

**Revision of Sect. 3.3 of the Faculty Handbook on Dept. Chair Selection  
Passed by the Faculty Senate, Feb. 11, 2016**

**Summary of the Revisions**

1. The standard three-year term of Dept. Chairpersons **begins on July 1** (Sect. 3.3.2.1), and **incomplete terms use July 1 as the marker** (Sect. 3.3.2.2).
2. A **term limit of three consecutive terms** is established as the norm (Sect. 3.3.2.3).
3. A **mechanism for overriding this term limit** is established, requiring a 2/3 majority vote in a referendum (by March 31) to authorize a chair who has served three or more consecutive terms to run again (Sect. 3.3.2.3).
4. A statement has been inserted in the Standard Procedure to ensure that **all elections for Department Chairperson are open for any eligible Faculty member to be a candidate** (Sect. 3.3.5.1).
5. **The Election Coordinator (EC) must now be someone from outside the Academic Unit**, and the EC **must be appointed by April 1**(Sect. 3.3.5.1.1).
6. The distribution of the final list of candidates by the EC must occur **within ten business days of [the EC] being appointed** rather than within two weeks of notification by the Dean (Sect. 3.3.5.1.2).
7. **Sect. 3.3.5.1.4 Reelection of a Current Department Chairperson**, which defined the rules for an existing Department Chairperson to be reelected by referendum and without opposition, **has been deleted** as a result of the changes to Sect. 3.3.2.3 and Sect. 3.3.5.1 above.

***3.3 Selection and Appointment of Department Chairpersons***

**3.3.1 Principle of Chair Selection**

Department Chairpersons are nominated by their Departments and appointed by the Dean of the College, with the approval of the Provost.

**~~3.3.2 Term of Department Chairpersons~~**

~~The term of a Department Chairperson is three years and may be renewed through the procedures described in Section 3.3.5.1.4.~~

**3.3.2 Term of Department Chairpersons**

3.3.2.1 Standard Term

The standard term of a Department Chairperson is three years, beginning on July 1 of the year in which the election occurs and ending on June 30 three years later.

3.3.2.2 Shortened or Lengthened Terms

If an election occurs because a Department Chairperson has not completed his/her term, then the appointment takes effect immediately, but the term of appointment is considered to be three years from July 1 of that calendar year.

3.3.2.3 Consecutive Terms and Term Limits

Department chairpersons are normally limited to three consecutive terms. A Department chairperson who seeks to be a candidate for reelection to a fourth (or higher) consecutive term requires authorization by a two-thirds vote of all Faculty in the Department who are eligible to vote, including those on leave (see Section 3.3.4). In such cases, the Department Chairperson must inform the Dean of his/her intention to run for another term as Department Chairperson by March 15 of the last year of his/her third (or higher) consecutive term. By March 31 the Dean organizes a special referendum on the Department Chairperson's eligibility to run for another term, using anonymous electronic voting.

### **3.3.3 Eligibility to Serve as Department Chairperson**

All tenured Faculty in a Department at or above the rank of Associate Professor are eligible to serve as Department Chairperson, except those who hold an administrative position at or above the level of Associate Dean.

### **3.3.4 Eligibility to Participate in the Chair Selection Process**

All Faculty (as defined in Section 2.2.1) in a Department are eligible to vote, inclusive of Department Faculty on leave but exclusive of Department Faculty who hold administrative positions at the level of Dean or above. Faculty with joint appointments are only able to vote in the Chair Selection Process in his/her primary Department.

### **3.3.5 Procedures for Selecting a Department Chairperson**

#### *3.3.5.1 Standard Procedure*

The Standard Procedure is used unless the Alternative Procedure (as outlined in Section 3.3.5.1.5) has been authorized by the Dean of the College, in consultation with the Department. All elections for Department Chairperson are open for any eligible Faculty member to be a candidate.

#### *3.3.5.1.1 Preparation of the List of Eligible Candidates*

When the position of Department Chairperson is about to become vacant—either because the term of the current Chairperson is expiring or because the current Chairperson is unable to complete his/her term—the Dean of the College notifies the Provost, who selects an Elections Coordinator (EC) from outside the Academic Unit to oversee the process. In the event that a current Chairperson's term is ending on June 30, the appointment of the EC must occur no later than April 1 of that year.

Within five business days of appointment, the EC circulates to all eligible voting Faculty in the Department a list of all Faculty who are eligible to serve as Department Chairperson. No later than ten business days from the date of this distribution, eligible Faculty members who wish to be candidates for Department Chairperson must notify the EC in writing of their intention.

If a Department wishes to select its Chairpersons by means of rotation, this objective can be achieved, as long as the process is clearly described in the Department bylaws.

### *3.3.5.1.2 Selection of the Nominee by the Department*

Within ~~two weeks~~ ten business days of being appointed, of notification by the Dean, the EC distributes the final list of candidates to all Faculty in the Department who are eligible to vote. The EC supervises a general election by secret ballot.

The candidate who receives a majority of the eligible votes is declared the Department's nominee for Chairperson, and the EC forwards his/her name to the Dean of the College for approval. If the voting ends in a tie, both names are submitted to the Dean who makes the final decision between the two candidates. If, in the case of three or more candidates, no candidate wins a majority of the eligible votes, the EC promptly conducts a run-off election between the two candidates with the highest number of eligible votes.

### *3.3.5.1.3 Appointment by the Dean*

The Dean receives the nominee(s) of the Department and, with the approval of the Provost, appoints the new nominee as the chair or, in the case of a tie, one of the two nominees. If the Dean chooses not to appoint the Department's nominee, the case is remanded to the Provost. If the Provost cannot bring about a resolution, the Provost and the Dean determine whether the Department should hold a new election for an internal Department Chairperson according to the Standard Procedure (Section 3.3.5.1) or conduct a search for an internal or external Department Chairperson according to the Alternative Procedure (Section 3.3.5.2). An Interim Department Chairperson may be appointed if necessary (Section 3.3.6).

### ~~3.3.5.1.4 Reelection of a Current Department Chairperson~~

~~Within two months before the expiration of his/her term, a Department Chairperson who seeks reappointment conveys this intention to the Dean, who, if in favor of reappointment, notifies the Provost and an EC is selected. The EC circulates a ballot to all eligible voting Faculty in the Department. Reelection to a second term requires a 50% majority, while reelection to a third or subsequent consecutive term requires a 2/3 majority of the voting members in the Department. If the current Department Chairperson achieves this result, the EC forwards his/her name to the Dean for approval. If the current Department Chairperson is not reappointed, either by failing to secure the required majority of the voting members in the Department or because reappointment is not made by the Dean, a general election is conducted in accordance with the procedures outlined in Sections 3.3.5.1.1–3.3.5.1.3. The current Department Chairperson is not eligible to stand in the general election.~~

### *3.3.5.1.5~~4~~ Departmental Failure to Nominate a Candidate*

If a Department fails to nominate a candidate through the procedures outlined in Sections 3.3.5.1.1–3.3.5.1.4~~3~~, the Dean appoints a

Chairperson, with the approval of the Provost.

### 3.3.5.2 Alternative Procedure

The Alternative Procedure is only used when the Dean, in consultation with the Department, has authorized a search for a new Department Chairperson. In such searches, both internal and external candidates are eligible to apply. Except where noted below, such searches follow the guidelines for Faculty searches set down in Section 2. 41.

#### *3.3.5.2.1 Formation of a Search Committee*

The Department elects a Search Committee, normally consisting of five Faculty members. Faculty from other Departments and representatives from other stakeholder groups may be included in the Search Committee, but the Search Committee should include at least one faculty member from the Department at the ranks of Assistant Professor, Associate Professor, and Professor/Distinguished Professor unless the small size of the Department precludes doing so. The Dean makes up to two additional appointments to the committee.

#### *3.3.5.2.2 The Search Process*

##### *3.3.5.2.2.1 Identification of Candidates*

The Dean of the College charges the Search Committee and provides a budget for advertising and for bringing finalist candidates to the campus. Finalist candidates meet with the Search Committee; the current Department Chairperson or Interim Chairperson; the Department Promotion and Tenure Committee (DPTC); directors and coordinators of the Department's programs; other Department Faculty; the Dean of the College; and, if possible, the Provost.

##### *3.3.5.2.2.2 Recommendation of Candidates*

After the finalist candidates have visited the campus, the Search Committee must ascertain from the DPTC that candidates from outside the university qualify to be recommended for tenure upon appointment at the rank of Associate Professor or above. The Search Committee then makes its recommendations to the dean, who convenes a Department meeting. The Department receives the Search Committee's recommendation(s) and, after thorough consideration, determines the acceptable candidate(s) for the appointment. If any of the recommended candidates are from outside the University, the DPTC also sends the Dean a recommendation to make a hire at the appropriate faculty rank (Associate Professor or higher), with tenure, in accordance with section 2.4.1.3.

##### *3.3.5.2.2.3 Appointment of the Chairperson*

With the approval of the Provost, the Dean of the College selects the successful candidate from the Department's list of nominees. If the successful candidate is already a member of

the Faculty of NJIT, the Provost issues an appointment letter to the Chair position. If the successful candidate is from outside NJIT, the Provost issues an appointment letter both to the Faculty and to the Chair position. An appointment to the Faculty is made under the same terms as other Faculty appointments (see Section 2.5.1). Appointment to the Chair position includes the condition of appointment to a three-year term as Department Chairperson. Subsequent reelection is subject to the procedures outlined in Section 3.3.52.3.

### **3.3.6 Acting and Interim Department Chairpersons**

When the position of Department Chairperson becomes vacant, either for a fixed period of time (e.g., due to illness or a sabbatical leave) or indefinitely (e.g., due to resignation or long-term disability), the Dean of the College, in consultation with the Department, appoints an Acting or Interim Chairperson respectively. The Acting Chairperson serves until the Chairperson reassumes the post. The Interim Chairperson serves until appointment of a new Department Chairperson, but for no longer than one year. Both Interim and Acting Chairpersons perform all the duties of the office, including chairing the DPTC. If unforeseeable circumstances require the extension of an Interim Chairperson's term of office, the Dean, in consultation with the Department and with the approval of the Provost, may renew the appointment for up to one additional year from the date of original appointment as Interim Chairperson.