

# Principles and Procedures for Merger or Discontinuance of Academic Units

## I. Principles

The University's mission in teaching, research, and service includes providing a liberal education as well as advancing and disseminating highly specialized knowledge. However, to allocate its resources more effectively, the University must from time to time merge or discontinue academic units (e.g., colleges, institutes, departments). The University of Alabama Board of Trustees has responsibility for approval of the University's mission, role, and scope, and for the degree programs offered by the University. The Board delegates to the President responsibility for administration of the University and its programs of instruction, research, and service. Decisions to merge or discontinue academic units are the responsibility of the President. The President will seek the advice of administrators and faculty within the University in considering such decisions and will ensure that all faculty and staff who might be affected by merger or discontinuance of programs are consulted before a final decision is made and that the decision will consider the needs of current students.

The President will base decisions to merge or discontinue an academic unit essentially on educational considerations that reflect long range judgments that the overall educational mission of the University will be enhanced by the merger or discontinuance. Examples of motivating factors include program inviability (based on demand for a program and the potential for growth), avoiding duplication, effecting economies in management, strengthening related programs, or streamlining the University's mission. An academic unit's record of excellence and centrality to the University's mission will be considered in decisions regarding merger or discontinuation.

## II. Procedures

When a dean, after consultation with the Provost and other appropriate deans or department chairs, believes it necessary to consider a merger or discontinuance of an academic unit, the dean shall proceed as follows.

### 1. **Dean Informs Affected Faculty & Convenes Task Force**

The dean shall prepare a document outlining the proposed merger or discontinuance, stating all reasons and proposing alternative scenarios (where feasible). The dean shall convene a meeting of each affected faculty (which includes not only the unit(s) proposed to be merged/discontinued, but each possible destination unit) to explain the reasons for considering a merger or discontinuance. At this meeting, the dean shall distribute copies of the initial merger proposal, as well as copies of this "Principles and Procedures..." document, and announce the formation of a Task Force (see Appendix A). The Task Force will explore the ramifications of various merger/discontinuance scenarios, paying particular attention to the terms and conditions of any changes in faculty status resulting from (or possibly resulting from) the proposed merger or discontinuance (such as termination of faculty positions, reassignment of faculty, modifications in research or teaching assignments, changes in reporting channels, or retraining that would be provided to facilitate continued employment of faculty). The dean shall ask each affected faculty to elect two representatives to the Task Force within one week. The faculty (individually or collectively) may supply any information in support of continuation of the academic unit or suggest alternatives to the Task Force. This information may be conveyed to the Task Force orally or in writing, individually or in groups,

and must be received within a reasonable period of time following the formation of the Task Force (normally one month). In addition, any faculty member who believes that a proposed reassignment or modifications in research or teaching assignments is tantamount to termination of his/her appointment with the University shall inform the dean and Task Force in writing, providing reasons for his/her concern, within a reasonable period of time (normally one month). The Task Force will be given a reasonable amount of time (normally three months after its formation) to assemble the information it needs to consider the ramifications of possible merger scenarios, rank order the merger options considered, and deliver a report to the dean and affected faculty.

**2. Dean Summarizes Task Force Findings, Proposes Merger & Solicits Faculty Response**

After the Task Force makes its recommendations, if the dean decides to continue considering the proposed merger or discontinuance, the dean shall convene a meeting of each affected faculty and convey to them a summary of whatever information has been assembled and the alternatives suggested. The dean shall describe which option s/he will pursue. For those faculty members who indicated to the dean in writing that they believe their reassignments or other modifications in faculty assignments are tantamount to termination of their appointment with the University, the dean shall provide a written statement explaining plans for continued employment in a faculty position within the University; those faculty members not satisfied by the dean's written statement of explanation shall indicate their concerns to the dean in writing requesting that the merger or discontinuance be reassessed by the Task Force. The dean shall allow a reasonable period following this meeting for the faculty of each affected unit (individually or collectively) to respond to any information or alternatives discussed in the meeting and to respond to the written statement of explanation (normally one month). The Task Force should also respond to the faculty request(s) within two weeks, giving a supplemental report to the dean and affected faculty.

**3. Dean Solicits Response to Merger Proposal from Council of Deans & Faculty Senate**

If the dean decides to continue considering the proposed merger or discontinuance, s/he shall convey the reasons for considering a merger or discontinuance, along with the Task Force report and a summary of all responses received, to the affected units, the Council of Deans, the Faculty Senate, and in cases that might affect graduate programs, to the Graduate Council. Such notification is to provide these groups an opportunity to identify consequences that may have been overlooked, to elicit suggestions for alternatives, and to advise whether the merger/discontinuance proposal is appropriate. The dean shall allow a reasonable period (normally one month during the fall and spring semesters) for these groups to respond.

**4. Dean Recommends Merger to Provost**

If the dean, after receiving information and recommendations from all interested groups, decides to proceed with the merger or discontinuance, the dean shall submit a recommendation to the Provost. This recommendation will include all information and advice regarding the proposed merger or discontinuance that has been offered by individuals or groups. The dean's recommendation will include proposed provisions to allow students already enrolled to complete their degree requirements.

**5. Provost Makes Merger Recommendation to President**

The Provost is responsible for reviewing the recommendation for merger or discontinuance from the dean, and for ensuring that all steps in these procedures have been followed. The Provost may ask for additional information or clarification concerning items included in the dean's recommendation, and may seek advice from knowledgeable parties on campus or elsewhere. The Provost will make a recommendation to the

President.

#### **6. President Decides whether to Proceed with Merger**

The President, after studying the recommendation from the Provost, and obtaining any additional information, clarification, or advice that s/he thinks necessary, will make the decision whether to merge or to discontinue academic units. If the President decides to merge or discontinue units, provisions shall be made to allow students already enrolled to complete their degree requirements. Every effort will be given to finding continued employment at the University for administrative, technical, or clerical staff members whose jobs might be lost.

Note: In cases of a proposed merger or discontinuance of colleges or schools, the Provost will perform the duties assigned to the dean in this document, and the first recommendation shall be made to the President rather than to the Provost.

### **III. Additional Considerations**

The University shall make every effort to provide other suitable positions for faculty members whose appointments are lost due to a decision to merge or discontinue a unit. Probationary faculty members whose appointments are lost due to a decision to merge or discontinue a unit may have their appointments terminated with appropriate notification. If placement in another position at the University for a tenured faculty member would be facilitated by a reasonable period of training, financial and other essential support for such training will be proffered. If no position is available within the University, with or without reasonable retraining, the tenured faculty member's appointment may be terminated. Notice of termination to faculty members will be provided consistent with policies published in the *Faculty Handbook*.

If the University is unable to provide suitable employment for a tenured faculty member who is displaced by the merger or discontinuance of academic units, the University shall provide at least one year of notice, or at least one academic year of severance pay. In determining the date of severance and the amount of severance pay, the University will consider the faculty member's service to the University, and will be mindful of the interests of faculty members who are approaching eligibility for vesture in the retirement system or eligibility for retirement.

Any tenured faculty member whose appointment is terminated because of merger or discontinuation of a unit, or who believes changes in his/her assignments are tantamount to termination of appointment, and who questions whether the University followed the policy described in this document, is entitled to appeal to the University Mediation and Grievance Committee. This Committee shall function as a hearing committee and report its findings and recommendations to the President and to the faculty member involved. The hearing will be limited to questions as to whether the University has followed the policy described in this document; the decision to merge or discontinue the unit shall not be at issue. The hearing need not conform in all respects to a proceeding conducted before a Hearing Tribunal (as described in the Mediation and Grievance policy), but shall provide the essentials of an on-the-record adjudicative hearing.

When a merger or discontinuance is considered, a dean or the Provost shall convene a Task Force to explore the ramifications of possible merger scenarios. The Task Force shall prepare a report for interested parties (the dean, affected faculty, the Faculty Senate, Council of Deans, Provost, and President) which rank orders the merger scenarios considered, describing the pros and cons of each scenario, and commenting on the advisability of the merger/discontinuance. The Task Force should conduct its review as objectively as possible and solicit input from the affected faculty. The Task Force should have access to departmental reviews, program viability data, etc. to aid its evaluation. The options explored by the Task Force need not be limited to those initially outlined by the dean (and may include preserving the status quo), since attractive alternative options may arise in the course of the review. The functioning of the Task Force is likely to be dynamic, involving negotiations with the faculty and dean(s), and possibly the Provost and President, before its final report is made. The Task Force will normally have up to three months from the date of its formation to deliver its final report.

### **Task Force Membership**

The Task Force shall have a minimum number of six voting members. The Task Force membership should represent all affected constituencies and shall consist of:

1. two faculty members from each affected unit, elected by each affected unit
2. one faculty representative from the Faculty Senate Academic Affairs Committee (to facilitate the later review by the Faculty Senate), selected by the Academic Affairs Committee
3. one or two "external" faculty from the University who are not from any affected unit, selected by the Dean

In order to facilitate the information gathering, the Provost shall appoint a University administrator (of Assistant Dean level or higher) to be the (non-voting) chair of the Task Force; the chair shall not be from the College of any affected unit. If necessary, the Task Force membership shall expand to include at least two faculty representatives from any plausible affected unit which was not anticipated initially.