

**Resolution # 15**

**1995-96**

TO: President John E. Van de Wetering

FROM: The Faculty Senate Meeting on: **March 4, 1996**

RE: I. Formal Resolution (Act of Determination)  
 II. Recommendation (Urging the fitness of)  
 III. Other (Notice, Request, Report, etc.)  
 For your information

SUBJ: Resolution on Faculty Observers/Consultants on Administrative Appointment Search Committees (attached)

**RECEIVED**  
 SUNY BROCKPORT  
 APR 30 1996  
 PRESIDENT'S  
 OFFICE

Signed: *Robin M. Wain* Date Sent: 4/29/96  
 (Faculty Senate President)



TO: The Faculty Senate

FROM: President John E. Van de Wetering

RE: I. Decision and Action Taken on Formal Resolution

a. Accepted. Effective Date: 6/1/96

b. Deferred for discussion with the Faculty Senate on    /   /   

c. Unacceptable for the reasons contained in the attached explanation

II, III.

a. Received and acknowledged

b. Comment: \_\_\_\_\_

DISTRIBUTION: (Cover sheet only) Contact Faculty Senate for complete Resolution.

Distribution Date: 5/1/96 Signed: *[Signature]*  
 (President of the College)

forms disk: resform.wp6:1995/10/31:ayk

*Changes in "Faculty Consultation in Administrative Appointments" Policy.* Below are a number of changes that the Appointments and Elections Committee approved unanimously at its meeting on 2/12/96. Some of these are merely stylistic, changing the name of the committee to its proper name, the "Appointments and Elections Committee." One is substantive: making the observer/consultants in college-wide searches non-voting members of the search committees. It is our belief that an "observer/consultant" should be just that, an impartial source for proper procedure, not a voting member of a committee.

**Preface.**

1. line 2. "Faculty Senate Committee on Appointments Promotions and Tenure" to "Committee on Appointments and Elections." Change all subsequent instances.
2. line 5. add "supervisory" to "other College administrative personnel"

**I. Announcement of the Search.**

1. line 1. add "supervisory"

**II. Selection of Faculty Observers/Consultants**

Change : "The O/C shall serve as a voting member only on search committees for College-wide administrative positions. Such a role is to commence at the inception of the committee.\*\* In all other search committees, the primary function of the O/C is to be certain that the provisions and purposes of the appropriate Senate Resolution are carried out."

\*\*They are voting members because they are representatives of the faculty as well as observer/consultants.

to read: "The O/C or O/Cs service will commence at the inception of the committee. The Affirmative Action Officer should meet with the committee to acquaint its members with the procedures necessary for a successful search. The primary function of the Observer/Consultant on all search committees is to make certain that the provisions and purposes of the appropriate Senate Resolution are carried out."

**III. Functions of Faculty Observer/Consultants**

1. A. Delete parenthetical phrase in line 2. "(except those who serve on College-wide search committees.)" and "That is,"

2. In A. para. 3, change "If the O/C believes the search committee or any member has or is acting in a non- or-misfeasance manner, this should be noted -- verbally and in writing -- to the search committee and the Senate APT Committee. The Senate APT Committee will then decide on what course of action will be taken."

to read: "If the O/C believes that one or more members of the search committee has acted, or is acting in a manner inconsistent with the procedures established for such committees, this should be reported, in writing, to the chair of the search committee, the chair of the Senate Appointments and Elections Committee and to Affirmative Action Officer."

**VI. Re-designation of Chairpersons and Academic Program Directors** (Delete entire section.)

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STATE UNIVERSITY OF NEW YORK  
College at Brockport

**Faculty Consultation in Administrative Appointments**

The purpose of the Resolution is to provide for faculty involvement in administrative appointments. Specifically the Faculty Senate Committee on Appointments and Elections or its designee will represent the faculty in the initial appointment of Vice Presidents, Associate or Assistant Vice Presidents, Deans, Department and Program Chairpersons. (In the case of directors, coordinators, and other College supervisory administrative personnel, the Faculty Senate Appointments and Elections Committee shall be consulted at the time of vacancy to determine if the Committee deems faculty consultation is necessary in appointments.)

**I. Announcement of the Search for an Administrative Position**

Whenever the President of the College or designee becomes aware of a need to fill a supervisory administrative position, he/she shall so inform the President of the Faculty Senate and the Chairperson of the Senate Appointments and Election Committee. When the position is a college-wide position,\* the chairperson shall arrange to consult with the President's designee at the earliest possible date to discuss the appointment of Faculty Observer/Consultants and other relevant matters.

The existence of an administrative vacancy and the subsequent filling of that vacancy shall be announced to the Faculty Senate in regular meetings by the President of the Senate or designee.

**II. Selection of Faculty Observer/Consultants**

- A. The Senate Appointments and Elections Committee shall select from its membership, or the College faculty at large, a representative or representatives to serve on search committees for administrative appointments. When a position characterized as "College-wide" - e.g., Vice President or Director - becomes vacant\* or is created, the committee shall select two (2) Faculty Observer/Consultants (O/C) to serve on the search committee; in all other cases only (1) faculty member shall be appointed to serve as an O/C.

\* A "college-wide position" shall be defined as a position which is of the whole college, affects the whole college, might have an influence on all personnel and students, and is not confined to a department or particular school (Examples: President, Vice President, Director of Physical Plant, Dean, ...).

\* "Vacancy" is defined as "when an incumbent covered by terms of the Resolution does not occupy the position and a temporary or permanent appointment is to be made."

- B. The O/C or O/C's service will commence at the inception of the committee. The Affirmative Action Officer should meet with the committee to acquaint its members with the procedures necessary for a successful search. The primary function of the Observer/Consultant on all search committees is to make certain that the provisions and purposes of the appropriate Senate Resolution are carried out."

**III. Functions of Faculty Observer/Consultants**

- A. The O/C should be concerned with procedural rather than substantive matters. The O/C is to focus more on how the search committee performs its task rather than upon getting involved in discussions on qualifications of candidates, evaluation of candidates' credentials, etc. Examples of procedural matters

with which the O/C will be concerned are the development of the vacancy notice, the selection of the members of the search committee according to the Resolution's provisions, adequacy of notice of meetings, proper voting procedures, etc.

The O/C shall be available to assist the search committee chairperson in reviewing Office of Faculty and Staff Relations policies and procedures and in completing a check list of Affirmative Action guidelines.

The O/C has no authority to invalidate any action of the search committee; he/she can only recommend and advise. If the O/C believes that one or more members of the search committee has acted, or is acting, in a manner inconsistent with the procedures established for such committees, this should be reported, in writing, to the chair of the search committee, the chair of the Senate Appointments and Elections Committee and the Affirmative Action Officer.

- B. The O/C must be present at all meetings of the Search Committee. If an emergency precludes the duly appointed O/C's attendance, the Chairperson of the Senate Appointments and Elections Committee may designate a temporary replacement at a particular meeting of the Search Committee.
- C. An O/C cannot serve on any search committee whose task is to recommend a Chairperson of the O/C's department or the Dean of the School/Division of which the O/C is a member. If the O/C has any personal knowledge of any candidate being considered by a search committee, he/she must disclose this fact to the search committee. If there is a question of possible conflict of interest in the advice given by the O/C, the search committee should request a new O/C be appointed to the committee by the Faculty Senate Appointments and Elections Committee.

Further, if, for any reason, the Faculty O/C believes that he/she cannot continue to serve, or if the search committee deems it necessary or advisable, the Chairperson of the Senate Appointments and Elections Committee can be requested to appoint a successor to the faculty O/C. There must be no suggestion of bias or prejudicial action on the part of the O/C or any member of the search committee.

#### **IV. Structure of the Search**

- A. Selection of members for the search committee

In the case of College-wide administrative positions, the Faculty Senate Appointments and Elections Committee shall select two (2) of its members or designees to serve as consultants to the search committee. (Note additional role of O/C's II. B.)

In the case of a School/Division-wide administrative position, the President of the College or designee shall consult with the Faculty Senate Appointments and Elections Committee or its representatives regarding the selection of members of the search committee with proper care taken to ensure distribution of members to meet affirmative action concerns and representation of ranks, positions, and administrative units within the School/Division. Normally, search committees consist of 3-7 members with one (1) student member. While Brockport Student Government maintains a right to appoint a student member, if this is not done, the search committee should attempt to appoint an interested student. If a student serves on the search committee, s/he shall serve as a voting member. The Faculty Senate Appointments and Elections Committee shall also appoint an O/C to serve on the search committee.

In the case of the position of the department of program chairperson, selection of the members of the search committee shall be done in accordance with the departmental policy. At least one (1) voting

member of the search committee may be a student representative. In addition, the Senate Appointments and Elections Committee shall appoint an O/C.

B. Description of vacant position

Whenever action is taken to establish or revise the qualification for a new or vacant College-wide or School/Division-level administrative position, the O/C's shall be given a copy of the vacancy notice prior to the advertisement of that position and shall participate in any action taken to amend the job description prior to the closure of the search.

Qualifications and/or job description for the position of the department or program chairperson shall be established by the respective departments, in consultation with the appropriate Dean or Vice Presidents of the College.

C. Responsibilities of the O/C

The Offices of the Faculty and Staff Relations and Affirmative Action have developed guidelines and criteria that are to be followed in all searches. The search committee shall work very closely with these two offices to ensure that all College procedures and policies are complied with.

The O/C shall be cognizant of the fact that the search procedure may vary in accordance with the type of search and unique requirements. In keeping with acceptable standards, the operating ground rules and procedures for the search shall be established before initiating the review of any candidate. The O/C should check that the following procedures of the search committee are followed:

1. Provide ample notice of meeting time to all members of the committee
2. Record all candidate applications and action taken.
3. Keep screening and interview procedures consistent for all candidates
4. Adhere to Affirmative Action Guidelines.
5. Candidates for vacant positions may not serve on the search committee and must resign when they become an active candidate.
6. In Chairperson searches, provide vacancy information to faculty who are absent from campus for official reasons, since absence from campus (e.g., leave of absence, sabbatical leave, etc.) does not disenfranchise faculty members for purposes of consultation and voting.

After conducting a search to secure candidates and receive credentials, the search committee shall assist in the process of identifying acceptable candidates. In cases of departmental or program chairpersons, the search committee shall present the names of acceptable candidates to the department for its approval. A report identifying the strengths and weaknesses of each of the acceptable candidates for all administration positions shall be prepared by the search committee and submitted to the President of the College through the Dean or Vice President as appropriate. The President shall review the report with the appropriate College personnel and make his appointment to the position. If the President finds that an appointment cannot be made, a new search shall be instituted. The search committee remains active until a candidate has been appointed or until a new search committee is formed.

If an emergency necessitates filling an administrative position on an acting or interim basis, the search committee shall receive and make recommendations to the President through the Dean or Vice President, as appropriate, on acceptable candidates.

At the conclusion of the search, the O/C shall notify the President of the Faculty Senate and the

Chairperson of the Senate Appointments and Elections Committee of the names recommended by the Search Committee.

**7. Periodic and Final Evaluation Report**

The O/C should not overlook the fact that the evaluation process is continuous through the search procedure. In this regard, the O/C shall be asked for a brief, informal, verbal report to the Senate Appointments and Elections Committee regarding the progress (or lack of it) and/or any irregularities in the search procedures. If the O/C believes the search committee or any of its members has or is acting in a misfeasance manner, this should be noted - verbally and in writing - to the search committee and the Senate's Appointments and Elections Committee; the latter shall then decide on the appropriate course of action. Upon completion of the search, after impasse, or filling of the position, the O/C shall compile a written evaluation and file it with the Senate's Appointments and Elections Committee. The evaluation checklist included in the Appendices may be used for the above purpose.

Resolutions Disk #2: 15-9596.RES: ayk