

## California State University Maritime Academy Faculty Senate

Approved September 24, 2020

Resolution 20-21/01

August 27, 2020

### Summer 2020 IBL Department Chair Decision (Override)

WHEREAS: On March 16, 2020, the International Business and Logistics Department (IBL) held an election to appoint a new Department Chair to succeed Dr. Nipoli Kamdar, resulting in a vote of 6-1 in favor of Dr. Tony Lewis as Department Chair;

WHEREAS: On April 30, 2020, President Cropper sent a letter notifying all faculty that Dean Donald Maier had been appointed as IBL Department chair for 2020-2021;

WHEREAS: On May 15, 2020, President Cropper and Interim Provost Mahoney met with members of the IBL Department and the Faculty Senate Executive Committee Officers and presented an explanation for the decision to place the IBL department under the MTLM Dean's conservatorship, citing poor enrollment and retention in IBL (notably that IBL enrollment and retention rates were the worst of any program at Cal Maritime) and faculty candidates' lack of experience with recruitment, enrollment, and retention efforts;

WHEREAS: On July 27, 2020, the Faculty Senate Executive Committee received a letter from Dr. Nipoli Kamdar calling into question the explanation provided in the May 15 meeting;

WHEREAS: Data provided by the Office of Institutional Research and Planning, cited by Dr. Kamdar in the attached letter, does *not* accord with the claim that IBL enrollment and retention rates are the lowest at the university;

WHEREAS: There is no existing policy indicating that recruitment/retention experience has ever been a condition for appointment as Department Chair nor a previous point of evaluation for any Department Chair;

WHEREAS: The Executive Committee agrees with Dr. Kamdar's statement in the attached letter that: "Placing the Dean into what would ordinarily be a faculty position is a centralization of power and responsibility that should not be taken lightly" and that "the checks and balances in the Retention, Tenure, and Promotion (RTP) process are undermined by removing a layer of review previously controlled by faculty and placing it into the hands of an administrator who already administers another layer of review;"

WHEREAS: On January 15, 2020 former Interim Provost and retired Executive Vice Chancellor Dr. Gary Reichard, a consultant hired to advise Cal Maritime on our department chair policy, told the Faculty Senate Executive Committee that it was "unusual for [a] President to deny [a] department's recommendation on Chairs" and that "usually these things result from a contentious department with a closely split vote," yet the IBL department vote of 6-1 was *not* closely split;

WHEREAS: The AAUP Statement on Government of Colleges & Universities states that, *“Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. [...] Likewise, there is the more general competence of experienced faculty personnel committees having a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the board. The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.”*<<https://www.aaup.org/report/statement-government-colleges-and-universities>>;

WHEREAS: It is common practice that the Department Chair position be held by a faculty member;

and

WHEREAS: Overturning a nearly unanimous faculty vote clearly represents an attack on the fundamental principles of shared governance;

BE IT

RESOLVED: That the Faculty Senate of the California State University Maritime Academy strongly urges the President to honor the faculty vote and immediately appoint Dr. Lewis as the IBL Department Chair;

RESOLVED: That the Faculty Senate of the California State University Maritime Academy requests that the Administration, in collaboration with the Faculty Senate, draft a set of written guidelines and protocols clearly describing under what conditions a department may be chaired by someone who is not faculty within that department, including the metrics to determine what constitutes poor departmental performance, a description of specific conditions under which the university may override faculty votes, and a clear process for vetting relevant data to confirm that decisions are based on accurate information, as per the AAUP Statement on Government of Colleges & Universities, cited above;

RESOLVED: That the Faculty Senate of the California State University Maritime Academy urges the Administration to describe specifically how and when IBL will again have a faculty Department Chair.

RESOLVED: That in the event that the President decides not to appoint a member of the department as Chair of that department that the Conservative Chair will be a faculty member, not an administrator.

RESOLVED: That this Resolution be distributed to the President, the Provost, the Deans, and the Cal Maritime CFA Executive Board.