

THE UNIVERSITY OF TEXAS AT DALLAS
NUMBERED POLICY MEMORANDA

POLICY MEMORANDUM 94-III.24-59

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ACADEMIC PROGRAM ABANDONMENT POLICY

Preamble

The enunciation of a policy in Rule 31003 of the Regents' *Rules and Regulations* (<http://www.utsystem.edu/bor/rules.htm#A4>) concerning elimination or reduction in scope of academic programs when, in the absence of financial exigency, such action would have the result of terminating the employment of tenured faculty members, calls for the President of the University to determine institutional procedures for an in-depth review to inform and guide decisions on these matters. In accord with Rule 31003, U. T. Dallas policy and procedures relating to this issue are as follows.

Policy and Procedures

1. No decision regarding the elimination or reduction in scope of an academic program shall be made without thorough consideration of viable alternatives. The criteria for the elimination or reduction in scope of academic programs, in the absence of financial exigency, shall be based on bona fide academic reasons. The President, acting under the authority of Rule 31003 of the Regent's *Rules and Regulations*, has the responsibility for determining when to eliminate or reduce the scope of an academic program. Once the President decides to initiate consideration of elimination or reduction in scope of a program or programs, that consideration must include, but is not limited to, a current review conducted under the U. T. Dallas policy for Academic Program Review (94-III.24-63). For the purposes of this policy, such a review under the Academic Program Review policy is considered current if it was concluded within the previous three years.
2. Upon identifying one or more academic programs for potential elimination or reduction of scope, the President shall notify the Academic Senate, along with the administration and faculty of the affected programs. When such action may result in terminating the employment of faculty members, the President shall then appoint an ad hoc committee of seven individuals to review the proposed actions. The majority of the members of the Committee shall be tenured members of the U. T. Dallas faculty, some of whom may hold administrative responsibilities. Four members of the Committee will be appointed following

their nomination by the Academic Senate, provided that such nominations are made within 14 days after the request from the President to the Academic Senate unless an extension is granted by the President, and three shall be appointed at the discretion of the President. The Academic Senate and the President shall confer prior to formal appointments to the Committee, with the goal of arriving at strong, widely respected and representative, Committee membership.

3. The Committee's considerations shall be based on academic program criteria. They shall include an assessment of the impact of the proposed actions on current and future students and the impact on the integrity and vitality of the university's other academic programs. Consistent with Rule 31003, Section 2, Subsection 2.1 of the Regents' *Rules and Regulations*, faculty whose positions would be jeopardized by the proposed actions will be provided the opportunity to contribute meaningfully to the Committee's review process. The Committee shall consider and may offer advice on all avenues by which terminations of faculty members can be avoided or minimized, and, as well, by which the negative effects of any necessary terminations can be mitigated.
4. Unless an extension is approved by the President, the Committee shall complete its work in a period of time no longer than 120 days. The Committee's conclusions shall be presented in the form of a written report addressed to the President and routed through the office of the Executive Vice President and Provost (Provost). The Provost will review the Committee's analysis and recommendations and then forward the report, along with the Provost's own independent recommendations, to include the names of any faculty whose positions are to be terminated, to the President, as per Rule 31003, Section 2, Subsection 2.2, within a period of time no longer than 30 days after receipt, unless an extension is approved by the President.
5. If, upon reviewing the Committee's report and the recommendation of the Provost, the President decides to proceed with the process of eliminating or reducing the scope of one or more academic programs, when such actions would eliminate academic positions occupied by tenured faculty, the President shall forward this decision, along with a copy of the Committee's report, to the Academic Senate and to the programs and faculty members directly affected. At the same time, the President shall request approval of the proposed actions, including a proposed date of program termination, from the Executive Vice Chancellor for Academic Affairs, as per Rule 31003, Section 2, Subsection 2.3. The date proposed for the termination of the program shall be no sooner than eighteen months after the President forwards this decision to the Academic Senate and the programs and the faculty directly affected, and shall coincide with the end of an academic year (defined as ending May 31).
6. Upon approval by the Executive Vice Chancellor for Academic Affairs, the affected faculty member(s) will be notified of this approval by the Provost and any tenured faculty member(s) will be asked to inform the Provost in writing of the tenured faculty member's request for reassignment within the remaining academic structure of U. T. Dallas. The requests must be filed in writing with the Provost no later than 14 days after receiving notification of approval of program abandonment by the Executive Vice Chancellor for

Academic Affairs and must be accompanied by details related to the tenured faculty member's qualifications to teach in other academic programs. The affected tenured faculty members can also request a meeting with the Provost to discuss in depth all options for reassignment.

7. The Provost shall hold discussions concerning possible reassignment with the affected tenured faculty member who has requested a meeting and shall notify such faculty member regarding the outcome of these discussions within a period of time no longer than 30 days after receiving the request from the faculty member, unless the President approves an extension. A reassignment could involve relocation into another academic program, but also could involve changes in title, changes of duties and responsibilities, and changes in salary and tenure status. In exploring possible academic reassignments for affected tenured faculty, the Provost shall consult thoroughly with the Dean(s) and faculty of the unit(s) which might be involved in such reassignments. If a mutually satisfactory reassignment cannot be arranged for a tenured faculty member who may be facing loss of employment, the faculty member will receive confirmation in writing from the Provost of recommendation for impending termination, as per Section 6.(11), with a statement of the reasons why the tenured faculty member will not be reassigned to another position.
8. An affected tenured faculty member is entitled to use the Faculty Grievance Procedure (92-III.21-54) to appeal the decision not to retain the faculty member in another academic program by filing the statement required by Subsection 3.3.3 of the Faculty Grievance Procedure with the Committee on Faculty Standing and Conduct within 14 days after receipt of the statement of the Provost under Paragraph 7.
9. The use of the Faculty Grievance Procedure will begin at Sec. 5, with the exceptions noted below:
 - (a) Section 1.6 and Section 3.3 will apply. Section 6.4 will not apply.
 - (b) Sections 5.1-5.2 will not apply. Instead, the hearing shall be held before a panel consisting of full-time faculty with the rank of associate professor or professor who are not in the academic programs affected by the decision. Three members are to be appointed by the President upon the recommendation of the Academic Senate, provided that such recommendations are made within 14 days after the request from the President to the Academic Senate (unless an extension is granted by the President), and two additional members are to be appointed at the discretion of the President. Faculty members holding full-time and part-time administrative positions are eligible to serve on the panel. The Hearing Panel shall elect its own Chair.
 - (c) The hearing must be held no later than 30 days after a written request is submitted to the President's office.
10. The employment of a tenured faculty member who is to be terminated under this policy shall extend only to the termination of his/her academic program, as stated in the President's

request to the Executive Vice Chancellor for Academic Affairs. During this period of employment and for one additional year, the terminated faculty member shall have the right to first consideration among equally qualified candidates for any faculty position at U. T. Dallas for which a recruitment and hiring process is conducted and for which the faculty member in question formally applies. In addition, the considerations noted in Rule 31003, Section 2, Subsections 2.6 - 2.11 of the Regents' *Rules and Regulations* will be extended to the faculty member to be terminated.