

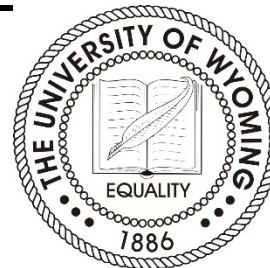
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# UNIVERSITY OF WYOMING REGULATIONS

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

**Number:** UW Regulation 2-13

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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 University may reorganize, consolidate, reduce and/or discontinue Academic Programs for educational, strategic, realignment, resource allocation, budget constraints, or combinations of educational, strategic, and/or financial reasons.

## 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 2-1.

**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.

**Discontinue or Discontinuance:** A decision that an Academic Program will no longer be offered by the University, requiring that the University will no longer offer any degree encompassing similar academic requirements, regardless of name for the foreseeable future. The reorganization, consolidation, and/or reduction of an Academic Program does not constitute a discontinuance.

**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.

**Reorganization:** A decision that involves a change in the existing entity in which an Academic Program should be delivered in whole or substantial part by a different department, division of instruction, school, college, interdisciplinary program or unit, or other academic program unit. If any academic unit at the University offers a degree

encompassing similar academic requirements, the decision shall be considered a reorganization and not a discontinuance.

**Consolidation:** A decision that involves two or more Academic Programs joining to form a new Academic Program.

**Reduction:** A decision that involves downsizing a current Academic Program.

**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**

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 reorganizing, consolidating, reducing or discontinuing Academic Programs. The Provost shall make a recommendation to the President. The President in collaboration with the Faculty Senate 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 request was made. The recommendation shall include a plan for program closure, if applicable, identification of tenured faculty and 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 FIXED TERM ACADEMIC PERSONNEL**

Termination of Fixed Term Academic Personnel 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 Fixed Term Academic Personnel rostered in the organizational unit under review.

If a 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 Fixed Term Academic Personnel to another open and funded position for which the Fixed Term Academic Personnel is qualified and has discipline specific expertise.

In the event that it is determined that the employment of a 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 Fixed Term Academic Personnel may appeal the termination pursuant to UW Regulation 2-14, but not the decision to reorganize, consolidate, reduce or discontinue an Academic Program;
- C.** When a position held by a 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 and the Fixed Term Academic Personnel meets the discipline specific expertise required for the restored or new position, the position shall first be offered to the 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 Fixed Term Academic Personnel previously held;
- D.** Whenever possible, reductions will be accomplished through attrition;
- E.** No Fixed Term Academic Personnel will be terminated until the non-Fixed Term Academic Personnel in the Unit have been 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;
- F.** Those employed full-time have retention priority over those employed on a part-time basis;
- G.** Among Fixed Term Academic Personnel in a Unit having equal rank and retention priority, the 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

- H.** A Fixed Term Academic Personnel who is under a performance improvement plan shall be terminated prior to any other Fixed Term Academic Personnel.

**V. TERMINATION OF TENURED FACULTY**

For the purposes of this Regulation, termination of tenured faculty may occur only as the result of discontinuance of a Degree Program. Discontinuing a Degree Program means the university will no longer offer that degree, nor a closely related renamed or new degree encompassing similar academic requirements, in the foreseeable future. Once the President has decided to recommend discontinuance of the Degree Program, the President shall consult with the Provost and appropriate administrators on termination of appointments of tenured faculty rostered in the Degree Program under review.

If a tenured faculty member is eliminated due to the discontinuance of a Degree 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 and has discipline specific expertise.

In the event that it is determined that the employment of a tenured faculty member must be terminated due to the discontinuance of a Degree 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 2-14, but not the decision to discontinue a Degree 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 two (2) year following its termination and the tenured faculty member meets the discipline specific expertise required for the new position, 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
- 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 Fixed Term Academic Personnel may appeal the termination pursuant to UW Regulation 2-14, but not the decision to reorganize, consolidate, reduce or discontinue the academic program.

If classified staff or contractual employees will be eliminated, UW Regulation 5-3 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 Fixed Term Academic Personnel 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 the Provost and Vice President for Academic Affairs

**Source:** None

**Link:** <http://www.uwyo.edu/regs-policies>

**Associated Regulations, Policies, and Forms:** UW Regulation 2-14 (Appeal Procedures)

**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

Reformatted 7/1/2018: previously UW Regulation 6-43, now UW Regulation 2-13

Revisions adopted 7/12/2018 Board of Trustees meeting

Revisions adopted 6/16/2021 Board of Trustees meeting

Revisions adopted 1/26/2023 Board of Trustees meeting