

PROGRAM DISCONTINUANCE POLICY AND PROCEDURES

Policy 5.8/ EPCC.1997.001

Approved by University Council December 1996

(1.0) Purpose

This document defines policy and procedures for discontinuance of programs.

(1.1) The policy is based on four guiding principles. The decision to discontinue a program should:
be closely connected to program, college, and university mission and planning, occur only following careful and thorough discussion, be negotiated between program faculty and the academic college administrators immediately responsible to it, and be made using a clearly understood process with at least one place for each of the constituencies concerned to participate in the decisions necessary.

(2.0) Definition

For the purposes of this document, a "program" is defined as:

- any academic unit offering a degree.
- any support area, concentration, or certification program the discontinuance of which might require the termination of a tenure-track faculty member.

(3.0) Program Standards, Measures and Performance

(3.1) As part of the planning process and focused by their mission, all colleges should have ascertainable and measurable minimum performance standards for every program, graduate and undergraduate. These measurable minimum performance standards must meet, but may exceed, the minimum performance standards set by the Southern Association of Colleges and Schools and the Coordinating Board. These ascertainable and measurable minimum performance standards are negotiated between and agreed upon by faculty involved in the program and the appropriate academic administrators. They must be reviewed by the college's curriculum committee during the normal course of periodic program reviews.

(3.2) If agreement between program faculty and college administration on minimum performance standards proves impossible, the college faculty shall decide the appropriate method for establishing minimum performance standards.

(3.3) Whenever a program fails to meet its minimum performance standards and the program faculty or college administration note this failure in writing, within three months of this notification the program faculty and the appropriate academic administration must agree on specific performance targets which define what the program must accomplish to respond to the condition and an appropriate time frame. These targets could be previously established minimum levels of performance adopted by colleges, or they could be new levels of performance. The agreement could be to discontinue the program, to redefine it, or to merge it with another program. Whatever the decision, it must be put in writing.

(3.4) This agreement must specify the minimum level of support which the program can expect from the college faculty and administration. The provost must receive a copy of this agreement.

(3.5) If agreement between program faculty and college administration on specific performance targets proves impossible, the college faculty shall decide the appropriate method for establishing specific performance targets.

(4.0) Discontinuance of a Program Not Mandated by Financial Exigency

(4.1) Programs which may become candidates for discontinuance are:

(4.2.1) Any program whose full-time faculty agree that it should be discontinued or merged into another program; or

(4.2.2) Those programs which have failed to meet the agreed upon performance targets in the stated time frame; or

(4.2.3) Those programs which meet the agreed upon specific performance targets when exceptional circumstances are present.

(4.2.4) Exceptional circumstances must be documented by the college administration following discussion with the program faculty, the college faculty, and the provost. Thorough documentation of the exceptional circumstances and specific explanations of why alternatives to program discontinuance were either unavailable or inadequate must be included in the recommendation to discontinue which the college makes to the provost.

(5.0) Procedures for Program Discontinuance

Once a candidate for discontinuance has been identified:

- (5.1) The appropriate college curriculum committee must recommend the discontinuance.
- (5.2) A majority of the faculty of the college, as defined by the college's bylaws, must recommend discontinuance using procedures in the college's bylaws.
- (5.3) The Dean of the college must recommend discontinuance of the program to the Provost.
- (5.4) The Provost must forward a recommendation for discontinuance of the program to the Educational Policy and Courses Committee (EPCC). EPCC members will only determine if procedures have been properly followed.

Accompanying this recommendation shall be the following:

- (5.4.1) The rationale for discontinuance.
- (5.4.2) An explanation of the impact the discontinuance would have on other programs and evidence of consultation with any affected programs.
- (5.4.3) A description of the procedures followed in making the decision to discontinue and copies of all recommendations.
- (5.4.4) Recommended future date for denying new students to the program.
- (5.4.5) The plan, including a specific timeline, for phasing out the program, terminating degree authority, and allowing currently enrolled students to complete the program.
- (5.4.6) Specific and explicit procedures, including specific timelines, for dealing with each tenured and non-tenured faculty, and staff member, involved in the program. Careful consideration must be given to early retirement, voluntary leaves of absence, part-time employment, transfer to other positions within UHCL for which the individuals are qualified, and/or retraining for other positions.
- (5.4.7) The EPCC will send the proposal for discontinuance back to the college for failure to satisfy any of the above items 5.4.1 through 5.4.6.
- (5.4.8) The EPCC shall decide only whether the appropriate procedures, including those provided for in college written policies, have been correctly followed. If the appropriate procedures have been correctly followed EPCC must concur with the provost's recommendation and the recommendation shall proceed through the shared governance process outlined in the Constitution of the Faculty Senate.
- (5.4.8) The Faculty Senate shall decide only whether the appropriate procedures, including those provided for in college written policies, have been correctly followed.
- (5.4.9) If the discontinuance is approved by the President, the administration of the college shall begin phasing out the program. This operation shall proceed according to

the plans and timelines already developed and approved by the College, and submitted by the Provost, with his recommendation, to EPCC.

(5.4.10) Except in circumstances where a serious distortion of an academic program would otherwise result, non-tenure track faculty within a program shall be terminated before any tenure track faculty are terminated. Where consistent with the academic needs of the institution, preference will be given to tenured faculty of higher rank, and to more senior faculty within the same rank. Where consistent with the academic needs of the institution, preference will be given to seniority within any staff classification. Circumstances where a serious distortion of an academic program would result must be documented by college administration following discussion with the program faculty, the college faculty, and the provost. Thorough documentation of the circumstances and specific explanations of why alternatives were either unavailable or inadequate must be included in the recommendation to discontinue which the college makes to the provost.

When the decision to discontinue a program has been made by the President, tenure track faculty separation shall follow the guidelines in section 3.4 of the Faculty Handbook. Tenured faculty must be given notice of termination at least 12 months prior to the termination of that appointment (but not less than two long semesters following notice of termination). From the time notice is given until the termination of assigned duties, the university will provide full payment for tenured faculty to enroll in courses for credit at any university in the UH system provided they can: 1. Meet fundamental job obligations and, 2. meet the requirements for admission to the course or program.

(6.0) Provision for Tenured Faculty and Program Specific Staff Dismissed as a Result of this Policy

(6.1) For tenured faculty members and program specific staff who are dismissed as a result of the discontinuance, the university must provide the following services:

(6.2) The university is committed to provide limited support for job placement services.

(6.3) Continuation of participation in group insurance programs offered by the institution at least until the end of the appropriate notice period or eighteen months after performance of assigned duties, whichever comes later. The individual will pay full costs.

(6.4) For tenured faculty if, within three years of the individual's separation from the university under this policy, the position eliminated is again opened, the individual who held that job will be offered the position before anyone else is. Rehired individuals will assume the same seniority, including tenure, and job status as was previously held. For staff members terminated as a result of program discontinuance, the rehiring provision of the University Reduction in Force policy will apply.

(7.0) Discontinuance of a Program Because of Financial Exigency See: Faculty Handbook section 5.7 - Financial Exigency