



Reviewed and endorsed by Regulation Committee 10-4-17  
Campus feedback reviewed and modifications incorporated 4-18-18  
Work session with Trustee McKinley and Faculty Senate Representative Barker 5-15-18  
Further modifications (outlined below) endorsed by Faculty Senate Representative,  
UW Administration, and Regulation Committee 5-23-18

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## UNIVERSITY OF WYOMING REGULATIONS

**Subject:** Academic Program Reorganization, Consolidation, Reduction and Discontinuance

**Number:** UW Regulation 6-43

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### I. PURPOSE

To promote and maintain high quality academic programs, the University may over time develop new academic degree programs or reorganize, consolidate, reduce and/or discontinue existing academic programs. The ~~Board of Trustees~~University may ~~decide to~~ reorganize, consolidate, reduce and/or discontinue ~~an~~ Academic Programs for educational, strategic, realignment, resource allocation, budget constraints, or combinations of educational, strategic, and/or financial reasons. ~~The Board of Trustees may take any of these actions individually or in combination with any of the other actions.~~

### II. DEFINITIONS

**Academic Personnel:** For purposes of this Regulation, Academic Personnel includes non-tenure track academic personnel, academic personnel on a fixed term contract (including extended term academic professionals), tenure track faculty, and tenured faculty as defined in UW Regulation 5-1.

**Academic Program:** Degree program, department or division of instruction, school or college, interdisciplinary program or unit, or other academic program unit. For the purposes of this Regulation, Academic Program does not include academic courses.

**Fixed Term Academic Personnel:** For purposes of this Regulation, Fixed Term Academic Personnel shall mean academic personnel on a contract with a term greater than one year, including extended term academic professionals.

**Unit:** For purposes of this Regulation, Unit refers to an academic department. If there is no academic department, then Unit refers to the next smallest academic grouping, such as School or College.

### III. PROCESS FOR RECOMMENDING PROGRAM REORGANIZATION, CONSOLIDATION, REDUCTION OR DISCONTINUANCE

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A department, its chair, the dean or director, the Faculty Senate, the Provost and Vice President for Academic Affairs, the President of the University, or the Board of Trustees may request a review and analysis regarding ~~recommen~~ reorganizing, consolidating, reducing or discontinuing ~~an~~ Academic Programs. The Provost shall make a recommendation to the President. The President ~~of the University or the Provost~~ in collaboration with the ~~appropriate~~ Faculty Senate ~~committee~~ will review the recommendation. The President or the Provost shall also discuss the recommendation with and solicit feedback from the Academic Personnel and staff in the department or program, the department chair, and the dean of the school or college.

The President shall make a final recommendation to the Board of Trustees to reorganize, consolidate, reduce or discontinue a program within a maximum period of 120 days from the time the initial ~~recommendation request~~ was made. ~~The President shall submit all recommendations for continuance, reorganization, consolidation, reduction or termination of programs to the Board of Trustees for action within sixty (60) days of the President's final recommendation.~~ The recommendation shall include a plan for program closure, if applicable, identification of tenured faculty and ~~extended term academic professional~~ Fixed Term Academic Personnel appointments recommended for termination, and a plan for accommodating students currently enrolled in the program.

A University Standard Administrative Policy and Procedure shall provide guidance for this process.

#### IV. **TERMINATION OF ~~TENURED FACULTY OR EXTENDED~~ FIXED TERM ACADEMIC PERSONNEL PROFESSIONALS**

Termination of ~~tenured faculty, extended term academic professional~~ Fixed Term Academic Personnels, or those Academic Personnel with unexpired term appointments may occur as the result of reorganization, consolidation, reduction or discontinuance of an Academic Program. Once the President has decided to recommend reorganization, consolidation, reduction or termination of an Academic Program, the President shall consult with the Provost and appropriate administrators on termination of appointments of ~~tenured faculty members and extended term academic professionals~~ Fixed Term Academic Personnel rostered in the organizational unit under review.

If a ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel is eliminated due to the reorganization, consolidation, reduction or discontinuance of an Academic Program, the University shall make reasonable efforts to transfer the ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel to

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another open and funded position for which the ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel is qualified.

In the event that it is determined that the employment of a ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel must be terminated due to the reorganization, consolidation, reduction or discontinuance of an Academic Program:

- A. Written notice of termination, stating the cause, shall be given as soon as practicable;
- B. When notice of termination of employment is received, the ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel may appeal the termination pursuant to UW Regulation 6-44, but not the decision to reorganize, consolidate, reduce or discontinue an Academic Program;
- C. When a position held by a ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel is terminated, if that position is restored or a new position with similar duties is created within a period of one (1) year following its termination, the position shall first be offered to the ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel who formerly held the position, and who was terminated because of the reorganization, consolidation, reduction or discontinuance, at the same salary, rank, and seniority as the ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel previously held;
- D. Whenever possible, reductions will be accomplished through attrition;
- ~~E. In the event that the necessary budget reductions can be achieved only by terminating tenured faculty, extended term academic professionals, or some combination of tenured faculty and extended term academic professionals, the President shall select positions for termination based upon the curricular requirements of a degree program in the Unit, accreditation requirements, or other bona fide program need, after consultation with the Dean and department head or other supervisor of the affected Unit;~~
- ~~F.E. No faculty member with tenure will be terminated until the faculty members in the Unit without tenure, and no extended term academic professional~~ Fixed Term Academic Personnel will be terminated until the non-~~extended term academic professional~~ Fixed Term Academic Personnels in the Unit have been

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terminated. Academic Personnel, excluding tenured faculty, shall be terminated in the following order: (1) non-tenure track academic personnel; (2) tenure track faculty; and (3) academic personnel on a fixed term contract; ~~and (4) tenured faculty;~~

**G.F.** Those employed full-time have retention priority over those employed on a part-time basis;

~~H. Among tenured faculty members in a Unit having equal professorial rank and retention priority, the tenured faculty member with the greatest seniority in the Unit will have retention priority. Seniority will be based first on an employee's professorial rank and second on total years of full-time equivalent employment in the Unit exclusive of periods of unpaid leave, provided the employee with a break in service of more than four (4) years will not be given credit for service prior to such break;~~

**I.G.** Among ~~extended term academic professionals and~~ Fixed Term Academic Personnel in a Unit having equal ~~academic professional~~ rank and retention priority, the ~~extended term academic professional~~ Fixed Term Academic Personnel with the greatest seniority in the Unit will have retention priority. Seniority will be based first on an employee's academic professional rank and second on total years of full-time equivalent employment in the Unit exclusive of periods of unpaid leave, provided the employee with a break in service of more than four (4) years will not be given credit for service prior to such break; and

**J.H.** A ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel who is under a performance improvement plan shall be terminated prior to any other ~~tenured faculty member or extended term academic professional~~ Fixed Term Academic Personnel.

## **V. TERMINATION OF TENURED FACULTY**

For the purposes of this Regulation, termination of tenured faculty may occur as the result of discontinuance of an Academic Program. Once the President has decided to recommend discontinuance of an Academic Program, the President shall consult with the Provost and appropriate administrators on termination of appointments of tenured faculty rostered in the organizational unit under review.

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If a tenured faculty member is eliminated due to the discontinuance of an Academic Program, the University shall make reasonable efforts to transfer the tenured faculty member to another open and funded position for which the tenured faculty member is qualified.

In the event that it is determined that the employment of a tenured faculty member must be terminated due to the discontinuance of an Academic Program:

- A. Written notice of termination, stating the cause, shall be given as soon as practicable;
- B. When notice of termination of employment is received, the tenured faculty member may appeal the termination pursuant to UW Regulation 6-44, but not the decision to discontinue an Academic Program;
- C. When a position held by a tenured faculty member is terminated, if that position is restored or a new position with similar duties is created within a period of one (1) year following its termination, the position shall first be offered to the tenured faculty member who formerly held the position, and who was terminated because of the discontinuance, at the same salary, rank, and seniority as the tenured faculty member previously held;
- D. Whenever possible, reductions will be accomplished through attrition;
- E. No faculty member with tenure will be terminated until faculty members in the Unit without tenure have been terminated. Academic Personnel shall be terminated in the following order: (1) non-tenure track academic personnel; (2) tenure track faculty; (3) academic personnel on a fixed term contract; and (4) tenured faculty;
- F. Those employed full-time have retention priority over those employed on a part-time basis;
- G. Among tenured faculty members in a Unit having equal rank and retention priority, the tenured faculty member with the greatest seniority in the Unit will have retention priority. Seniority will be based first on an employee's professional rank and second on total years of full-time equivalent employment in the Unit exclusive of periods of unpaid leave, provided the employee with a break in service of more than four (4) years will not be given credit for service prior to such break; and

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H. A tenured faculty member who is under a performance improvement plan shall be terminated prior to any other tenured faculty members.

## **VI. NOTIFICATION TO EMPLOYEES AND STUDENTS**

Following formal approval of termination plans by the Board of Trustees, the University shall provide notice to all employees whose appointments are to be terminated. For Academic Personnel with nine-month contracts, termination will be effective at the end of the current academic year. For Academic Personnel with twelve-month contracts, termination will be effective at the end of the current fiscal year. For purposes of this Regulation, these notice provisions govern, and any other notice provisions provided by UW Regulations, policies, or procedures do not apply. When notice of termination of employment is received, the tenured faculty member or ~~extended term academic professional~~ Fixed Term Academic Personnel may appeal the termination pursuant to UW Regulation 6-44, but not the decision to reorganize, consolidate, reduce or discontinue the academic program.

If classified staff or contractual employees will be eliminated, UW Regulation 4-174 and the Employee Handbook shall govern terminations of classified staff, and the terms of the contract shall govern the termination of any contractual employees, including Athletic employees.

Notwithstanding the above notice provisions, timing for phasing out programs and displacing tenured faculty members or ~~extended term academic professional~~ Fixed Term Academic Personnels will be based on institutional needs.

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.

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**Responsible Division/Unit:** Office of Academic Affairs

**Source:** None.

**Link:** <http://www.uwyo.edu/generalcounsel/current-uw-regulations-and-presidential-directives/index.html>.

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**Associated Regulations, Policies, and Forms:** UW Regulation 6-44 (Appeal Procedures); Standard Administrative Policy and Procedure (Academic Program Reorganization, Consolidation, Reduction, and Discontinuance Process)

**History:**

University Regulation 43, Revision 1; adopted 7/17/2008 Board of Trustees meeting  
Revisions adopted 9/9/2011 Board of Trustees meeting  
Revisions adopted 3/24/2016 Board of Trustees meeting