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BOARD OF REGENTS

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Policy 4H: Program Discontinuance ^[1]

Introduction

In order to promote and maintain high quality academic programs, the university may over time develop new academic degree programs or discontinue existing programs. The Board of Regents may decide to discontinue an academic program for educational, strategic, realignment, resource allocation, budget constraints, or combinations of educational, strategic, and/or financial reasons. In the case of program discontinuance, tenured or tenure track faculty appointments may need to be terminated. A decision to terminate an academic program should be made after consultation with the appropriate faculty groups and in accordance with the policies outlined below.

1. Definitions of Program Discontinuance

Program discontinuance is the formal termination of a degree program, department or division of instruction, school or college, or other program unit by the Board of Regents for educational reasons, strategic realignment, resource allocation, budget constraints, or combinations of educational strategies and financial reasons. Separate policies apply in cases of program transfer.

2. Process for Recommending Program Discontinuance

A decision to discontinue an academic program or department of instruction will be based on educational, strategic realignment, resource allocation, budget constraints, or combinations of educational strategies and financial considerations. A recommendation to discontinue a program, or department, or other academic unit may be made by a department, its chair, the dean, the campus program review committee, the vice chancellor for academic affairs, the chancellor, the president, or the Board of Regents. A recommendation for program discontinuance will be reviewed by the chancellor in collaboration with an appropriate faculty committee. The proposal shall be discussed with the members in the department or program, the department chair, the dean of the school or college, the vice chancellor for academic affairs, and the chancellor.

Final recommendations to discontinue a program will be made by the chancellor within a maximum period of 120 days from the time the initial recommendation for program discontinuance was made. All recommendations for termination of programs, including a plan for program closure and identification of tenured and tenure track appointments

recommended for termination, will be submitted by the president within 60 days to the Board of Regents for action. An administrative policy statement shall provide guidance for this process.

3. Termination of Faculty

Termination of appointments of tenured faculty or those with unexpired term appointments may occur as the result of formal discontinuance of an academic program or department of instruction in accordance with the procedures in (2) above. Once a decision to terminate a program has been made, recommendations on termination of appointments of individual faculty members rostered in the organizational unit under review will be made by the chancellor in consultation with appropriate faculty members and administrators. All plans for termination of individual appointments will be reviewed and approved by the president and the Board of Regents prior to implementation. Unless there is a compelling academic reason to do otherwise, no appointment of a faculty member with tenure will be considered for termination until the appointments of faculty members in the unit without tenure have been considered for termination.

4. Notification to Faculty Members and Students

Following formal approval of termination plans by the Board of Regents, one year's formal notice (the Notice Year) will be provided to tenured and tenure-track faculty members whose appointments are to be terminated. For faculty members with nine-month contracts, the year's notice will commence at the beginning of the academic year following formal approval by the Board. For faculty members with twelve-month contracts, the year's notice will commence at the beginning of the fiscal year following formal approval by the Board. Timing for phasing out programs and displacing faculty members will be based on institutional needs, including analysis of reasonable time for enrolled students to complete their degree programs.

Before terminating a degree program, every reasonable effort will be made to allow students to complete their degrees. Program or campus transfers will be made if mutually acceptable to the student and the receiving department. Students will be provided advising assistance with respect to their academic program options. Students will be notified of program closure and timing for phasing out programs.

5. Obligations to Tenured Faculty

Before terminating the appointment of a faculty member with tenure because of program discontinuance, reasonable efforts will be made to find another suitable position for the faculty member within the university. Inter-departmental or inter-campus transfers may be made only if mutually acceptable. Retraining for faculty members during the Notice Year should be provided under the sponsorship of the campus where the program is discontinued if, in the judgment of the university and the faculty member, such retraining will prepare the faculty member for another suitable University of Colorado position. Any retraining opportunities shall not interfere with the faculty member's assigned teaching and other professional obligations during the Notice Year. Faculty members meeting age and service requirements as specified in university policy have the option to retire.

6. Severance Pay

After exhaustion of the options in (5) above, the tenured faculty member may be terminated

involuntarily and with applicable severance pay. Faculty members who elect to resign or retire from the university may not receive severance pay. In order to be eligible for severance pay, faculty members must fulfill their assigned teaching and other professional obligations throughout the Notice Year.

Upon termination, severance pay in the amount of base salary for one academic year will be provided to faculty members with 9-month contracts and for one fiscal year to faculty members with 12-month contracts by the campus where the program is discontinued.

7. Reinstatement Rights of Tenured Faculty

If a program is reinstated within three years at the campus where it was discontinued, tenured faculty members who were terminated will have a right to reinstatement, provided positions are available and the position is substantially similar in responsibilities to the one previously held by the faculty member.

8. Notification, Rights and Options of Tenure Track Faculty

After the Board of Regents formally approves the termination of a program and the program discontinuance plan, the campus shall provide those tenure track faculty identified in the plan for termination with at least one year of notice before termination.

9. Other Rights of All Faculty

A faculty member who is terminated for reasons of program discontinuance will be eligible to participate in the university group insurance program for 18 months following the date of termination under the conditions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) if the faculty member is enrolled in the university's group insurance program at the time of termination.

Faculty members will be provided counseling regarding employment opportunities outside of the university if they request it.

A faculty member whose appointment is terminated for reasons of program discontinuance has the right to appeal denial of specified rights to the committee on privilege and tenure under established policies and procedures.

10. Role of Faculty Council Personnel Committee

The Faculty Council Personnel Committee will monitor the efforts made by the university to find suitable positions for displaced faculty members within the university and make recommendations as appropriate to the Faculty Council.

Last Amended: June 22, 2009

History:

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Regent Policies

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