Policy Recommendation
Amendment B to University Policy S13-9
Merging, Dividing, Transferring, Eliminating Academic Units

Legislative History: Amendment A to S13-9 rescinded S06-7 (Merging, Dividing, Transferring, Eliminating Academic Units). This proposal would further amend S13-9.

Whereas: S13-9 does not specify explicitly that a proposal to merge, divide, transfer, or eliminate a unit must be in writing, and

Whereas: S13-9 does not specify that all the bulleted elements in section 3 of S13-9 must be articulated before a vote, and

Whereas: Clarification of these points would facilitate the effective implementation of S13-9, therefore be it

Resolved: That S13-9 be amended as noted in this proposal.

Rationale: The referral to the Organization and Government committee highlighted the difficulties encountered in recent attempts to implement S13-9. For example, the policy does not specify that a proposal to merge, divide, transfer, or eliminate a unit must be in writing (though in section 8 it does mention a “copy” of the proposal). The serious nature of proposals to merge, divide, transfer, or eliminate units makes clarity in policy of particular importance. A clear understanding of implications for students, faculty, and staff is important and facilitates informed discussion and subsequent decisions.

Approved: 9/30/19
Vote: 9-0-0
Present: Altura, French, Grosvenor, Higgins, Jackson, Millora, Okamoto, Shifflett, Lemon
Absent: Gallo, McClory, Korani
Financial Impact: None
Workload Impact: Some additional work for Deans to prepare reports
Merging, Dividing, Transferring, Eliminating Academic Units

1. When a proposal is made by an academic unit, college dean or the Provost (or other university authority) to divide or eliminate an academic unit, to merge it with another academic unit or to transfer it to another college, the basic principle established by this policy is that there should be opportunity for meaningful consultation with all affected academic departments, including faculty, staff, and students, before any such proposal is approved or implemented. Any associated termination of degree programs shall comply with UP_S99-4, Degree Termination.

2. Implementation of this principle requires that all affected academic units be informed of the proposed change in writing and allowed a reasonable time (best determined in consultation with the affected departments) to evaluate the proposal. In the spirit of meaningful consultation such written proposals should be provided announced at a point in the fall or spring an academic semester that provides sufficient time for affected faculty, staff, and students to consider the proposal and, in the case of faculty, to express their opinions by vote according to the policy on department voting rights (S17-6). Voting should not commence until after consultation and after the proposal has been made available for review for at least 15 duty days.

3. A proposal to divide, eliminate, or merge an academic unit has multiple and significant implications for the campus community. The process should be governed by consultation among all affected academic units. The consultation and subsequent proposal should, at a minimum, specify consider some or all of the following. depending on the proposal.

A. A rationale for the proposed organizational change
B. Resource implications (e.g., space, facility usage)
C. RTP implications
D. Curriculum and accreditation implications
E. Implications for students (e.g., degree completion, assistantships); lecturers, tenure track and tenured faculty (e.g., seniority, entitlements, academic assignments); and staff (e.g., positions/responsibilities)
F. Implications for relationships with external stakeholders

4. In addition to consultation with the affected academic unit(s), or, development of a written proposal also requires consultation with the dean of any college(s) affected and the Provost.

5. The Provost will announce the timeline for voting on the written proposal. Faculty shall have no less than 5 and no more than 15 faculty duty days to vote.

6. The vote of the regular (tenured and tenure-track) faculty and the vote of the temporary faculty in the affected academic unit(s) shall be tallied and recorded.
separately, and the vote of the faculty shall be advisory only. The results of the voting should be made public within 7 calendar days. Voting shall be conducted consistent with the voting rights afforded by the CBA and consistent with SS-S11-3.

7. If any parties involved in the process believe that policy was not followed, they may request a hearing before the Organization and Government Committee (O&G) of the Academic Senate within 20 faculty duty days after the results of the vote are announced. For O&G to proceed with a hearing, the request must make a clear case that meaningful consultation among affected faculty did not occur in order for O&G to proceed with a hearing. O&G will not evaluate the merits of the proposed reorganization, only whether the principle of meaningful consultation was followed. At the hearing, all such academic units and authorities may be heard, as well as all faculty of affected academic units. After the hearing, the Organization and Government Committee shall make a written report to the Provost, the President, and the Academic Senate with its determination of whether meaningful consultation among all affected parties was achieved.

8. A copy of all approved successful proposals, as well as an account of the consultation process, will be archived by the Academic Senate to serve as a resource to the University community. The dean's office of the affected college(s) will provide such an account and the written approved proposal.

9. Processes to merge, divide, or eliminate Academic Departments in progress as of May 6, 2013 are covered under the existing policy.

40. Resolved that S06-7 be rescinded.