

Recommendation:

The University Senate approve the recommended revisions to SR 3.3.2, effective immediately.

Background:

In 2005, the Board of Trustees revised its Governing Regulations to clarify:

1) the decision-making authority of the University Senate on the University's academic programs and

2) the requirement that the advice of the University Senate be obtained prior to final decisions by the Board of Trustees on changes to the University's academic organization.

In 2006, the University Senate updated the Senate Rules to reflect the delegation of responsibilities to the University Senate by the Board of Trustees, except that Section III of the Senate Rules has never been updated to reflect the changes to the Governing Regulations made in 2005 (all other sections of the Senate Rules were commensurately updated in 2006). A particularly important subpart of Section III of the Senate Rules, SR 3.3.2, pertains to the procedures to be used for proposals to create, alter, consolidate, significantly reduce, or close academic programs and/or the educational unit that is the academic program's infrastructural home. In addition, recent changes in policies of the Council on Postsecondary Education and of SACS require changes in this same section of the Senate Rules.

Since last spring, the Senate Rules and Elections Committee has been obtaining the input on the appropriate revisions to SR 3.3.2 from respective Senate Committees (Academic Organization and Structure; Academic Programs) and University administrators (Dean of the Graduate School Jeannine Blackwell; Associate Provost for Undergraduate Education Mike Mullen; Assistant Provost for Program Support Richard Greissman).

The revisions to update SR 3.3.2 are now submitted by the Senate Rules and Elections Committee for approval by the University Senate.

3.3.2.1 Procedures Governing Creation, Consolidation, Transfer, Closure, or Significant Reduction of an Academic Program or Educational Unit

In accordance with the principles established by the Board of Trustees in its Governing Regulations (GRs), the University Senate

- (1) must be consulted for its recommendation on proposals concerning the University's academic organization (GR VII),
- (2) approves for transmittal to the Board of Trustees proposals to create or terminate degree programs, and
- (3) makes the final University academic decision on changes to academic programs (GR IV.C).

A recommendation to create, consolidate, transfer, close, or significantly reduce an academic program or educational unit may be made by the program faculty, Department Chair/School Director, Dean, Provost, or President. Before such a recommendation is acted upon, and whether or not it is likely to entail the termination or the transfer of faculty, the proposal must be considered by the University Senate (GR IV.C.1,2; GR VII). This necessitates submission of such proposals to the Senate Council for presentation to the University Senate. The proposal will be submitted to the Senate Council according to one of the following procedures:

A. University Senate Review Submission Procedure

1. Proposals Initiated by Program/Unit Faculty.

Proposals initiated by the faculty of the academic program or educational unit shall follow the procedures established in the University Senate Rules and those established by that unit.

2. Proposals Initiated by the Department Chair/School Director.

Proposals initiated by the Department Chair/School Director will follow the existing procedures established by the respective unit for program or educational unit change, and then be referred via the Dean (in keeping with College level procedures) to the Senate Council. The Department Chair/School Director will use the Senate-approved routing form to include evidence of compliance with existing unit procedures for (a) faculty approval of proposals for significant reduction to an academic program, or for (b) faculty advisement on proposed changes to academic organization.

3. Proposals Initiated by the Dean.

Proposals initiated by, or forwarded to, the Dean will follow the existing procedures established by that college for academic program or educational unit change, and then be referred via the Dean to the Senate Council. The Dean will use the Senate-approved routing form to include evidence of compliance with existing college procedures for (a) faculty approval of proposals for significant reduction of an academic program, or for (b) faculty advisement on proposed changes to academic organization

4. Proposals Initiated by the Provost/President.

Proposals initiated by the Provost/President will be referred to the Senate Council after the Provost has sought affected faculty input, regarding the merits of the proposal, using the Senate-approved routing form. The proposal must be submitted to the Senate within 12 months from when the unit faculty was last consulted.

5. Administrative Consultation with Faculty on Infrastructural Issues.

A submitted proposal must include a full accounting by the respective dean(s) and Provost of the disposition of faculty, staff and resources (financial and physical), including willingness of donating units to release any transferred faculty lines. The department chair and dean ought to address (and the proposal must document) the viewpoints and votes of unit faculty and department/college committees. The proposal shall include letters of support (or opposition) from senior faculty or administrators, and where helpful supporting letters from outside the university.

6. Definition of Significant Reduction of an Academic Program

For the purposes of SR 3.3.2.1, the academic decision to temporarily suspend admissions to a Senate-approved academic program for not longer than a single year is not a 'significant reduction,' and may be made by the final decision of the college faculty, pursuant to the established college faculty rules document. A college faculty may opt to have an issue concerning temporary suspension of admissions to an academic program forwarded to the Senate Council for consideration. An academic decision by a college faculty to suspend admissions to a Senate-approved academic program for longer than one year is considered as a 'significant reduction' that must be forwarded to the Senate for approval. Proposals to create a new academic program or make changes to academic programs that are not "significant reduction" are processed pursuant to SR 3.2.0..

7. Definition of an Educational Unit

Senate Rule 3.3.2.1 complies with the definition of the Board of Trustees that the educational units of the University are colleges, schools, departments, graduate centers, interdisciplinary instructional programs, and multidisciplinary research centers (GR VII.A.1). For the purposes of initiating the procedures here under SR 3.3.2.1, the initiator of the proposal has the responsibility for demonstrating that the proposed infrastructural change of an educational unit is a "significant reduction."

B. University Senate Review Procedures

1. The Senate Council will refer the proposal to an appropriate University Senate body (e.g., the Undergraduate Council, the Graduate Council, the Health Care Colleges Council, the Academic Organization and Structure Committee, the Academic Programs Committee, or an ad hoc committee convened by the University Senate Council). A proposal that requires decisions on both the academic program and the educational unit housing that academic program, shall be reviewed by the above Senate bodies that are responsible for recommendations on each respective aspect. The committee/council(s) will review the proposal and its effect on faculty, students, and staff. The review shall involve, as appropriate, primarily academic considerations such as but not limited to the following, (not in any order of priority or preference):

Academic Infrastructural Considerations for Proposals to Create, Consolidate, Transfer, Close or Significantly Reduce an Educational Unit, or to Transfer an Academic Program to a Different Educational Unit

- (a) The current and proposed structural organization of the unit.
- (b) How the structural change involves other units and fits with department, college, and/or university objectives and priorities.
- (c) How this structural change affects the position of the unit relative to state and benchmark institutions, and to SACS/CPE/professional accrediting bodies (GR IV.C.1).
- (d) How the new structure will be evaluated as meeting (or not) the objectives for forming the new structure, including the timing of key events.
- (e) How the new structure will impact plans for student recruitment, enrollment, education, and competitiveness.
- (f) The qualifications of the key unit personnel, and where appropriate the processes for searching for an interim leader or unit chair/director.
- (g) The faculty/staff to be associated with the unit, allocation of DOE for unit activities, tenured/tenure eligibility, joint faculty, voting rights in policy-making, etc.

Academic Program Considerations for Proposals to Consolidate, Transfer, Close, or Significantly Reduce an Academic Program

- (a) The centrality of each academic program or course of study to the mission of this institution or to the mission of the college, school, or department within which it is located;
- (b) The academic strength, productivity and quality of the academic program and of its faculty;
- (c) The importance of the academic program to the state or region in terms of its cultural, historic, political, economic, or other social resources;
- (d) The importance of the academic program to the state or region in terms of its geologic, geographic, environmental, or other natural resources;
- (e) The relationship of the academic program and the work done therein to some essential program or function performed at this institution;
- (f) The current student demand and projected enrollment in the subject matter taught in the academic program;
- (g) The current and predicted comparative cost analysis/effectiveness of the academic program;

- (h) The duplication of work performed in the academic program by work done in other programs or departments at other public institutions of higher education elsewhere within the Commonwealth of Kentucky;
 - (i) The academic policies of the program faculty that are made necessary by, or in response, to requirements of governmental or accrediting bodies (GR IV.C.1)
 - (j) Such other factors as the committee/council(s) deems pertinent.
2. Before the respective committee completes its report and recommendations, it shall examine any program or educational unit review report prepared within the previous 3 years; if no such report exists, the Senate Council will request that the Provost conduct a review of the academic program or educational unit as expeditiously as appropriate (not to exceed 6 months, excluding summer). The committee/council will also conduct at least one open forum at which employee or student affected or concerned about the proposed action may make written submissions or oral presentations. The open session(s) are for the purpose of obtaining information. They are not intended as an adversarial or adjudicatory process.
3. The committee/council shall share with the academic program or educational unit and the affected faculty therein any information and documents it may obtain during its review of the proposal. It will endeavor to do so at least ten (10) working days before any meeting (see item 2 above) with the academic program/educational unit and affected faculty. Within the above framework, the committee/council may establish such additional procedures, including time limitations and rules for relevance, as it determines necessary to proceed with its charge in an ordered and efficient manner.
4. Upon completing its review, the committee/council may recommend modifications to the proposal, acceptance of the proposal as submitted, or rejection of the proposal.
5. The respective committee/council shall forward its recommendations to the University Senate through the Senate Council. The University Senate shall make, as appropriate, either a final academic decision on the proposal, or a recommendation to the Provost.

C. Procedures Following University Senate Review

1. Proposals Concerning Changes to Academic Programs

When the University Senate acts pursuant to SR 3.3.2.1 to either

- a. make the decision to academically approve the closure of a degree program or
- b. make the final academic decision for the University on any other proposal concerning academic program,

it shall notify the Provost of its decision. In the case of a University Senate decision to close a degree program, the Provost shall forward the University Senate's recommendation to the President for transmittal to the Board of Trustees.

2. Proposals Concerning Creation, Consolidation, Transfer, Closure or Significant Reduction of an Educational Unit

The University Senate shall transmit its recommendation on the proposal concerning the University's academic organization to the Provost .

a. Proposals Concerning Transfer of an Academic Program to a Different Educational Unit

The University Senate's recommendation on a proposal to transfer a degree program to a different educational unit is processed as described in 2.b, below. For a proposal to transfer programs leading to a certificate to a different educational unit, if the transfer will move the academic program to a different unit within the same college, the Provost shall either make the final administrative decision or may delegate to the Dean of that college the authority to make the final administrative decision. If the transfer will move the academic program outside of its current college, the Provost will make the final University administrative decision.

b. Proposals Concerning the Creation, Consolidation, Transfer, Discontinuation or Significant Reduction of an Educational Unit

The Provost may submit the recommendation on the proposal forwarded from the University Senate to the President for approval, terminate further consideration of the proposal, or make modifications to the proposal. In the latter case, the Provost, as a University Senate member, must include the University Senate's recommendation when submitting the modified proposal to the President, the Chair of the University Senate, for consideration. The Senate Council may ask the Provost to explain the rationale for modifications to the proposal that the Provost had made. The President may approve the proposal and recommend it to the Board of Trustees, or refer the proposal to the Provost and/or University Senate for additional considerations, or disapprove and stop the proposal, unless the University Senate expressly requests that the proposal be presented to the Board.

3. Final notification to the President of the decisions or recommendations of the University Senate shall be made within a maximum period of 120 days (excluding May 16 through August 15) from the time the initial recommendation was made to the Senate Council. All proposals for creation, consolidation, transfer, closure, or significant reduction of an academic program or educational unit will be reviewed by the President within 60 days (excluding May 16 through August 15) of the submission of this notification to the President.

D. Rules Governing Academic Program or Educational Unit Change

When an academic program or educational unit is to be consolidated, transferred, closure, or significantly reduced, every effort should be made to phase it out over a period of time, with due notice to the students and with due regard for the contractual rights of faculty whose appointments will be affected.

1. Students whose access to required course offerings are adversely affected by academic reorganization should be afforded reasonable opportunities to complete their

required course work either at this institution or through cooperative arrangements and transfer of credit from other colleges and universities both within and outside Kentucky.

2. Tenured and tenure track faculty, including full time Instructors, on lines in programs that are discontinued or transferred shall be reassigned to teaching, research, extension, clinical, librarian or service activities in related academic programs or educational units or to administrative duties (if they are qualified for the position and where the need exists for such duties), in accordance with Governing Regulation X.B.1.e, and X.B.1.f, and while maintaining or increasing their current salary. Similar consideration shall be accorded lecturers who have accumulated more than seven years continuous full-time service.

3. In no instance shall an eliminated academic program or educational unit be re-established at the University of Kentucky within two years without offering reappointment to all former faculty members whose academic appointments with the University had been affected thereby for reasons of financial exigency.

3.3.2.2 Procedures Governing Consolidation, Transfer, Discontinuation, or Significant Reduction of Other Educational Units (e.g. multidisciplinary research centers or institutes; interdisciplinary instructional programs)

"Other educational units" include those that are engaged in multidisciplinary research or interdisciplinary instruction, whether or not such programs lead to a degree or are ones in which work done by students is awarded academic credit. Examples of the latter would be multidisciplinary programs that include work conducted at institutes and/or laboratories. Proposals to terminate or consolidate these programs will follow the procedures outlined above as appropriate.