

Academic Program Discontinuance

- INTRODUCTION

This policy sets forth the process for making recommendations to the Board of Regents concerning academic program discontinuance in conjunction with the System Administrative Policy Statement entitled: "Program Discontinuance Policies as Adopted by the Board of Regents and Administrative Guidelines for Implementing Program Discontinuance Policies" (www.cu.edu/regents/Policies/Policy4H.htm). It is written in compliance with Regent Policy Section 4-H, the APS entitled "Guidelines for Implementing Program Discontinuance Policies," and the "APS entitled "Program Discontinuance When No Tenured or Tenure-track Faculty Face Dismissal.

This policy is required by the Administrative Policy Statement "Program Discontinuance Policies as Adopted by the Board of Regents and Administrative Guidelines for Implementing Program Discontinuance Policies," which states in relevant part: "[b]efore undertaking program discontinuance under this policy, each campus shall develop a campus policy on program discontinuance. The campus policy must specify which committee or committees are to make written recommendations for program discontinuance and the policy must define the grounds or considerations to be used in making a decision to close a program."

- PROCEDURES: These procedures apply when tenured or tenure-track faculty face dismissal.
1. An Internally Initiated Program Discontinuance request arises from within the University.
 1. The initial formal written request ("Request") for an Internally Initiated Program Discontinuance may be sent to the Chancellor and the Provost from, a dean, the campus program review committee, the provost, the chancellor, the president, or the Board; requests may also come from a department or a chair with concurrence of the dean. Upon receiving a Request, the Chancellor and the Provost shall instruct the Associate Vice Chancellor for Faculty Affairs to convene UCB's Program Discontinuance Review Committee. UCB's Program Discontinuance Review Committee will consist of the standing members of UCB's Program Review Panel, up to three additional faculty members (one named by the chair of the Boulder Faculty Assembly; others by the AVC for Faculty Affairs) in order to bring the number of voting members of the committee to at least eleven, and, serving as ex officio, non voting members, the Associate Vice Chancellors for Graduate Education and for Undergraduate Education and the Vice Provosts for Diversity and for Budget and Planning. The AVC for Faculty Affairs will chair the committee but will not vote.

2. In collaboration with the Chancellor and the Provost, this augmented program review committee will review the request and will gather responses from the faculty, students and staff of the unit recommended for closure, the chair, the relevant dean, the dean of libraries, and the dean of the graduate school as well as from other faculty, students and staff in units affected by the possible closure. Having completed its collection of data, the committee will decide whether there are grounds/considerations as set forth in this policy for discontinuance. The committee will prepare a written report of its findings and submit it to the Provost. The Provost will review this report and submit it to the Chancellor, offering reasons for concurring or disagreeing with the committee's recommendation.
3. The Chancellor, the Provost, and the program review committee must consider the following grounds/considerations:
 1. Before making a recommendation for academic program discontinuance for educational reasons, the Chancellor, the Provost and the committee must consider:
 1. The long-term campus, state, regional and national needs for such academic or research efforts;
 2. The quality of the campus' program as evidenced in the academic and research efforts of faculty and staff, and students; materials concerning the program's educational and research/creative work efforts as recorded in, for example, accreditation or program review should be examined, as well as materials and facilities (library collections, laboratories, field support facilities, etc.);
 3. The importance of the program as a support for, or as an integral part of, other campus or University academic and research programs;
 4. The importance of the program to a full university education;
 5. The importance of the program to the state or region in terms of its cultural, historic, political, economic, or other social aspects;
 6. The importance of the program to the state or region in terms of its geologic, geographic, environmental, or other physical aspects; and
 7. The ability or inability of other academic or research institutions to provide equivalent academic or research efforts.
 2. Before making a recommendation for program discontinuance due to budgetary constraints, resource allocation issues or other financial matters, the Chancellor, the Provost and the committee must consider:

1. Actual or projected revenues and costs of the program including both direct and indirect costs;
 2. Potential cost savings or losses from elimination of the program;
 3. Efficiency of program operations in relation to revenues and expenditures (and, where relevant, credit hours and research dollars);
 4. The program's contribution to the campus' fiscal health; and
 5. Performance data related to the program such as multi-year trends and projections for enrollment, retention, completion, placements, and impacts on other programs as well as student/faculty ratios, courses taught by tenure/non-tenure track, research productivity, programmatic cost benefit analysis, or ability to generate income.
3. Before making a recommendation for discontinuance of an academic program for strategic realignment reasons, the Chancellor, the Provost, and the committee must consider:
1. Centrality of the program to the campus mission;
 2. Role of the program in the campus or college strategic plan (academic master plan);
 3. Ability of the program to enhance the campus' reputation in the state and nation;
 4. Excellence of the program or its promise for future excellence in teaching, research, or both;
 5. Cost of investing in the program to achieve and maintain excellence;
 6. Uniqueness of the program to the state, CU System, and the relevant geographic area;
 7. Marketplace demand for the program;
 8. The program's contribution to campus diversity; and
 9. Program's role in supporting other key programs at the campus.
4. Final recommendations to discontinue an academic program will be made by the Chancellor within a maximum period of 120 days from the time the initial recommendation for program discontinuance was made: from the date a formal written request for an Internally Initiated Program Discontinuance is received, the Program Discontinuance Review Committee has 60 days to submit a report to the

provost; the provost must submit his/her report to the Chancellor within 30 days of receiving the committee's report; the chancellor must submit his/her report to the president within 30 days of receiving the provost's report. All recommendations for termination of programs, including a plan for program closure and identification of tenured and tenure track appointments recommended for termination, will be submitted by the president within 60 days to the Board of Regents for action. An administrative policy statement shall provide guidance for this process (see below).

2. Externally Initiated Program Discontinuance.

1. Externally Initiated Program Discontinuance is the formal termination of a degree program by the Board of regents based upon or resulting from a Colorado Commission on Higher Education ("CCHÉ") policy or directive. Since CCHÉ policy requires that "low demand" programs be discontinued (see CCHÉ Policy and Procedures for Discontinuance of Academic Degrees with Low Program Demand, Section I, Part G, especially 4.02.01), a decision by the Board of Regents to close the program in anticipation of CCHÉ action is an Externally Initiated Program Discontinuance. In the case of externally initiated program discontinuance, the Program Review Discontinuance Committee will advise and make recommendations to the Provost who will in turn make recommendations to the Chancellor. If an exemption from discontinuance is to be sought, the full consultation outlined for internally initiated program discontinuance need not be pursued, with the committee submitting to the Provost the justifications for seeking the exemption. If a recommendation for discontinuance is to be made, and, in particular, if any plan to terminate tenured or tenure track faculty appointments arises as a result of Externally Initiated Program Discontinuance, then the committee, the Provost, and the Chancellor must follow all the provisions outlined in this policy
2. The Chancellor may seek from the Board of Regents up to three undergraduate program exemptions from closure for low demand programs that are deemed significant to the role and mission of the institution. Decisions about which low demand programs should be exempted are made by the Chancellor after consultation with the Provost and the augmented program review committee, using the considerations/grounds set forth above. The request for exemption should include any and all information which will inform the Board and the Commission in their evaluation of the program including how the program fits into the short range and long range plans of the University.

IMPLEMENTATION OF PROGRAM DISCONTINUANCE

If an academic program is to be discontinued where tenured or tenure track faculty face dismissal, the procedures outlined in the "Administrative Policy Statement for Implementing Program Discontinuance" shall be followed. The relevant sections are:

1. **Termination of Faculty:** Termination of appointments of tenured faculty or those with unexpired term appointments may occur as the result of formal discontinuance of an academic program or department of instruction in accordance with the procedures in Section II.A.2 above. Once a decision to terminate a program has been made, recommendations on termination of appointments of individual faculty members rostered in the organizational unit under review will be made by the chancellor in consultation with appropriate faculty and administrators. All plans for termination of individual appointments will be reviewed and approved by the president and the Board of Regents prior to implementation. Unless there is a compelling academic reason to do otherwise, no appointment of a faculty member with tenure will be considered for termination until the appointments of faculty members in the unit without tenure have been considered for termination.
2. **Notification to Faculty Members and Students:** Following formal approval of termination plans by the Board of Regents, one year's formal notice (the Notice Year) will be provided to tenured faculty whose appointments are to be terminated. The year's notice will commence at the beginning of the academic year following formal approval by the Board. A faculty member without tenure who is terminated for reasons of program discontinuance will be given notification consistent with principles adopted by the Board of Regents on August 27, 1966. Timing for phasing out programs and displacing faculty members will be based on institutional needs, including analysis of reasonable time for enrolled students to complete their degree programs. Before terminating a degree program, every reasonable effort will be made to allow students to complete their degree program. Program or campus transfers will be made if mutually acceptable to the student and the receiving department. Students will be provided advising assistance with respect to their academic program options. Students will be notified of program closure and timing for phasing out programs.
3. **Obligations to Tenured Faculty:** Before terminating the appointment of a faculty member with tenure because of program discontinuance, reasonable efforts will be made to find another suitable position for the faculty member within the University. Inter-departmental or inter-campus transfers may be made only if mutually acceptable. Faculty retraining during the Notice Year should be provided under the sponsorship of the campus where the program is discontinued if, in the judgment of the University and the faculty member, such retraining will prepare the faculty member for another suitable University position. Any retraining opportunities shall not interfere with the faculty member's assigned teaching and other professional obligations during the Notice Year. Faculty members meeting age and service requirements as specified in University policy have the option to retire.
4. **Severance Pay:** After exhaustion of the options in III.C above, the tenured faculty

member may be terminated involuntarily and with applicable severance pay. Faculty members who elect to resign or retire from the University may not receive severance pay. In order to be eligible for severance pay, faculty members must fulfill their assigned teaching and other professional obligations throughout the Notice Year. Upon termination, severance pay in the amount of base salary for one academic year will be provided by the campus where the program is discontinued.

5. **Reinstatement Rights of Tenured Faculty:** If a program is reinstated within three years at the campus where it was discontinued, tenured faculty members who were terminated will have a right to reinstatement, provided positions are available and the position is substantially similar in responsibilities to the one previously held by the faculty member.
6. **Notification, Rights and Options of Tenure Track Faculty:** After the Board of Regents formally approves the termination of a program and the program discontinuance plan, the campus shall provide those tenure track faculty identified in the plan for termination with at least one year of notice before termination.
7. **Other Rights of All Faculty:** A faculty member who is terminated for reasons of program discontinuance will be eligible to participate in the University group insurance program for 18 months following the date of termination under the conditions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) if the faculty member is enrolled in the University's group insurance program at the time of termination. Faculty members will be provided counseling regarding employment opportunities outside of the University if they request it. A faculty member whose appointment is terminated for reasons of program discontinuance has the right to appeal denial of specified rights to the committee on privilege and tenure under established policies and procedures.
8. **Role of Faculty Council Personnel Committee:** The Faculty Council Personnel Committee will monitor the efforts made by the University to find suitable positions for displaced faculty members within the University and make recommendations as appropriate to the Faculty Council.

This policy has been approved by the Council of Deans, Boulder Faculty Assembly and the Chancellor's Executive Committee.