



POLICY MANUAL

FACULTY

Number 406

Subject: Program Discontinuance, Financial Exigency and Financial Crisis

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406.1 INTRODUCTION

This policy specifies the procedures for (1) discontinuing a program for academic reasons; (2) suspending enrollment; (3) determining whether at a particular moment the University faces a state of financial exigency; (4) responding to a financial exigency; (5) determining whether the University faces a major financial crisis not definable as financial exigency; (6) responding to a major financial crisis; and (7) terminating or reducing in status faculty members due to program discontinuance, bona fide financial exigency, or major financial crisis.

Reduction in status of tenured faculty members shall only occur for reasons of program discontinuance, financial crisis, or bona fide financial exigency.

406.2 PROGRAM DISCONTINUANCE FOR ACADEMIC REASONS

2.1 Definitions

(1) Program discontinuance.

Program discontinuance for academic reasons under this policy means the cessation of a program, center, institute, school, department, or college based upon educational and academic considerations. For the purposes of Policy 406.2, educational and academic considerations do not include cyclical or temporary variations in enrollment and/or budgets, but must reflect long-range judgments that the basic teaching, research, and extension mission of the University will be strengthened by the discontinuance of the program, center, institute, school, department, or college. Program discontinuance does not preclude the reallocation of resources to other academic programs with higher priority based on academic and educational reasons.

(2) Academic program.

An academic program is a unit within the University with an identifiable teaching, research, or other academic mission. For purposes of this code, an academic program operates within one or more academic units and includes, but is not limited to, an academic center, institute, school, department, or college. An academic program is to be determined by existing academic standards, and academic programs are never to be declared with the aim of singling out individual faculty members. An academic program must be designated as such by decision of the Educational Policies Committee which decision has been ratified by the Faculty Senate, and approved by the President, the Board of Trustees, and the Board of Regents. For a unit to be designated as a “program,” it must fulfill one or more of these criteria: (a) offer or administer a degree, certificate, or some other credential; (b) have an identifiable curriculum or be formally described in current University catalogs or other publications; or (c) be designated a “program” by specific faculty decision and have an identified group of one or more faculty.

2.2 Decision-Making Process

(1) Initiation.

Consideration of the possible discontinuance of an academic program may be initiated at any time by the faculty or a duly appointed faculty committee of that program; the faculty or an appropriate committee of the center, institute, school, department, or college of that program; the Graduate Council; the appropriate director, department head, dean, or vice-president; or by the Provost or President of the University. If a program discontinuance may result in the termination of faculty, the person or group initiating the consideration of discontinuance shall prepare, and submit to the Provost, a memorandum which (a) clearly identifies the program; (b) states explicit criteria by which faculty are identified with the program, (c) states the reasons, with respect to the University’s mission and goals, for recommending discontinuance; (d) assesses the probable consequences for faculty, related programs, and the University in general; and (e) suggests a timetable for accomplishing discontinuance.

(2) Distribution.

The Provost shall distribute copies of the memorandum, embodying an initial or an amended proposal for program discontinuance, to (a) the faculty members and faculty committee most directly involved in the academic program proposed for discontinuance; (b) the appropriate director, department head, and dean; (c) relevant departments and colleges; (d) relevant college committees or councils; (e) the Educational Policies Committee; (f) the Budget and Faculty Welfare Committee; and (g) the relevant student college senators.

(3) Consultation.

The groups above shall forward comments and recommendations to the appropriate dean or to the Vice President for Cooperative Extension. He/she shall forward the comments and a recommendation to the Provost, and, where appropriate, to the Graduate Council; the Graduate Council may review this material and make a recommendation to the Provost. After receiving and considering the recommendations and comments, the Provost shall submit the proposal, the comments, and a recommendation to the Educational Policies Committee. The Educational Policies Committee's recommendation shall be subject to review and debate by the Faculty Senate [Policy 402.12.6(1)]. All comments, recommendations, and supporting material shall be available to faculty senators for their perusal.

(4) Final recommendation.

The Faculty Senate's recommendations shall be forwarded to the President for consideration and determination of the recommendation to be made to the Board of Trustees and the Board of Regents. The President shall submit his/her final recommendation in writing to the Board of Trustees and the Board of Regents and shall attach the written comments and recommendations of the Faculty Senate.

2.3 Terminations; Reductions in Status

(1) Notice of program discontinuance.

After the Board of Regents has approved a proposal by the University to discontinue a program, the appropriate dean or vice president of the program, center, institute, school, department, or college shall give written notice of the discontinuance to all persons, including students in the program, center, institute, school, department, or college. A minimum of one full year, beginning July 1, shall pass from the time a final decision is made to close an academic program to the actual program discontinuance.

(2) Definition of termination and reduction in status.

Termination means the ending of employment of a tenured faculty member (or one with term appointment) for medical incapacity, program discontinuance, financial crisis, or financial exigency [see also Policy 407.2.1(5)]. Reduction in status means a decrease in annual time the faculty member is contracted to the University.

(3) Notice of termination or reduction in status.

In addition to the general notice in Policy 406.2.3(1), the President shall give tenured and untenured faculty members in the discontinued program, center, institute, school, department, or college formal notice of termination or reduction in status as follows: (a) if the appointee is untenured and in the first year of service, notice shall be given at least three months prior to termination or reduction in status; (b) if the appointee is untenured

and in the second year of service, notice shall be given at least six months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third or subsequent year of service, notice shall be given at least 12 months prior to termination or reduction in status; (d) the length of notice for faculty with term appointments as defined in Policy 401.5 shall be parallel to that for the untenured faculty described above, with the exception of those term appointees with research or federal research ranks; termination of these faculty is coincident with and contingent upon the termination date of their extramural funding; if their funding extends beyond that of a discontinued program, they may be reassigned to another program and (e) appointees with specialized functions as defined in Policy 401.6 shall be parallel to that for the tenured and tenure-eligible faculty described above.

(4) Relocation.

During the grace period, and with the assistance of the appropriate administrators (e.g., deans, department heads, vice presidents) and consent of the receiving department, every reasonable and good faith effort will be made to enable the affected faculty members who wish to do so to obtain suitable positions for which they are qualified elsewhere in the University. Tenured faculty members terminated through program discontinuance shall, for a period of three years following the date of their final salary payment, receive special consideration among candidates with comparable qualifications for any vacant and funded University position for which they apply and are qualified.

(5) Faculty employment after program reinstatement.

If a terminated program or position is reinstated, tenured faculty members terminated through program discontinuance shall have the right of immediate reinstatement for a period of three years following the formal notice of termination in Policy 406.2.3(4).

(6) Appeal.

Within 30 calendar days of receiving notice from the President of termination or reduction in status, a faculty member who intends to appeal must notify, in writing, the President and the Academic Freedom and Tenure Committee of the intent to appeal. The formal appeal, with supporting documentation, must be filed with the Academic Freedom and Tenure Committee within 60 calendar days of receipt of notice from the President. A hearing will then be conducted in a timely manner by the Academic Freedom and Tenure Committee, in accordance with procedures established by that committee.

406.3 SUSPENSION OF ENROLLMENT

3.1 Definition

Suspension of enrollment is an action short of discontinuance which if not reversed will lead to discontinuance, and which refers to the suspension of enrollment in a major subject, a minor subject where there is no corresponding major, a certificate program, or

program awarding a credential certifying completion. Suspension of enrollment does not lead to reduction in status or termination of faculty in the program.

3.2 Procedure

(1) Initiation.

A department that plans to suspend enrollment must notify the Educational Policies Committee as soon as the departmental decision has been made and approved by the dean.

(2) Review.

The Educational Policies Committee will review the proposed suspension of enrollment for its effect on other academic programs of the University. The committee will hold hearings at which all constituencies affected, including students, faculty, and representatives from other departments affected by the proposed action, have the opportunity to testify. At the conclusion of its deliberations, the Educational Policies Committee will recommend approval or disapproval of suspension of enrollment to the Faculty Senate. The Faculty Senate shall make a recommendation to the President. This process shall be concluded within 90 days following notification of the Educational Policies Committee. Suspension is granted by the President subject to the legal obligation, if any, of the University to permit students already enrolled in the program to complete their course of study.

(3) Time limitation.

A suspension of enrollment may be reversed by the department, upon approval of the Educational Policies Committee, the dean, and the President, at any time up to three years after suspension has been granted. If suspension has not been reversed within this three-year period, program discontinuance must be initiated.

406.4 FINANCIAL EXIGENCY

4.1 Definitions

(1) Financial exigency.

Financial exigency is an existing or imminent financial crisis which threatens the mission/role of the institution as a whole, which requires programmatic reductions or closings which may entail faculty reductions or dismissals to enable the institution to accomplish its mission/role, and which cannot be alleviated by less drastic means.\

(2) Academic program.

See Policy 406.2.1(2).

(3) Serious distortion of an academic program.

A serious distortion of an academic program shall be deemed to occur when the faculty remaining in the program would not be qualified to meet generally accepted program standards.

4.2 Declaration of Financial Exigency

(1) Board of Trustees; Board of Regents.

The President may, in accordance with the procedures below and with the approval of the Board of Trustees and the advice of the Faculty Senate, the Professional Employees Association, and the Classified Employees Association, recommend to the Board of Regents a state of financial exigency be declared. A financial exigency may also be initiated by the Board of Regents. A financial exigency exists only after it has been declared by the Board of Regents.

(2) Initiation.

When the President of the University identifies a possible financial exigency, he/she shall inform the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association concerning the causes and possible consequences of the crisis. The President shall also identify the measures considered by the University up to that point for dealing with the crisis, including a possible declaration of financial exigency, possible strategies that may be alternative to program reduction or program elimination, reasons why the University's financial circumstances may necessitate academic program reduction or elimination, and the time frame by which decisions must be made by those entitled to participate in the consultative process.

Time considerations will be critical when the University must judge whether or not a financial exigency exists. To the extent that such a judgment must be made in a brief time frame for a given situation, the time periods for the consultative process provided for in this policy shall be specified by written notice from the President, giving those for whom the consultative processes were provided the fullest possible amount of time under the circumstances. In that regard, the President shall use his/her best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

(3) Consultation.

Within the time period established by the President, the Faculty Senate shall receive and consider the comments and advice of the Budget and Faculty Welfare Committee, as well as timely presented views of any other faculty, administrative body, or individual faculty members, and shall make a recommendation to the President concerning financial exigency.

Within the time period established by the President and before making a recommendation to the Board of Regents, the President shall receive and consider the comments and advice presented on the matter by the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association.

(4) Recommendation.

The President shall submit his/her final recommendation on the declaration of financial exigency in writing to the Board of Trustees prior to submitting it to the Board of Regents. He/she shall attach the written comments and recommendations of the Faculty Senate, the Professional Employees Association, and the Classified Employees Association. The President shall also send a copy of his/her final recommendations to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association.

4.3 Program Elimination or Reduction Because of Financial Exigency

(1) Iterative process.

After declaration of financial exigency by the Board of Regents, an iterative process of University program elimination or reduction may begin. The intent of this process is to best insure the continuing integrity of academic programs and the overall mission of the University. The first step in this process shall be for every administrative, academic, non-academic, and structural component of the University to assess its programs with regard to legal mandate, essentiality to the mission/role of the University, and quality. During subsequent steps, support services shall be reduced to the extent feasible while preventing significant impairment of the University's ability to fulfill its mission/role.

(2) Administrative and support services.

The President will ask the Provost and the appropriate vice presidents to develop reduction and/or elimination plans in the areas of University-wide support services and nonacademic programs. Such plans will be reviewed by the Administrative Council, the Deans' Council, the Budget and Faculty Welfare Committee, and the relevant committees of the Professional Employees Association and the Classified Employees Council, and will be integrated with academic elimination or reduction plans in light of the overall academic mission of the University.

If a non-academic program has been reduced or eliminated, University-wide support services must be re-evaluated and reduced as appropriate. These reductions shall precede further reductions in or elimination of academic programs.

(3) Academic program elimination or reduction.

The President, after consultation with the Executive Committee, the Deans Council, and the Budget and Faculty Welfare Committee, shall direct the Provost to develop plans for academic program elimination or reduction. These plans shall include a timetable for their implementation.

The development of academic program elimination or reduction plans must involve consultation among departmental and college faculties to identify areas under consideration for academic program eliminations or reductions. The following criteria and information sources shall be considered by those making judgments about which programs should be eliminated or reduced because of financial exigency: (a) legal mandate; (b) the general academic quality of the program with regard to scholarship, teaching, and service; (c) the extent of importance that the program has for the mission of the University; (d) the mission and goals of the University; (e) Graduate Council review; (f) findings by national accreditation bodies; (g) reports by appropriate national ranking sources; (h) such other systematically derived information, based on long-term considerations of program quality, as may be available; (i) the capacity of the program to generate external funding; (j) faculty/student ratios; (k) cost effectiveness when compared to similar programs at other universities; and (l) relationship to the Board of Regents Master Plan for Higher Education in the State of Utah. The above list is not ranked and is not inclusive.

If an academic program is eliminated or reduced, those support services and administrative oversight associated with it shall be re-evaluated and reduced if appropriate. Any reductions in support services shall precede further reduction or elimination of academic programs.

(4) Review.

If a plan calls for the elimination or reduction of a specific program, center, institute, school, department, or college, that element of the plan shall be reviewed by the Budget and Faculty Welfare Committee; the Educational Policies Committee; the Graduate Council, where appropriate; the faculty members and/or faculty committee most directly involved in the program; the appropriate director, department head, and dean; relevant college committees or councils; relevant committees of the Professional Employees Association and the Classified Employees Association; and relevant student advisory committees. The views of these bodies shall be forwarded to the Faculty Senate for its consideration within the time periods prescribed by the President. The conclusions of the above bodies and the Faculty Senate shall be forwarded to the Provost who shall consider them and forward them, along with his/her own recommendation, to the President. When the President's recommendations are submitted to the Board of Trustees and the Board of Regents, they shall be accompanied by the Faculty Senate's recommendations. After the Board of Regents has approved the plan by the University to eliminate a program, the appropriate dean or vice president of the program, center, institute, school, department, or college shall give written notice of the elimination to all persons, including students, in the program, center, institute, school, department, or college.

(5) Timetable.

Once financial exigency has been declared, the President shall submit to the Faculty Senate a timetable for relieving the state of exigency. Further, he/she shall report progress in this endeavor to the Faculty Senate on a quarterly basis.

4.4 Terminations; Reductions in Status

(1) Plan for faculty reduction.

As the process described in Policy 406.4.3 is taking place, the dean of each college shall, in consultation with the departments, department heads, and appropriate college committees, devise an orderly sequence of steps which shall constitute the college's faculty reduction plan. Included in such a plan will be explicit criteria by which individual faculty will be identified with the various programs under consideration for reduction or elimination. Program reductions are never to be declared with the aim of singling out a specific faculty member.

Insofar as feasible, the plan will emphasize the creation of various incentives such as voluntary retirement, early retirement, resignation, reduction in status, salary reduction, severance pay, or similar actions that will result in immediate or eventual cost savings for the University, and that are voluntarily entered into by individual faculty members rather than imposed by University authority.

When non-voluntary faculty reductions are necessary, unless explicitly stated and compelling academic reasons exist to the contrary, consideration will be given first to not filling existing faculty vacancies and not filling vacancies from resignations, retirements, or deaths. Consideration should next be given to the termination of instructional positions occupied by teaching assistants and faculty with special appointments (adjunct, visiting, and temporary). Next, consideration should be given to the termination of faculty with term appointments. Finally, consideration should be given to the termination of tenure-eligible or tenured faculty members. The integrity of the tenure system will be respected. Within an academic program, the appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the specific academic program would otherwise result. The question of serious distortion shall be decided by the Educational Policies Committee and the Faculty Senate, with the approval of the President and the Board of Trustees. The finding of serious distortion shall be based on criteria which include, but are not limited to, essentiality of service and work, field of specialization, and maintenance of necessary programs or services.

Termination or reduction in status of tenured, tenure-eligible, or term appointment faculty members shall follow the procedures below.

(2) Review procedure.

Proposed faculty reduction plans shall be reviewed by affected department and college faculties in light of the future strength, balance, quality of teaching, research, extension, and mission of the department and college, tempered by concern for individual circumstances. Faculty response to such reduction plans shall be forwarded to the appropriate department heads and deans in a timely manner.

The dean shall notify, in writing, any faculty member who is the subject of a recommendation for reduction. A faculty member who is so identified may respond in writing at any point in the review with his/her comments becoming part of the record to be forwarded to the next level of review. The dean, after considering such a response, shall add his/her separate recommendations and forward the complete file to the Provost or the appropriate vice president.

The Provost or any appropriate vice provost shall review the recommendations of the dean and any timely faculty response, as well as any appeals filed as in Policy 406.4.4(3).

(3) Appeal to the Provost.

If a faculty member chooses to formally appeal to the Provost or, where appropriate, to the Vice President for Cooperative Extension, the faculty member must submit, within 30 days of his/her receipt from the dean of a notice of a recommendation for termination or reduction in status, a written notice of intent to appeal with the Provost or Vice President for Cooperative Extension. A faculty member who has submitted notice of intent to appeal must file a formal written appeal with the Provost or Vice President for Cooperative Extension within 90 days of receipt of the notice of proposed termination.

(4) Notice of termination or reduction in status.

The Provost shall forward the complete file with a recommendation to the President. The Provost shall also notify any affected faculty members in writing of his/her recommendation to the President. Written notice from the President or from the President's designee will be given to a faculty member who is terminated due to program elimination or reduction because of financial exigency as follows: (a) if the appointee is untenured and in the first year of service, notice shall be given at least three months prior to termination or reduction in status; (b) if the appointee is untenured and in the second year of service, notice shall be given at least six months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third or subsequent year of service, notice shall be given at least 12 months prior to termination or reduction in status.

The notice must include the following: (a) the effective date of termination; (b) a statement of the reasons for the declaration of financial exigency; (c) the basis, the

procedures, and the criteria used for termination; (d) opportunities for appeal, including access to appropriate documentation, and the appealable issues as set forth in Policy 406.4.4(5) below; and (e) the reinstatement rights.

(5) Appeal and hearing.

A faculty member may appeal a termination only for: (a) violation of his/her academic freedom, legal, statutory, or constitutional rights; (b) failure to comply with this policy, the Board of Regents policy, or with the plan for personnel reduction approved by the Board of Regents; or (c) arbitrary or capricious action. Within 30 days of receiving a notice from the President for termination or reduction in status, a faculty member who intends to appeal must notify, in writing, the President and the Academic Freedom and Tenure Committee of the intent to appeal. The formal appeal, with supporting documentation, must be filed with the Academic Freedom and Tenure Committee within 45 days of receipt of notice from the President. A hearing will then be conducted in a timely manner by the Academic Freedom and Tenure Committee, in accordance with procedures in Policy 407.

(6) Relocation.

During the grace period, and with the assistance of the appropriate administrators (e.g., deans, department heads, vice presidents) and with the consent of the receiving unit, every reasonable and good faith effort will be made to enable the affected faculty members who wish to do so to obtain suitable positions elsewhere in the University if qualified.

406.5 REINSTATEMENT RIGHTS

5.1 For Tenured Faculty

In cases of termination of tenured faculty members, the position concerned may not be filled by replacement within a period of three years from the effective date of the termination unless the tenured faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer was extended.

5.2 For Non-Tenured Faculty

In cases of termination of non-tenured faculty members, the position concerned may not be filled by replacement within a period of one year from the effective date of the termination unless the person terminated has been offered a return to employment in that position and the person terminated has not accepted the offer within 30 calendar days.

5.3 Termination of Offer of Reinstatement

If an offer of reinstatement is not accepted within the timelines stated above, the University and the Board of Regents have no further obligation to the person terminated. After the expiration of the applicable reinstatement period as provided herein, the institution and the Board of Regents have no further obligation to the affected faculty.

5.4 Faculty Status and Benefits after Reinstatement

A faculty member who has been terminated and who accepts reinstatement in the same position will resume the rank and tenure status held at the time of termination, be credited with any sick leave accrued prior to the date of the termination, be paid a salary commensurate with the rank and length of previous service, and will be credited with any annual leave which the faculty member had accrued prior to the date of termination and for which the faculty member has not received payment.

406.6 MAJOR FINANCIAL CRISIS

6.1 Definitions

(1) Major financial crisis.

To constitute a major financial crisis, a situation facing the University shall: (a) be significantly and demonstrably more than a minor, temporary, and/or cyclical fluctuation in operating funds; and (b) involve substantial risk to the survival of department, colleges, or other major academic components of the University. A substantial risk to survival is considered one where a substantial reduction occurs in (a) the ability to fulfill the mission of the academic unit, (b) the number of students served by the academic unit, or (c) the number and quality of course offerings.

(2) Academic program.

See Policy 406.2.1(2).

6.2 Declaration of Major Financial Crisis

(1) Initiation.

If the President of the University identifies a possible major financial crisis, he/she shall inform the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association concerning the causes and possible consequences of the crisis. The President shall also identify the measures considered by the University up to that point for dealing with the crisis, including a possible declaration of financial exigency, strategies that may be alternatives to program reduction or program elimination, reasons why the University's financial circumstances may necessitate academic program reduction or elimination, and the time frame by which decisions must be made by those entitled to participate in the consultative process. The

President shall use his/her best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

(2) Consultation.

The Faculty Senate shall receive and consider the comments and advice of the Budget and Faculty Welfare Committee, the Professional Employees Association, and the Classified Employees Association, as well as timely presented views of any other faculty or administrative body, on whether the President should declare the existence of a major financial crisis. The Faculty Senate shall then express its views in writing to the President. The Professional Employees Association and the Classified Employees Association shall also have the opportunity to express their views in writing to the President.

(3) Implementation.

The President, with the approval of the Board of Trustees, may declare the existence of a major financial crisis after following (1) and (2) above. The University's actions in response to the crisis shall be governed by Policies 406.4.3 and 4.4.

6.3 Program Elimination or Reduction Because of Major Financial Crisis

(1) Strategies.

When the President has declared the existence of a major financial crisis, he/she shall consult the Executive Committee, the Deans Council, the Graduate Council, appropriate directors of non-academic programs, the Budget and Faculty Welfare Committee, and the Educational Policies Committee concerning strategies for dealing with the crisis. These shall include examination of feasibility of all of the following: restrictions on enrollment, reductions or elimination of non-academic programs, across-the-board budget reductions, phased reductions, attrition, reductions in supplies, and, finally, reduction or elimination of academic programs. The President will then outline to the Faculty Senate the strategies he/she proposes to follow in developing a specific plan for coping with the crisis. After receiving input from the groups above, the Faculty Senate will make whatever recommendations it deems appropriate concerning such strategies.

The policies below apply when, after receipt of the recommendations of the Faculty Senate, the President has concluded that a declared major financial crisis entails academic program reduction or elimination.

(2) Iterative process.

After declaration of a major financial crisis by the President, an iterative process of University program elimination or reduction may begin. This process should be carried out in a manner that best insures the continuing integrity of academic programs. The first step in this process shall be for every administrative, academic, non-academic, and

structural component of the University to assess its programs with regard to quality and essentiality to the mission of the University. During subsequent steps, support services shall be reduced to the extent feasible to prevent significant impairment of the University's ability to fulfill its mission/role.

(3) Administrative and support services.

The President will ask the Provost and the appropriate vice presidents to develop reduction and/or elimination plans in the areas of University-wide support services and nonacademic programs. Such plans will be reviewed by the Administrative Council, the Deans' Council, the Budget and Faculty Welfare Committee, the Professional Employees Association, and the Classified Employees Council, and will be integrated with academic elimination or reduction plans in light of the overall mission/role of the University.

If a non-academic program has been reduced or eliminated, University-wide support services must be re-evaluated and reduced as appropriate. Any reductions in support services or administrative oversight shall precede further reductions in or elimination of academic programs.

(4) Academic program elimination or reduction.

The President shall direct the Provost to assist academic departments in developing plans to implement academic program elimination or reduction. The individual academic departments of the University shall be asked to evaluate their programs, consider alternatives to program reduction or elimination, and examine possible timeframes (including multiyear) for accomplishing possible budget reductions. The dean of each college shall review the departmental reports and comment upon them. The departmental reports and deans' comments shall be forwarded to the Administrative Council, the Deans' Council, the Graduate Council where appropriate, and the Educational Policies Committee for their review and statement of reactions.

The following criteria and information sources shall be considered by those making judgments about which programs should be eliminated or reduced because of a major financial crisis: (a) legal mandate; (b) the general academic quality of the program with regard to scholarship, teaching, and service; (c) the extent of importance that the program has for the mission of the University; (d) the mission and goals of the University; (e) Graduate Council review where appropriate; (f) findings by national accreditation bodies; (g) reports by appropriate national ranking sources; (h) such other systematically derived information, based on long-term considerations of program quality, as may be available; (i) the capacity of the program to generate external funding; (j) faculty/students ratios; (k) cost effectiveness when compared to similar programs at other universities; and (l) relationship to the Board of Regents' Master Plan for Higher Education in the State of Utah. The above list is not ranked and is not inclusive.

If an academic program is eliminated or reduced, those support services associated with it shall be re-evaluated and reduced if appropriate. These reductions shall precede further reductions or elimination of academic programs.

Unless financial exigency is declared, tenured faculty members may not be terminated because their program was reduced, except when program elimination has occurred.

(5) Review.

If a plan calls for the elimination or reduction of a specific program, center, institute, school, department, or college, that element of the plan shall be reviewed by the Budget and Faculty Welfare Committee; the Educational Policies Committee; the Graduate Council; the faculty members and/or faculty committee most directly involved in the program; the appropriate director, department head, and dean; relevant college committees or councils; and relevant student advisory committees. The views of these bodies shall be forwarded to the Faculty Senate for its consideration within the time periods prescribed by the President. The conclusions of the above bodies and the Faculty Senate shall be forwarded to the President who shall consider them in his/her review of the proposed plan. The views of the Faculty Senate on the plans shall be forwarded to the Board of Trustees and/or to such other body as may be required by state law or University policy.

(6) Timetable.

Once a major financial crisis has been declared, the President shall submit to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association a timetable for relieving the crisis. Further, he/she shall report progress in this endeavor to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association on a quarterly basis.

6.4 Terminations; Reductions in Status

The procedures described in Policy 406.4.4 shall apply, except that the appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure unless program elimination has occurred.