the department chair's term of appointment, chairs 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 include:

A. A faculty review:

1. An evaluation of the chair's performance shall be conducted by a committee of four members of the bargaining unit of the department: two elected by the bargaining unit faculty, one appointed by the dean, and one appointed by the Provost.
2. The evaluation shall be conducted according to the process set forth in the college's 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 an anonymous (to the extent permitted by law) written qualitative and summary evaluation of the chair. 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 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. In the event the chair determines not to continue as chair 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 Senior Vice President and 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 of Trustees 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 of Akron 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 Senior Vice President and Provost, or their respective designees, shall meet as necessary to discuss implementation issues with respect to this Article and any other provision of the collective bargaining agreement.