

University Policy 409: Program Discontinuance, Financial Exigency and Financial Crisis

**Category:** Faculty Policies (*Faculty Code*)

**Subcategory:** None

**Covered Individuals:** University Faculty

**Responsible Executive:** Provost

**Policy Custodian:** Chair of Professional Responsibilities and Procedures Committee

**Last Revised:** 2022/09/01

**Previous USU Policy Number:** 406

**409.1 Purpose and Scope**

To be added by PRPC at a later date.

**409.2 Policy**

This section of the policy manual 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 of faculty members due to program discontinuance, bona fide financial exigency, or major financial crisis. Reduction in status of tenured faculty members will only occur for reasons of program discontinuance, financial crisis, or bona fide financial exigency.

* 1. **2.1 Program Discontinuance and Academic Program Requirements**

2.1.1 Program discontinuance.

Program discontinuance for academic reasons under this policy means the cessation of a program, center, institute, school, department, college, campus, or site based upon educational and academic considerations. For the purposes of Policy 409.2.1, Program Discontinuance for Academic Program Requirements, 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, college, campus, or site. Program discontinuance does not preclude the reallocation of resources to other academic programs with higher priority based on academic and educational reasons.

2.1.2 Academic program.

An academic program is a unit within the university with an identifiable teaching, research, or other academic mission. An academic program operates within one or more academic units and includes, but is not limited to, an academic center, institute, school, department, college, campus or site. 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 and the decision must be ratified by the Faculty Senate, and approved by the president, the Board of Trustees, and the Utah Board of

Higher Education. 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.

# Decision-Making Process

1. 2.2.1 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, college, or other academic unit of that program; the Graduate Council; the appropriate department head, dean or the vice president for extension; 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 will 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.

2.2.2 Distribution.

The provost will 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 department head, dean or the vice president for extension, and, where appropriate, the vice president for statewide campuses ; (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.

2.2.3 Consultation.

The groups above will forward comments and recommendations to the appropriate dean or to the vice president for extension,. The appropriate dean or the vice president for extension will 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 will submit the proposal, the comments, and a recommendation to the Educational Policies Committee. The Educational Policies Committee’s recommendation will be subject to review and debate by the Faculty Senate (Policy 402.12.6.1. Duties). All comments, recommendations, and supporting material will be available to faculty senators for their perusal.

2.2.4 Final recommendation.

The Faculty Senate’s recommendations will be forwarded to the president for consideration. The president will submit a final recommendation in writing to the Board of Trustees and the Utah Board of Higher Education and will attach the written comments and recommendations of the Faculty Senate.

# Terminations; Reductions in Status

2.3.1 Notice of program discontinuance.

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

2.3.2 Termination and reduction in status.

Termination means the ending of employment of a tenured faculty member (or one with a term appointment) for medical incapacity, program discontinuance, financial crisis, or financial exigency (see also Policy 407.2.1.5, Dismissal). Reduction in status means a decrease in annual time the faculty member is contracted to the university.

2.3.3 Notice of termination or reduction in status.

In addition to the general notice in Policy 406.2.31, Notice of Program Discontinuance, the president will give tenured and tenure-eligible faculty members in the discontinued program, center, institute, school, department, college, campus, or site formal notice of termination or reduction in status as follows: (a) if the appointee is untenured and in the first (1st) year of service, notice will be given at least three (3) months prior to termination or reduction in status; (b) if the appointee is untenured and in the second (2nd) year of service, notice will be given at least six (6) months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third (3rd) or subsequent years of service, notice will be given at least twelve (12) months prior to termination or reduction in status. The length of notice from the president for faculty with term appointments as defined in Policy 401.4, The Faculty with Term Appointments, will 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.

2.3.4 Relocation.

During a grace period of three (3) years, and with the assistance of the appropriate administrators (e.g., deans, department heads or supervisors or the vice president for extension) and the 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 will , for a period of three (3) 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.

2.3.5 Faculty employment after program reinstatement.

If a terminated program or position is reinstated, tenured faculty members terminated through program discontinuance will , for a period of three (3) years following the final salary payment, have the right of immediate reinstatement.

2.3.6 Appeal.

Within thirty (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 sixty (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.

# 2.4 SUSPENSION OF ENROLLMENT

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.

# 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.

1. 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 will make a recommendation to the president. This process will be concluded within ninety (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.

1. Time limitation.

At any time up to three (3) years after suspension has been granted, a suspension of enrollment may be reversed by the department, upon approval of the Educational Policies Committee, the dean or the vice president for extension, and the president. If suspension has not been reversed within this three-year period, program discontinuance must be initiated.

# 2.5 FINANCIAL EXIGENCY

2.5.1 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.

2.5.2 Serious distortion of an academic program.

A serious distortion of an academic program will be deemed to occur when the faculty remaining in the program would not be qualified to meet generally accepted program standards (Policy 406.4.4.1, Plan for faculty reduction).

# Declaration of Financial Exigency

2.5.3.1 Board of Trustees; Utah Board of Higher Education.

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, and the Staff Employees Association, recommend to the Utah Board of Higher Education that a state of financial exigency be declared. A financial exigency may also be initiated by the Utah Board of Higher Education. A financial exigency exists only after it has been declared by the Utah Board of Higher Education.

2.5.3.2 Initiation.

When the president of the university identifies a possible financial exigency, the president will inform the Budget and Faculty Welfare Committee, the Faculty Senate, and the Staff Employees Association concerning the causes and possible consequences of the crisis. The president will 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 will 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 will use their best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

2.5.3.3 Consultation.

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

Within the time period established by the president and before making a recommendation to the Utah Board of Higher Education, the president will receive and consider the comments and advice presented on the matter by the Budget and Faculty Welfare Committee, the Faculty Senate, and the Staff Employees Association.

2.5.3.3 Recommendation.

The president will submit their final recommendation on the declaration of financial exigency in writing to the Board of Trustees prior to submitting it to the Utah Board of Higher Education. The president will attach the written comments and recommendations of the Faculty Senate, and the Staff Employees Association. The president will also send a copy of the final recommendations to the Faculty Senate, and the Staff Employees Association.

# 2.5.4 Program Elimination or Reduction Because of Financial Exigency

2.5.4.1 Iterative process.

After declaration of financial exigency by the Utah Board of Higher Education, an iterative process of university program elimination or reduction may begin. The intent of this process is to ensure the continuing integrity of academic programs and the overall mission of the university. The first step in this process will be for every administrative, academic, nonacademic, 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 will be reduced to the extent feasible while preventing significant impairment of the university’s ability to fulfill its mission/role.

2.5.4.2 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 non-academic programs. Such plans will be reviewed by the President’s Executive Committee, the Council of Deans, the Budget and Faculty Welfare Committee, and the relevant committees of the Staff Employees Association and will be integrated with academic elimination or reduction plans (See Policy 406.4.3.3, Academic program elimination of reduction) 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 will precede further reductions in or elimination of academic programs.

2.5.4.3 Academic program elimination or reduction.

The president, after consultation with the President’s Executive Committee, the Council of Deans, and the Budget and Faculty Welfare Committee, will direct the provost to develop plans for academic program elimination or reduction. These plans will 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 will 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 Utah Board of Higher Education 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, the support services and administrative oversight associated with it will be re-evaluated and reduced if appropriate. Any reductions in support services will precede further reduction or elimination of academic programs.

2.5.4.4 Review.

If a plan calls for the elimination or reduction of a specific program, center, institute,

school, department, college, campus, or site, that element of the plan will 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 department head or supervisor, dean, the vice president for extension, and, where applicable, the vice president for statewide campuses ; relevant college committees or councils; relevant committees of the Staff Employees Association; and relevant student advisory committees. The views of these bodies will 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 will be forwarded to the provost who will consider them and forward them, along with the provost’s own recommendation, to the president. When the president’s recommendations are submitted to the Board of Trustees and the Utah Board of Higher Education, they will be accompanied by the Faculty Senate’s recommendations. After the Board of Trustees and the Utah Board of Higher Education have approved the plan by the university to eliminate a program, the appropriate dean or vice president, of the program, center, institute, school, department, college, campus, or site will give written notice of the elimination to all persons, including students, in the program, center, institute, school, department, college, campus, or site.

2.5.4.5 Timetable.

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

# 2.5.5 Terminations; Reductions in Status

2.5.5.1 Plan for faculty reduction.

As the process described in Policy 406.4.3, Program Elimination or Reduction Because of Financial Exigency, is taking place, the dean of each college will , in consultation with the departments, department heads, appropriate college committees, and, where appropriate, with the vice president for statewide campuses, devise an orderly sequence of steps which will 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 (e.g., 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 will 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 will 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 will follow the procedures below.

2.5.5.2 Review procedure.

Proposed faculty reduction plans will 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 will be forwarded in a timely manner to the appropriate department heads, deans, orthe vice president for extension.

The dean will 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 their comments becoming part of the record to be forwarded to the next level of review. Deans will consider such a response and will add the dean’s separate recommendations and forward the complete file to the provost or the appropriate vice president.

The provost or any appropriate vice provost will review the recommendations of the dean and any timely faculty response, as well as any appeals filed as in Policy 406.4.4.3, Appeal to the provost.

2.5.5.3 Appeal to the provost.

If a faculty member chooses to formally appeal to the provost, the faculty member must submit, within thirty (30) days of their receipt from the dean of a notice of a recommendation for termination or reduction in status, a written notice of intent to appeal to the provost. A faculty member who has submitted notice of intent to appeal must file a formal written appeal with the provost within ninety (90) days of receipt of the notice of proposed termination.

2.5.5.4 Notice of termination or reduction in status.

The provost will forward the complete file with a recommendation to the president. The provost will also notify any affected faculty members in writing of the provost’s 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 (1st) year of service, notice will be given at least three (3) months prior to termination or reduction in status;

(b) if the appointee is untenured and in the second (2nd) year of service, notice will be given at least six (6) months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third (3rd) or subsequent year of service, notice will be given at least twelve (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 406.4.45, Appeal and hearing below; and (e) the reinstatement rights.

2.5.5.5 Appeal and hearing.

A faculty member may appeal a termination only for: (a) violation of their academic freedom, legal, statutory, or constitutional rights; (b) failure to comply with this policy, the Utah Board of Higher Education policy, or with the plan for personnel reduction approved by the Utah Board of Higher Education; or (c) arbitrary or capricious action. Within thirty (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 forty-five (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, Academic Due Process: Sanctions and Hearing Procedures.

2.5.5.6 Relocation.

During the grace period of three (3) years, and with the assistance of the appropriate administrators (e.g., deans, department heads, vice president for extension , 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.

# REINSTATEMENT RIGHTS

**2.6.1 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 (3) 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 thirty (30) calendar days after the offer was extended.

# 2.6.2 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 (1) 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 thirty (30) calendar days.

# 2.6.3 Termination of Offer of Reinstatement

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

# 2.6.4 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.

# 2.7 MAJOR FINANCIAL CRISIS

2.7.1 Major financial crisis.

To constitute a major financial crisis, a situation facing the university will : (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 departments, colleges, or other major academic components of the university. A substantial risk to survival is considered one where a substantial reduction occurs in (1) the ability to fulfill the mission of the academic unit, (2) the number of students served by the academic unit, or (3) the number and quality of course offerings.

# 2.7.2 Declaration of Major Financial Crisis

2.7.2.1 Initiation.

If the president of the university identifies a possible major financial crisis, the president will inform the Budget and Faculty Welfare Committee, the Faculty Senate, and the Staff Employees Association of the causes and possible consequences of the crisis. The president will 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 will use their best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

2.7.2.2 Consultation.

The Faculty Senate will receive and consider the comments and advice of the Budget and Faculty Welfare Committee and the Staff 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 will then express its views in writing to the

president. The Staff Employees Association will also have the opportunity to express their views in writing to the president.

2.7.2.3 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 will be governed by Policies 406.4.3, Program Elimination or Reduction Because of Financial Exigency, and 406.4.4, Terminations; Reductions in Status.

# 2.7.3 Program Elimination or Reduction Because of Major Financial Crisis

2.7.3.1 Strategies.

When the president has declared the existence of a major financial crisis, the president will consult the President’s Executive Committee, the Council of Deans, 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 will 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, reduction or elimination of academic programs. The president will then outline to the Faculty Senate the strategies the president 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.

2.7.3.2 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 ensures the continuing integrity of academic programs. The first step in this process will 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 will be reduced to the extent feasible to prevent significant impairment of the university’s ability to fulfill its mission/role.

2.7.3.3 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 President’s Executive Committee, the Council of Deans, the Budget and Faculty Welfare Committee, and the Staff Employees Association, 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 will precede further reductions in or elimination of academic programs.

2.7.3.4 Academic program elimination or reduction.

The president will direct the provost to assist academic departments in developing plans to implement academic program elimination or reduction. The individual academic departments of the university will be asked to evaluate their programs, consider alternatives to program reduction or elimination, and examine possible time frames (including multiyear) for accomplishing possible budget reductions. The dean of each college and, where appropriate, the vice president for statewide campuses will review the departmental reports and comment upon them. The departmental reports and comments from the deans, and, where appropriate the vice president for statewide campuses will be forwarded to the President’s Executive Committee; the Council of Deans; the Graduate Council, where appropriate; and the Educational Policies Committee for their review and comment. All comments from these entities will then be forwarded to the President’s Executive Committee for consideration.

The following criteria and information sources will 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) the comments from entities in the paragraph above; (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 Utah Board of

Higher Education Master Plan for Higher Education in the State of Utah. The above list is neither ranked nor inclusive.

If an academic program is eliminated or reduced, those support services associated with it will be re-evaluated and reduced if appropriate. These reductions will 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.

2.7.3.5 Review.

If a plan calls for the elimination or reduction of a specific program, center, institute, school, department, college, campus, or site, that element of the plan will 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 department head, dean, or the vice president for extension and, where appropriate, the vice president for statewide campuses ; relevant college committees or councils; and relevant student advisory committees. The views of these bodies will 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 will be forwarded to the president who will consider them in the review of the proposed plan. The views of the Faculty Senate on the plans will be forwarded to the Board of Trustees and/or to such other body as may be required by state law or university policy.

2.7.3.6 Timetable.

Once a major financial crisis has been declared, the president will submit a timetable for relieving the crisis to the Faculty Senate and the Staff Employees Association. Further, the president will report progress in this endeavor to the Faculty Senate, and the Staff Employees Association on a quarterly basis.

# 2.7.4 Terminations; Reductions in Status

The procedures described in Policy 406.4.4, Terminations; Reductions in Status, will 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.