

Senate Document SD 86-22
Supersedes SD 86-3
(Approved, 4/13/1987)
(Amended. 1/18/1988)

(Superseded by SD 15-26)

TO: The Senate

FROM: The Faculty Affairs Committee

DATE: March 27, 1987

SUBJECT: Contingency Planning Policy and Procedures

DISPOSITION: Upon approval, to the Presiding Officer for implementation

WHEREAS, The appropriate locus of administrative decisions regarding academic units is the academic unit affected; and

WHEREAS, administrative decisions are traditionally arrived at in the context of consultation with affected parties:

RESOLVED, That the guidelines to be followed in making decisions about financial shortages, mergers of academic units, reassignments of faculty to new academic units, or the elimination of academic programs within academic units should be the following:

I. Faculty Authority

A. The Constitution of the Faculty of Indiana University-Purdue University at Fort Wayne (IPFW) endows the Faculty with the following powers:

1. To recommend policies concerning the conduct, welfare, privileges, tenure, appointment, retention, and promotion of the faculty. (VI.A.1.e)
2. To make recommendations concerning changes in academic organization and increases and decreases in staff. (VI.A.2.a and VI.A.2.c)
3. To review and approve the academic degrees and titles conferred by the Fort Wayne Campus, the general requirements for the various curricula leading toward academic degrees or certificates. (VI.A.4.a and VI.A.4.b)
4. To present its views concerning any matter pertaining to the conduct and welfare of Indiana University-Purdue University at Fort Wayne to the Presidents and Boards of Trustees of Indiana University and Purdue University. (VI.A.5)

B. In the exercise of these powers, decisions concerning reorganization, merger, reduction, and elimination of programs shall occur as a result of a review process in which the faculty has assumed a prominent role. C. Reorganization, merger, reduction, or elimination of a program shall proceed according to procedures established by the Fort Wayne Senate (Senate) and the elected policy committee of each school directly affected. D. The procedures described below shall apply whenever a decision on reorganization, merger, reduction, or elimination of programs may result in the termination of a faculty appointment or the reassignment of a tenured faculty member in any academic unit. II. Affirmative Action These procedures shall be applied in a

manner that is consistent with IPFW's commitment to affirmative action. III. Faculty Participation in Campus-Level Budget Decisions on Financial Difficulties

Whenever a serious financial shortage for Indiana University or Purdue University systems or IPFW becomes imminent, the faculty and administrators together shall weigh the situation and means for alleviating it. The campus shall strive to avoid impairment to its academic missions of research, teaching, and service.

A. Definitions

1. The term "Indiana University-Purdue University at Fort Wayne" ("IPFW") shall refer to all academic and nonacademic units and subunits of the institution whose budgets are administered by the Chancellor, the Vice Chancellor for Academic Affairs, and the Vice Chancellor for Financial Affairs.

2. Financial Difficulties:

- a. A financial crisis for IPFW as a whole would be a situation in which an unusual deficit, either incurred or anticipated, could be settled only through actions which might seriously impair IPFW's academic missions of research, teaching, and service. Such a crisis will be said to exist when so declared by the Chancellor of IPFW or the Board(s) of Trustees.

- b. A financial exigency for IPFW would be the worst type of financial crisis--a demonstrably bona fide, imminent financial crisis which threatened the survival of IPFW as a whole and which could not be alleviated by means less drastic than the termination of faculty appointments with tenure or of faculty appointments without tenure before the end of the specified terms.¹ Such an exigency will be said to exist when so declared by the Chancellor of IPFW or the Board(s) of Trustees.

B. Procedure

1. As soon as a financial crisis for IPFW as a whole becomes imminent or an ongoing financial crisis worsens, the Chancellor of IPFW shall request the recommendations of the Senate and its Budgetary Affairs Subcommittee (BAS). If the Chancellor believes that the circumstances may be severe enough to lead to a declaration of financial exigency, then the Chancellor shall request the Senate and the BAS to consider this possibility.
2. The BAS shall secure and review relevant information, both budgetary and otherwise, about the campus and the system. The Chancellor shall provide the BAS with his or her assessment of the financial situation and suggest some alternative approaches to deal with the problems. The BAS shall consult with the Chancellor, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Financial Affairs, the deans and directors and other campus administrators. The BAS shall consult with the Educational Policy Committee and the Faculty Affairs Committee of the Senate; and the BAS shall consult with representatives of other affected campus groups. The BAS shall consider alternatives for alleviating the situation. Within 30 days of the request from the Chancellor, the BAS shall submit to the Chancellor and the Senate a report on its deliberations, its judgment of the severity of the situation, and its recommendations for alleviating the effects. If in the BAS's view the severity of the crisis warrants a declaration of financial exigency, it shall recommend that the Chancellor so declare.
3. The Senate, acting on the basis of the report from the BAS, shall weigh the situation and submit its recommendations to the Chancellor.
4. Upon receipt of the recommendations of the BAS and the Senate, the Chancellor, shall meet with the Speakers of both the Indiana and the Purdue Faculties and the Chair of the BAS to discuss the recommendations. Subsequently, the Chancellor shall notify the BAS and the Senate of the administration's assessment of the crisis and the proposed means for alleviating it and shall allow an opportunity for questions and discussion.

5. If a financial exigency is declared, the declaration shall expire within one year from the date of its announcement, unless this full review procedure is invoked again.

IV. Procedures for Program Merger/Reorganization/Elimination

The following procedures deal with the possibility of merger, reorganization, or elimination of academic programs and become effective after appropriate school or division procedures have been completed.

A. If program reorganization can be achieved within a unit and without the dissolution of degree-granting or certificate-granting programs, such reorganization will be reported to the Chancellor by the dean(s) or director(s) of the appropriate school(s) or division(s). The Chancellor will refer the matter to the Senate Committee on Program Merger/Reorganization/Elimination (CMRE). If merger can be effected between two or more units to the satisfaction of those units and without the dissolution of degree-granting programs, such a merger will be reported to the Chancellor by the dean(s) or director(s) of the appropriate school(s) or divisions(s). The Chancellor will refer the matter to the CMRE. If, after a reasonable period for faculty remonstrance, the CMRE believes that a reported merger or reorganization requires further review, the CMRE by a majority vote may initiate the procedures described in Section IV.B below.

B. All other instances of program merger/reorganization/elimination will be submitted to a three-committee review system consisting of (1) faculty of the unit(s) in question, (2) a general faculty committee, and (3) administrative officers.

1. Unit Committee

A representative group of faculty from the affected unit will be selected by the chair and/or the policy-making body of the unit. In decisions of merger and reorganization involving more than one unit, this committee will include equal representation of those units and a non-voting chair from outside the units who will be selected by the CMRE.

2. Senate Committee on Program Merger/Reorganization/Elimination (CMRE)

This committee will consist of eight members. Four of these members shall be Indiana University Senators and four shall be Purdue University Senators. No more than two members may be from any one major academic/administrative unit. Members will be elected by the Senate to two-year terms with one-half of the members elected each year. If a vacancy occurs, the Nominations and Elections Committee and the Agenda Committee will select a replacement from that member's electoral unit. The CMRE will choose its own chair and will submit an annual report to the Senate.

3. Administrative Committee

This committee will be selected by the Vice Chancellor for Academic Affairs.

4. Procedures

After appropriate school procedures have been completed, the dean(s) or director(s) of the affected school(s) or division(s) will report the proposed merger/reorganization/elimination to the Chancellor. The Chancellor will in turn refer the proposal to the Chair of the CMRE, who will convene the CMRE and establish a timetable for action which will include a reasonable time for faculty remonstrance. Each committee will assemble the pertinent facts that will enable it to reach a well-documented recommendation about the direction and range of the proposed change. Then three representatives of each committee selected by that committee will meet to negotiate and to render a decision on the proposed merger/reorganization/ elimination. Each committee will have a single vote, and any two of the three committees could sustain a decision over the opposition of the third committee, although the final recommendation to the Chancellor might represent a compromise of all opinions. Any recommendation that might affect faculty members in that program will follow the guidelines set out under Section V of these procedures. Any recommendation that affects students pursuing a degree or requiring course work in that program should allow for those students to complete their degree program or to transfer to a comparable program without incurring any credit penalty.

V. Procedures Relating to Faculty Appointments as a Result of Reorganization, Merger, Reduction, and Elimination of Programs

A. Reorganization and Merger

1. Faculty members with tenure or those serving under a term of an unexpired appointment shall not be involuntarily terminated as a result of merger or reorganization.

2. Faculty of a merged or reorganized program shall be reassigned to the surviving program or to another appropriate program at IPFW.
 - a. Tenured faculty shall be reassigned with tenure.
 - b. A faculty member serving under a term of an unexpired appointment shall have the right, when reassigned, to serve no less than the remainder of his or her current term of appointment in the new program.
 - c. A reduced rate of compensation shall not result because of reassignment of a faculty member.
 - d. Other benefits earned before reassignment, such as credit toward a sabbatical leave, shall not be lost as a result of reassignment.
3. If the affected faculty member and/or dean/director of the newly assigned department determines that such reassignment requires retraining, the affected faculty member shall be:
 - a. Automatically eligible for such training leave as determined appropriate in content and duration by the faculty member in consultation with the dean/director.
 - b. Informed in writing by the administrator of the program to which he or she is scheduled to be reassigned what specific training must be completed successfully in order to guarantee such reassignment.
4. The University shall facilitate retraining for reassignment by approving released time or leaves with pay and fringe benefits for affected faculty members, in addition to requesting tuition-free admission from the Board of Trustees to appropriate courses at IPFW or the faculty members' parent university. If the requisite training is not available at either institution, training undertaken elsewhere shall be at IPFW's expense.
5. Reassigned faculty shall not displace an incumbent in an existing position.

B. Elimination of Programs

1. Except under conditions of financial exigency as defined by the AAUP Recommended Regulations on Academic Freedom and Tenure, elimination of programs shall not result in the termination of either tenured faculty or those serving under unexpired terms of appointment.
2. In the event of program elimination under conditions of less than financial exigency, the University shall make every effort to reassign affected faculty in accordance with the provisions of Sections V.A.2--V.A.5 of these procedures. Such reassignment shall not preclude the possibility of employment of a faculty member in an appropriate non-faculty position on a temporary basis, except that a reassigned faculty member may not displace an incumbent employee in that position.

C. Reduction of Programs

1. Reduction of programs shall not result in the involuntary termination of tenured faculty. Decisions concerning the status of other faculty in reduced programs shall be made in accordance with the then current policies and procedures regarding appointment, reappointment, and tenure.
2. Reduction of programs ordinarily shall occur through attrition of faculty by retirement, voluntary resignation, or other routine procedures.
3. Reduction of programs also may be accomplished by means of negotiated termination of faculty with compensation or by voluntary reassignment in accordance with the applicable provisions of Section V.A and V.B of these procedures.

D. Prior Notice

After a decision has been made to reassign a faculty member or not to renew an existing faculty appointment under the provisions of V.A, V.B, and V.C of these procedures, the Chancellor, shall provide the affected faculty member at least one year's written notice of such action.

E. Appeal

1. Faculty who fall under the provisions of these procedures shall have the right of appeal to the Indiana University Faculty Board of Review or the Purdue University Faculty Grievance Board, as appropriate.
2. An appeal may be made on the basis of a complaint about the interpretation or implementation of procedures regarding merger, reorganization, reduction, or elimination of programs as established by the Senate and elected policy committees of the schools and divisions.
3. Conduct of such appeals shall be in accordance with the existing procedures of the Indiana University Faculty Board of Review or the Purdue University Grievance Board.

¹ "Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of a demonstrably bona fide financial exigency, i.e., an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic measures." AAUP 1976 Recommended Institutional Regulations on Academic Freedom and Tenure, page 17.