



UNIVERSITY OF WASHINGTON

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JUN 01 2009

OFFICE OF THE PRESIDENT

OFFICE OF THE SECRETARY OF THE FACULTY
Marcia Killien

June 1, 2009

Mark A. Emmert, President
Office of the President
Box 351230

SUBJECT: Class A Legislation #119

Dear President Emmert:

In accordance with the rules, the faculty has approved the Faculty Code amendment in Class A Bulletin No. 119: Volume Two, Part II, Chapter 26, Section 26-41 (Reorganization, Consolidation and Elimination Procedures).

The results of the election submitted to the faculty for vote on May 1, 2009, are:

Total ballots distributed electronically:	4013
Total ballots returned:	435
Percent of faculty who voted:	10.83%
Percentage of "yes" votes:	88.27%
Percentage of "no" votes:	5.52%
Percentage of abstentions:	5.75%
Percentage of nil votes:	.46%

(The above percentage figures are based on ballots recorded electronically by the Catalyst Group.)

Attached is Professor David Lovell's certification that the faculty has voted to approve the changes as proposed in Class "A" Bulletin No. 119. Before the University handbook can be revised, we need your approval. According to the Faculty Code, you have fourteen days to respond. We look forward to hearing from you by June 15, 2009.

Sincerely,

Marcia Killien
Secretary of the Faculty

Enclosures

cc: David Lovell, Chair, Faculty Senate
Carol Niccolls, Executive Assistant to the President

Class A Legislation #119

Proposed amendments to the Faculty Code.

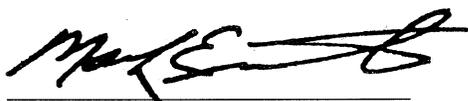
Volume Two, Part II, Chapter 26, Section 26-41
(Reorganization, Consolidation and Elimination Procedures)

CERTIFIED AS APPROVED:

APPROVED:



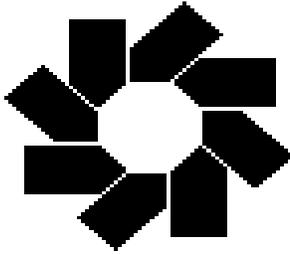
David Lovell, Chair
Faculty Senate



Mark A. Emmert
President

Date: June 1, 2009

Date: June 4, 2009



University of Washington
FACULTY SENATE
Box 351271

Class A Bulletin No. 119

April 30, 2009

GENERAL LEGISLATIVE ACTION

At its meeting on April 23, 2009, the Faculty Senate approved legislation that revises the portion of the Faculty Code that defines procedures for reorganizing, consolidating and eliminating programs at the University of Washington.

PLEASE VOTE BY May 21, 2009.

RATIONALE

In 2006-2007, Faculty Senate leadership charged the Faculty Council on Faculty Affairs (FCFA) with reviewing Section 26-41 of the Faculty Code (Procedures for Reorganization, Consolidation, and Elimination of Programs [RCEP]). Experience with the RCEP rules had demonstrated that they were not working as well as was desirable. Specifically, the timelines were confusing and difficult to implement. In addition, the principle that the early part of an RCEP process should be conducted with a high degree of confidentiality had proven problematic.

FCFA sought the input of individuals who had actual RCEP experience both from the perspective of the faculty and the administration, including the Board of Deans and Chancellors and the Senate Committee on Planning and Budgeting.

The proposed changes eliminate the requirement that the early part of the process should be conducted in confidence and makes the process more open and transparent. The role and function of the review committee for this early process, the External Faculty Committee, has been clarified. Furthermore, the proposal allows the Secretary of the Faculty to extend certain deadlines, when necessary, to overcome past difficulties in meeting timelines.

These changes were carefully reviewed and approved by the Senate Executive Committee and received overwhelming support from the Faculty Senate. The concerns that were raised during the drafting of this legislation included that some faculty would have liked to see additional and more radical changes and some expressed concern about removing the requirement for confidentiality in the early stages of the RCEP process. Also, while the legislation has been revised with a view toward equal utility for each of the UW's three campuses, some faculty believe it favors conditions on the Seattle campus over those at Bothell and Tacoma.

Senate Proposed Changes
(Additions are underlined; deletions are struck through)

Changes to Volume Two, Part 2, Chapter 26

Section 26-41. Procedures for Reorganization, Consolidation, and Elimination Procedures of Programs

A. (new A.) General provisions and definitions.

1. (old A.) For the purposes of sections B and D C below, a "program" is defined (comprising both 'department' and 'program' as defined in Sections 23.23.C and D) as follows:

a. (old A.1.) A department or other degree-granting unit (other than a departmentalized school, or college, or campus); or a sub-unit within a department, an academic unit in a non-departmentalized school or college, or a group of faculty (from one or more departments) which offers a distinct degree, or a track within a degree that is described as a distinct option in the University Catalog, or in the course catalog of the college or school in question, or is customarily noted as such on student transcripts.

2. Either a sub-unit within a department, or a group of faculty from one or more departments, which offers a distinct

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~~degree, or a track within a degree that is described as a distinct option in the University Catalog, or in the course catalog of the college or school in question, or is customarily noted as such on student transcripts.~~

b. **(new b.)** A disagreement as to whether the object of a proposed action constitutes a program shall be resolved by the Senate Committee on Planning and Budgeting, whose decision shall be binding. The dean or chancellor and the faculty group affected by the proposed action shall each submit a statement of their position to the chair of the Committee, which shall deliver its ruling within ten instructional days of the receipt of both statements.

2. **(new 2.)** ~~{An "instructional day" is a day on which scheduled classes meet during Autumn, Winter and Spring Quarters and excludes weekends, holidays, vacation, and examination periods.}~~

3. For purposes of these proceedings, a timely review and consultation process is required. Each stated time period is intended as the maximum period for action, review, comment, or advice. An extension of a stated deadline may be granted by the Secretary of the Faculty only upon reasonable grounds submitted in writing.

4. Copies of all documents required under section 26-41 shall be filed with the Secretary of the Faculty.

5. Any written recommendations received by the Secretary of the Faculty under this section 26-41 must be made available to any member of the faculty on request.

B. Procedures for reorganization, consolidation, or elimination of programs.

1. If a dean or chancellor after consultation with his or her elected faculty council (Section 23-45.C) determines that a budget reduction, ~~or~~ a reallocation of resources, or a realignment of academic priorities can only be implemented by measures that will have one or more of the following results:

- a. the termination of an undergraduate or graduate program as defined in Section A above;
- b. the removal of tenured faculty, or of untenured faculty before completion of their contract;
- c. a significant change in the terms, conditions or course of employment of faculty;
- d. a significant change in the overall curriculum of a college, ~~or~~ school, or campus, or of the University as a whole; or
- e. a significant departure from the stated mission of a college, ~~or~~ school, or campus, or of the University as a whole;

the dean or chancellor shall request authority from the Provost to initiate a formal review to identify one or more programs for elimination, reorganization, or consolidation with another unit and/or reduction in size. The Provost shall consider such requests in consultation with the Senate Committee on Planning and Budgeting.

2. If the Provost grants the dean's or chancellor's request for such authority:

- a. The dean or chancellor shall notify the Secretary of the Faculty of his or her intention to initiate a review under this section of the *Faculty Code*. The Secretary of the Faculty shall, after consultation with the Chair of the Faculty Senate, appoint within ~~seven ten~~ calendar instructional days ~~a Program Identification an External Faculty Committee composed of five faculty members (including one designated as the committee's Chair)~~ from outside the college or school in which the review is to take place.
- b. The External Faculty Committee, when convened by its Chair, shall establish a schedule of meetings for its own Committee. Such independent meetings of the External Faculty Committee will allow its members to form independent conclusions regarding the arguments and evidence supporting the proposed action of the dean or chancellor. The responsibility of the External Faculty Committee is to ensure that the recommendations of the elected faculty council and of the dean or chancellor are based on a process that was fair, thorough, impartial, and consistent in its use of appropriate criteria and materials. (The External Faculty Committee shall retain copies of all the materials it has considered, which it will make available to the Review Committee, should one be appointed under B.4 below.)
- c. **(old b.)** For the duration of the reorganization, consolidation, or elimination procedures, and for the business of these procedures only, the members of the ~~Program Identification-External Faculty~~ Committee shall also be added to the ~~college~~ elected faculty council of the college, ~~or~~ school, or campus in question as *ex officio* members ~~with~~ without vote. They shall participate in all ~~discussions~~ meetings of that council, convened by its faculty chair or the dean or chancellor, leading to the identification of programs for reorganization, consolidation, or elimination, and shall have full access to all materials and personnel consulted by the dean or chancellor and ~~college~~ the elected faculty council in this process. This combination of the elected faculty council and the External Faculty Committee is hereinafter referred to as the augmented faculty council.
- d. If the ~~college~~ elected faculty council does not include student members, the dean or chancellor shall request that the student organization (or organizations) of the affected school, or college or campus shall appoint a graduate student and, where appropriate, an undergraduate student to the augmented college council, provided that no such student organization exists, such appointments shall be made by the GPSS and the ASUW serve, with

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- voting rights, with the augmented faculty council for the business of these procedures only. If no such student organization exists, such appointments shall be made by the GPSS or other appropriate recognized graduate student organization and the ASUW or other appropriate recognized student organization.
- e. ~~(old c.)~~ The dean or chancellor, in consultation with the augmented college faculty council, associate deans, and other appropriate advisory bodies or affected groups in the college, ~~or school, or campus~~, shall examine measures to meet the required budget reduction, ~~or resource allocation goals or realigned academic priorities~~, including the elimination of programs, and alternatives to elimination such as reorganization and consolidation reorganization, consolidation, or elimination of programs, and alternatives to such actions.
- f. The information used as a basis for the identification of programs for reorganization, consolidation, or elimination, and of alternatives to such actions, shall consist of:
- 1) documents that pre-date the dean's or chancellor's request (under B.1 above), including:
 - a) the reports resulting from periodic reviews of programs or departments, any interim revisions of them, and responses to them by the dean or chancellor, the ~~college~~ elected faculty council, and the faculty of the program(s) in question.
 - b) accreditation reviews, if such exist for the program(s) in question.
 - c) any other performance data gathered and maintained by the school, college, or campus, provided they are up-to-date and have been previously submitted to the faculty of the program(s) in question for review and response.
 - d) all relevant documentation resulting from the ongoing long-range planning process in the school, college, or campus, and
 - 2) such other information requested by the dean, chancellor, or the augmented college faculty council as deemed necessary, or independently requested by the External Faculty Committee, provided it is up-to-date and has been submitted for review and response to the faculty of the program(s) in question for review and response for under consideration, and the faculty in the program(s) have had at least five instructional days to submit their comments on the information.
- g. ~~(old e.)~~ In proposing program reorganizations, consolidations, or eliminations, the dean or chancellor shall protect, to the maximum extent possible:
- 1) the overall curriculum of the school, college, or campus and the University and the educational needs of its students, consistent with the role and mission of the University;
 - 2) in the case of a reorganization or consolidation, the quality of the program in relation to ~~e.g.~~ 1) above;
 - 3) other programs in the University, including interdisciplinary programs, that may be affected by the proposed action(s);
 - 4) the University's commitment to tenure; and
 - 5) the University's commitment to ~~affirmative action.~~ diversity in faculty, staff and students.
- ~~f. Deliberations leading to the identification of programs for elimination shall be confidential until the conclusion of the identification process, except that, at least two instructional days before any public announcement, the dean shall inform the faculty of the identified program(s) of their status, in writing, and shall make available to them the report described in B.3 and B.3.a below and its supporting documents. At least one instructional day before any public announcement, the dean shall convene the faculty of the identified program(s) for the purpose of explaining the review procedures to them, and informing them of the provisions under sections B.3 and 5 below for representation of their views and presentation of supporting evidence.~~
- h. When the Chair of the elected faculty council determines that the augmented faculty council is ready to conclude its review, a formal vote on the proposed action shall be taken by its eligible voting members. The result of that vote shall be communicated in writing to the dean or chancellor, who at least ten instructional days before any public announcement, shall communicate directly in writing with each faculty member of the affected program(s) to inform them of his or her intended action. The dean or chancellor shall make available to them the report described in B.3 and B.3.a below and its supporting documents, and the accompanying statement by the External Faculty Committee described in B.3.b below (when available). At least five instructional days before any public announcement, the dean or chancellor shall convene the faculty of the identified program(s) for the purpose of explaining the review procedures to them, and informing them of the provisions under sections B.5 and B.6 below for representation of their views and presentation of supporting evidence.
3. The dean's or chancellor's intention to reorganize, consolidate, or eliminate the identified program(s) shall be announced within a period of thirty instructional days from the appointment of the ~~Program Identification~~ External Faculty Committee (2.a above). This announcement shall be made in the form of a detailed and specific report accompanied by a separate, independent statement from the ~~Program Identification~~ External Faculty Committee. Both

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of these documents shall be submitted by the dean or chancellor to ~~the President~~, the Provost and the chair(s) of the affected unit(s), to the Chair of the Faculty Senate, and to the Secretary of the Faculty, who shall publish them in a *Class C Bulletin* within ~~seven~~ five instructional days of receiving them.

a. The dean's or chancellor's report shall:

- 1) justify the proposed measures in relation to existing program review materials and other publicly available planning documents;
- 2) describe the impact of the proposed measures on the faculty in the identified program(s), on other programs, and on the curriculum and students of the school, college, or campus ~~of the college as a whole, and on the faculty affected~~; and
- 3) be accompanied by all supporting documents, which need not be published in the *Class C Bulletin* referred to in B.3 above, but must be made available to any faculty member on request.

b. The External Faculty Committee's accompanying statement shall be prepared and signed by ~~the~~ its chair of the Program Identification Committee, and shall reflect the opinion of a majority of the External Faculty Committee. It shall indicate:

- 1) ~~whether the Committee supports or does not support the proposal of the dean, giving reasons therefor, and whether in its view the program review process was fair, thorough, impartial, and consistent in its use of appropriate criteria and materials, and~~
- 2) ~~whether in its view the program identification process was fair, thorough, impartial, consistent in its use of appropriate criteria and materials, and free of conflict of interest. whether the External Faculty Committee supports or does not support the proposal of the dean or chancellor, giving reasons therefor.~~

4. ~~For each college in which these procedures are being applied, Within five instructional days of receipt of the report and statement detailed in B.3 above, the Chair of the Faculty Senate, after consultation with the Chair of the External Faculty Committee and with the advice and consent of the Senate Executive Committee, shall appoint a Review Committee consisting of five four faculty members (including one designated as committee chair), one member of the External Faculty Committee, one representative of the Graduate and Professional Student Senate or other appropriate recognized graduate student organization, and one representative of the Associated Students of the University of Washington or other appropriate recognized undergraduate student organization (all with full participatory rights). The formation and membership of this committee shall be announced in the *Class C Bulletin* described in B.3 above.~~

5. ~~(new 5.) This committee shall conduct an open review of the dean's proposal, with particular reference to the justification offered, and The Review Committee's primary goal is to review the dean's or chancellor's report from the perspective of the University and the public as described below and, to this end, shall conduct an open review of the dean's or chancellor's proposal, with particular reference to the justification offered. The Review Committee may receive or request additional materials or arguments from the dean or chancellor, from the External Faculty Committee, from the faculty, students, and staff of the identified program(s), and other constituencies in the University or the public at large. Meetings to invite public comment shall be scheduled at times that permit participation by the public. Within twenty instructional days of the publication of the *Bulletin*, its appointment, the Review Committee shall deliver its written recommendation to the President and the Provost. The recommendation shall be transmitted at the same time to the dean or chancellor and to the chair(s) of the affected program(s).~~

6. ~~(old 5.)~~ Following the submission of the Review Committee's written recommendations, the dean or chancellor may propose a modified course of action, and the affected program(s) may submit an additional statement. This statement may suggest alternatives to the measures proposed by the dean or chancellor, giving detailed reasons based on educational policy and/or past reviews of the program(s) in question, and may include additional relevant documentation. Any such materials must be transmitted to the President and Provost within ten instructional days of the delivery of the Review Committee's report.

7. ~~(old 6.)~~ After the President (or the President's delegate) confers with the Senate Committee on Planning and Budgeting, he or she shall transmit a final decision on the matter and accompanying recommendations to the Board of Regents, when required, and to the dean(s) or chancellor(s), the chair(s) of the affected program(s) and the Chair of the Faculty Senate within thirty fifteen calendar instructional days of the comment period provided for in 26-41.B.6 above, ~~of receiving the Review Committee's recommendations, but in no case later than the final day of Spring Quarter.~~ The President's decision shall take careful account of the impact of the reorganization(s), consolidation(s), or elimination(s) on the University's ability to perform its educational role and mission, and on the diversity of the University community.

C. ~~(old D.)~~ Procedures for Limited Reorganization and Consolidation of Programs.

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1. In order to reallocate resources, ~~or~~ implement educational policies or realign academic priorities, a dean or chancellor may at any time propose the reorganization of one or more programs within a school, college, or campus, or their consolidation ~~or amalgamation~~ with other units. The reallocation of graduate degree programs (Section 23-24.B) from one qualified academic unit (Section 23-24.D) to another, or to an interdisciplinary program within the Graduate School, is a limited reorganization that should follow the procedures outlined in this section.
 2. **(new 2.)** If the proposed measures will not have the effects described in B.1 above, the dean or chancellor may proceed with the measures, provided:
 - a. the proposal results from detailed discussion with the affected program(s), and with appropriate faculty advisory committees in the school, college or campus;
 - b. a detailed justification of the proposed actions is submitted to the Provost and the Senate Committee on Planning and Budgeting, taking account of the documentation described in ~~B.2.d~~ B.2.f above; and
 - c. the measures are not implemented until the conclusion of a period of twenty instructional days during which the faculty of the affected program(s) may exercise the option described in ~~section D.2~~ C.3 below.
 3. **(old 2.)** If a majority of the voting faculty of ~~an~~ the affected academic program(s) determines by a vote judges that a proposed reorganization or consolidation will have one or more of the effects described in B.1 above, such majority may petition the Provost for a review under the procedures for reorganization, consolidation, or elimination of programs (under Section B above). The Provost shall consider such petitions in consultation with the Senate Committee on Planning and Budgeting, and within ten instructional days may either direct the dean or chancellor to conduct a review of the proposed program reorganization, consolidation, or elimination of program review following the procedures described in Sections A and B.2 through 7 above, or decline to do so, in which case a detailed statement must be transmitted to the petitioners, the dean or chancellor, and to the Chair of the Faculty Senate, explaining this decision. ~~why an elimination review is not deemed appropriate.~~
- D. **(old C.)** Procedures for ~~the~~ reorganization, consolidation, or ~~E~~elimination of a ~~C~~college or ~~S~~school.
1. If the Provost and a majority of the members of the Senate Committee on Planning and Budgeting concur that a budget reduction, ~~or~~ a reallocation of resources, or a realignment of academic priorities should be achieved by the elimination of a particular college or school in its entirety, or by its reorganization or consolidation with another college or school, the Provost shall ~~invite~~ request that the Chair of the Faculty Senate ~~to~~ appoint a Review Committee, ~~constituted as described in B.4 above.~~ of five faculty and the two student members described in B.4 above.
 2. The Provost shall submit to the Review Committee a detailed justification of the proposed measure, prepared on the basis of the materials described in B.2.~~ef~~ e above and other appropriate planning documents made available by the central administration, provided they have been previously submitted to the dean or chancellor and faculty of the college or school in question for review and comment. The justification shall:
 - a. review alternatives and explain why elimination of the college or school is preferable; and
 - b. protect to the maximum extent possible the aspects of the University described in B.2.~~eg~~ e above.
 3. The Secretary of the Faculty shall publish the Provost's proposal, and the accompanying justification, in a *Class C Bulletin* within ~~seven~~ five instructional days of receiving them.
 4. The Review Committee shall conduct ~~an open~~ review of the Provost's proposal in the manner described in B.~~35~~ 3 above, and shall deliver its written recommendation to the President, Provost, deans or chancellors of the affected college or school, the Chair of the Faculty Senate, within thirty instructional ~~calendar~~ days of the publication of the *Bulletin*.
 5. Following the delivery of the Review Committee's report, the Provost may propose a modified course of action, and the dean or chancellor of the affected college or school may submit an additional statement of the kind described in B.~~56~~ 5 above. Any such materials must be submitted to the President within ten instructional days of the delivery of the Review Committee's report.
 6. Within fifteen instructional days of the end of the comment period provided for in D.5 above, and ~~A~~ after the President (or the President's delegate) confers with the Senate Committee on Planning and Budgeting, he or she shall transmit a final decision and accompanying recommendations to the Board of Regents, when required, the deans or chancellors, and the Chair of the Faculty Senate. ~~as prescribed in B.6 above.~~
- E. **(new E.)** Procedures for limited reorganization and consolidation of colleges and schools.
1. In order to reallocate resources or implement educational policies, or align academic priorities, the Provost may at any time propose the consolidation of colleges and schools. If the proposed measure will not have the effects described in

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B.1 above, the Provost may proceed with the measures, provided:

- a. the proposal results from detailed discussion with the affected colleges or schools, and with appropriate faculty advisory committees in the colleges or schools;
 - b. a detailed justification of the proposed actions is submitted to the President and the Senate Committee on Planning and Budgeting, taking account of the documentation described in B.2.f above; and
 - c. the measures are not implemented until the conclusion of a period of twenty instructional days during which the faculty of the affected college/school(s) may exercise the option described in E.2 below.
2. If a majority of the voting faculty of an affected college or school determines by a vote that a proposed reorganization or consolidation will have one or more of the effects described in B.1 above, such majority may petition the President for a review under the procedures for elimination of a college/school. The President, or the President's delegate, shall consider such petitions in consultation with the Senate Committee on Planning and Budgeting, and within ten instructional days may either direct the Provost to conduct a review following the procedures described in section D above, or decline to do so, in which case a detailed statement must be transmitted to the petitioners and the Chair of the Faculty Senate, explaining why a review under section D above is not deemed appropriate.

S-A 49, December 4, 1975; S-A 57, April 3, 1978; S-A 67, December 5, 1983; S-A 73, May 24, 1985; S-A 95, June 17, 1996: all with Presidential approval.

*Approved by Senate Executive Committee
February 23, 2009*

*Approved by Faculty Senate
March 12, 2009*

*Approved by Senate Executive Committee
April 6, 2009*

*Approved by Faculty Senate
April 23, 2009*