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Agenda and Minutes of the Meeting of April 2, 1984

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WICHITA STATE UNIVERSITY SENATE

AGENDA

Special Meeting Notice: April 2, 1984, 126 Clinton Hall, 3:30 p.m.

Order of Business:

- I. Calling of the Meeting to Order
- II. Informal Proposals and Statements
- III. New Business:

A Proposal for Program Discontinuance
at Wichita State University--
Dr. Roger Kasten, Chair, Program
Discontinuance Committee
(Attachment to Agenda)

- IV. Adjournment

A PROPOSAL FOR PROGRAM DISCONTINUANCE
AT WICHITA STATE UNIVERSITY

SECTION 1: INTRODUCTION

- 1.1 Program discontinuation has already occurred at Wichita State University and has been necessitated by numerous environmental pressures on the university. Various economic, social, technical and educational demand trends will lead to resource reallocation decisions of increasing difficulty as the university works to serve the interests of its many publics.
- 1.2 The 1977 Wichita State University mission statement concludes that "Wichita State University can best serve its urban mission by being an excellent university." Excellence comes at the price of high investment of scarce resources and the University must use its limited resources in an optimal manner to achieve the greatest degree of excellence in its programs. Discontinuance decisions will be one of the greatest influences on the University's ability to fulfill its mission.
- 1.3 The faculty of Wichita State University must take a positive stance toward the issue of program discontinuance. External forces will require action by the university, and every effort must be made to contain and direct this action in ways acceptable to the academic traditions of Wichita State University.
- 1.4 Whether discontinuance decisions involve decreasing emphasis or complete elimination of certain programs, such decisions will often involve the redirection of resources to other programs. It is crucial that such decisions be made so that the ability of the University to fulfill its mission is significantly enhanced. Such decisions must be guided by a comprehensive statement of principles and procedures to ensure that the University's mission is in fact properly served, that decisions are based on bona fide long term

trends in the environment, that the well-being of the current students is served to the greatest possible extent, and that the spirit as well as letter of the University's tenure commitment to faculty is honored.

- 1.5 This document will address the issue of the conditions under which its provisions will apply to program discontinuance decisions. The procedures and mechanisms for program discontinuation will be set forth in detail. Rights and privileges of current students and faculty whose interest may be adversely affected will be outlined, and appeal procedures and mechanisms will be described.

SECTION 2: PROCEDURES

Definitions

- 2.1 "Program discontinuance" at Wichita State University refers to the termination of an academic unit (College, Department, Division, Center, or School) in which a degree is offered. It may also refer to the termination of a specific or unique degree program with no other change to the academic unit which offers that degree program.
- 2.2 Programs subject to discontinuance under these procedures are those listed in the "Degree and Certificate Program Inventory For Regents Institutions." By specific action of the faculty of the relevant college, concurred in by the University President, areas of emphasis or academic sub-specialties within existing degree programs may be considered as "programs" to be treated under this document.
- 2.3 The term "teaching faculty" refers to all unclassified personnel with the faculty rank of instructor or higher, whose duties are 50% or more teaching and/or research and/or library or media service.
- 2.4 The term "academic weeks" will be used to specify those periods of time, according to the university calendar, during which the university is officially in session (excluding Summer Session).

Program discontinuance procedures

- 2.5 Recommendations for the initiation of program discontinuance may be originated from any of several sources. Specifically, these would include the academic unit in which the degree is offered, the Dean of the college in which the program is offered, the Dean of the Graduate School in the case of a graduate program only or the Vice President for Academic Affairs.
- 2.6 Program discontinuance will be the decision of the President of Wichita State University upon recommendation from the Vice President for Academic Affairs. Decisions regarding program discontinuance will be made on the basis of bona fide educational considerations only and these decisions will be distinct from and unrelated to those based upon financial exigency.
- 2.7 When an academic unit offers more than one degree program, and less than the total unit is recommended for discontinuance, the faculty members of that academic unit will not be considered for dismissal unless the unique or specific degree program discontinuance significantly reduces the resources, structure or performance of that academic unit, or unless the faculty member is demonstrably unqualified for continued appointment in the continuing unit even following reasonable efforts at retraining.
- 2.8 Proposals for potential program discontinuance shall be made in writing to the Vice President for Academic Affairs. Such proposals will include identification of the circumstances leading to the recommendation, a detailed rationale for the recommendation, a statement of the projected impact upon the mission of the university and the academic unit, a statement of the projected impact on students and faculty of the academic unit, and a statement of the financial resources and faculty positions likely to be affected by the recommendation.

- 2.9 The President and/or the Vice President for Academic Affairs will provide confidential copies of the program discontinuance recommendation to the members of the Agenda Committee of the University Senate. The President and/or Vice President will meet with the Agenda Committee to seek their confidential advice relative to the wisdom of proceeding with a review of the program discontinuance proposal.
- 2.10 If the President and/or Vice President of Academic Affairs decide to proceed with the program discontinuance proposal, the Vice President for Academic Affairs will transmit to the dean of the affected unit copies of the proposal with the request that the dean seek the confidential advice of the executive committee of departmental chairs about the wisdom of proceeding with the program discontinuance. The dean will communicate that recommendation, with his or her own recommendation, back to the Vice President for Academic Affairs.
- 2.11 If the decision is to proceed with consideration of program discontinuance, a copy of the discontinuance proposal will be distributed to all members of the faculty of the college affected. Faculty members and students of the affected college will be invited to submit written statements or arguments or rebuttal on the proposal to the college dean for distribution to the teaching faculty of the college. Within a period of not less than two academic weeks nor more than four academic weeks of this action the teaching faculty of the college shall be convened to vote its agreement or disagreement with the recommendation for program discontinuance. A copy of that action shall be forwarded to the Vice President for Academic Affairs, the Dean of the College and the President of the University Senate.

2.12 At the next meeting of the University Senate, the Senate President will report the proposed program discontinuance and the action of the college faculty on that matter. No Senate action is required, but the Senate may by majority vote choose to record a position of agreement or disagreement with the proposed program discontinuance.

2.13 The President of Wichita State University will evaluate the initial recommendation, the actions of the review bodies, the recommendation of the Vice President for Academic Affairs, and will, within four academic weeks, render a final decision regarding the recommendation for program discontinuance. If the decision is in favor of program discontinuance, the statement from the President will include a detailed time table for the discontinuance action and a statement, with reference to all provisions of this document, detailing actions to be taken regarding the affected students and faculty.

SECTION 3: RIGHTS AND PRIVILEGES OF STUDENTS AND FACULTY

3.1 The Vice President for Academic Affairs will make a public announcement of the discontinuance of the program and faculty representatives from the program shall contact all students who are enrolled in the degree program. No student should be admitted after the announcement has been made. Consideration of the impact on current students will be made to help them complete their degree program.

3.2 After the public announcement is made, there will be a maximum of a three-year period of continuance to accommodate current students. If it is not possible for students to complete their degree programs within this three-year period, the University will make reasonable efforts to accommodate such students. Such efforts should include but not be limited to the following:

- (1) Permitting the student to complete his/her degree program by taking work in related departments;

- (2) Permitting the student to complete his/her degree program at another institution;
- (3) Making provisions in the case of graduate students, for supervision of dissertations and administration of graduate examinations by faculty at other institutions; and
- (4) Honoring existing multiyear fellowships.

3.3 For faculty members in the unit being considered for discontinuance, the written termination notice from the President must include the following:

- (1) a statement of the basis for the decision to dismiss;
- (2) a description of the manner in which the decision to dismiss was made;
- (3) a disclosure of the data on which the President relied;
- (4) a statement of the faculty member's right to respond to the dismissal.

3.4 For faculty members holding probationary appointments, the notice of non-reappointment must meet the terms described in paragraph 3.07 of the Wichita State University Handbook for Faculty.

3.5 The appointment of a tenured faculty member should not be terminated in favor of retaining a faculty member without tenure, unless there are extraordinary circumstances where a serious distortion of the academic program would otherwise result.

3.6 Faculty on continuous tenured appointments who are scheduled for dismissal for reasons of program discontinuance will be retained for the years in which their program is being phased-out and will receive their full salaries. During the time in which students in a discontinued program are permitted to complete their degree, tenured faculty will be continued in their previous duties, or will, by mutual consent, be reassigned to other suitable

positions within the university. Every reasonable effort will be made to find a position acceptable to the faculty member as well as to the unit to which the assignment is being considered.

3.7 Addition of faculty relocated within the university will not displace present tenured or tenure-track personnel. The unit involved in the placement as well as the faculty member must participate in the decision making process. If placement in another position would be facilitated by a reasonable period of retraining, financial and administrative support for such training will be proffered.

3.8 If continued appointment of a tenured faculty member is deemed impractical due to significantly decreased student participation during the three year phase-out period, and if relocation is unreasonable, the faculty member will be assigned other duties for no more than 12 months. Early retirement or part time employment should also be considered as additional options.

SECTION 4: APPEALS

4.1 A faculty member who receives written notice of termination for the reason of discontinuance of a program will have all the rights of due process as established in the document entitled Grievance Procedures, Appendix F, section II C of the University Handbook for Faculty.

4.2 A faculty member who receives notice of termination for this reason may initiate review by making a written request stating the grounds for challenging the decision to terminate.

4.3 The administration must demonstrate initially that the decision to terminate was arrived at in accordance with established University policy, as described in this document; the faculty member then bears the burden of proving the validity of his/her allegations of improper action.

4.4 Grounds for the claim of improper action may include, but are not limited to:

- (1) failure of the University to follow established processes for determination of program discontinuance;
- (2) incomplete or erroneous data in selecting the faculty member for dismissal;
- (3) failure of the University to make a reasonable effort to place the faculty member in another suitable position;
- (4) unfairness based on discrimination and/or principles of affirmative action.

4.5 If a hearing is determined to be necessary, that hearing may be informal or, at the preference of the appellant, formal. The specific procedures for the informal or formal hearing are provided in the statement of Policies and Procedures for Processing Grievances of Faculty at Wichita State University, Appendix F, University Handbook for Faculty.

4.6 In the case of a claim of unfairness based on discrimination and/or principles of affirmative action, procedures will be those set forth in section II F of the Policies and Procedures for Processing Grievances.

Program Discontinuance Committee

Mary Sue Foster

Gerald Hoag

Roger Kasten, Chair

Fred Kraft

Jacqueline Snyder, Ex Officio

*Distributed at meeting
4-2-84*

WSU Planning Task Force
March 23, 1984

Mission Statement

The Task Force concluded that the Mission Statement adopted by the Board of Regents (both the system-wide statement and the one related directly to WSU) would be considered a preamble to the one being developed. The following was then developed:

To be a comprehensive metropolitan university--of national stature--by providing educational programs of high quality; engaging in basic and applied research and creative activities; and supporting regional economic, social and cultural development.

UNIVERSITY SENATE

WICHITA STATE UNIVERSITY

Minutes of the special meeting of April 2, 1984, 1984, (Vol. XX, No. 12).

Members Present: Allen, Ballenger, Breazeale, Brewer, J. Clark, Collison, Crum, Dreifort, Drew, Duell, Feleppa, Gosman, Graham, Greenberg, Harmon, Hunt, Janeksela, Kahn, Kahrs, Kasten, Myers, Raine, Riemer, Safizadeh, Sawan, Schrag, Sojka, Soles, Stone, Talaty, Terrell, Throckmorton, Weiss, Wentworth, Wineke.

Members Absent: Armstrong, Blakeslee, Campbell, Chaffee, Childs, K. Clark, Crown, Daley, Egbert, Ginns, Kruger, Mathis, McCollum, Millett, Rhatigan, Scudder, Stockemer, Taylor, Tilford, Wilkerson, Yeager.

Guests: Steve Dick, Elizabeth Webster, John Abbinett.

I.
CALL TO
ORDER

Issued at 3:35 p.m.

II.
INFORMAL
PROPOSALS
AND
STATEMENTS

President Myers announced that the Agenda Committee will meet Tuesday in room 205 of the Campus Activities Center.

Senator Brewer announced that Senate Committee Preference forms have been mailed and that they should be returned by April 9.

Senator Collison distributed the mission statement for the Planning Council and asked for comment. The statement reads as follows:

To be a comprehensive metropolitan university--of national stature--by providing educational programs of high quality; engaging in basic and applied research and creative activities; and supporting regional economic, social and cultural development.

III. NEW
BUSINESS

Senator Kasten (Chair, Program Discontinuance Committee) introduced the proposal (attached to today's agenda). There is no happy way to present a proposal that terminates university programs.

The task of preparing a discontinuance document originated with the Board of Regents in 1972. They modified their position on tenure with the following statement:

After the expiration of a probationary period, teachers or investigators should have continuous tenure; and their services should be terminated only for adequate cause, except in the cases of retirement for age, program or unit discontinuance, or under extraordinary circumstances because of financial exigency.

After having included program discontinuance in the list of exceptions to adequate cause, the Regents added:

... and that the chief executive officer in each Regents' institution, in consultation with appropriate campus groups, be asked to develop procedural statements to insure consistent and fair application of this provision, and that such

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statements be returned to the Board of Regents for its review as soon as practicable.

The present committee began its work in Fall, 1983. Individuals on the committee are: R. Kasten, M. Foster, G. Hoag, F. Craft, and J. Snyder (ex officio). The latter neither voted on the committee nor prepared any of the written portions of the extant document.

Others who provided advice to the committee should also be recognized: D. Childs, J. Daley, G. Greenberg, G. Sojka, M. Tilford, J. Breazeale, W. Armstrong.

The proposal at hand has passed through several revisions. Initially, other documents were consulted, but subsequently the committee had to recognize the unique aspects of this university. Prior versions were very specific. Then the document was broadened and made more general. This also created some problems that required a return to specificity.

MOTION

Senator Kasten moved adoption of the report. Second by Senator Weiss.

Senator Collison raised four questions.

Para. 2.7 : The last portion states "... unless the faculty member is demonstrably unqualified for continued appointment...." Who makes that decision?

Senator Kasten requested that Senator Collison's questions be dealt with one at a time. The decision in question would have to be made by a unit in the college.

Senator Gosman asked if the partially discontinued unit would decide whether a faculty member is "demonstrably unqualified" for the continuing portion of the unit.

Senator Kasten replied that both the unit and the college dean would make the decision.

Senator Gosman suggested that such clarification should be written into paragraph 2.7.

Senator Weiss requested the meaning of "unit."

Senator Kasten replied that "unit" means "department."

Senator Gosman requested that a sentence be added to para. 2.7 to the effect that: Demonstrably unqualified will be determined upon the academic unit's recommendation to the college dean.

Senator Kasten accepted Senator Gosman's request.

Senator Collison asked his second question. With respect to para. 2.11, is it possible for members of a proposed unit discontinuance to find out about it only when the entire college knows about it?

Senator Graham added that the same paragraph implies that departmental chairs would also be informed very late.

Senator Kasten responded that chairs of a proposed unit discontinuance would learn about it at the same time as other college chairs.

Senator Graham asked if that is the earliest time a chair would learn of the proposed discontinuation.

Senator Kasten replied that it is possible for a chair not to learn of proposed discontinuation until other chairs are so informed. But such a case is improbable.

Senator Graham spoke as a chair to the effect that it is a matter of courtesy to inform chairs of proposed unit discontinuance in advance of a meeting where all college chairs would learn about it.

Senator Kasten responded that an attempt had been made to provide both order and confidentiality up to para. 2.11. This is why the recommendations go to the Vice President for Academic Affairs, and the President or the Academic Vice President then meets with the Senate Agenda Committee for advice. These meetings are held in confidence. In case of an affirmative decision, it then goes to the college dean who meets in confidence with the department chairs. It is at this stage that an affirmative decision becomes public.

We sought to avoid premature notification in order to avoid the potential harm that could ensue even if the discontinuation never became effective.

Senator Collison requested that a line be added to para. 2.11 that insures that department members would be informed of proposed discontinuance prior to informing other college faculty.

Senator Kasten acknowledged that the point is well taken.

Senator Duell requested that the second and third sentences of para. 2.11 be altered to read as follows:

Faculty members and students of the affected college will be invited to submit, within two academic weeks, written statements or arguments or rebuttal on the proposal to the college dean for distribution to the teaching faculty of the college. Within a period of not less than two academic weeks nor more than four academic weeks of the distribution of the written statements or arguments or rebuttals the teaching faculty of the college shall be convened to vote its agreement or disagreement with the recommendation for program discontinuance.

Senator Kasten accepted Senator Duell's request.

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Senator Graham noted that the process of consultation contains no language to the effect that there must be agreement at each stage.

Senator Kasten agreed. However, the final decision is made by the University President (para. 2.6). That is the prerogative of the chief executive officer. The central administration could continue the process leading to discontinuance with everyone recommending the contrary.

Senator Greenberg suggested that such language should appear in the document.

Senator Kasten replied that the document only intends to provide for a consultation process.

Academic Vice President Breazeale called attention to para. 2.10 as containing explicit language with respect to the central administration's prerogatives. He suggested that it might be appropriate to begin para. 2.11 with a similar phrase.

Senator Kasten accepted this suggestion. The initial conditional phrase in para. 2.11 was changed to read: "If the President and/or the Vice President of Academic Affairs decide to proceed with consideration of program discontinuance,..."

Senator Graham noted that para. 2.10 does not guarantee that all department chairs will be consulted by the college dean.

Senator Kasten modified the offending phrase in 2.10 to read: "... That the dean seek the confidential advice of a committee of all departmental chairs..."

Senator Gosman stated the chair of a proposed discontinued unit should know about the proposal in advance of other chairs. He requested that the new penultimate sentence of 2.10 be: "The chair of the academic unit will be notified of the proposed action in advance of the committee of all departmental chairs."

Senator Kasten accepted this change, noting that the chair will probably inform the rest of the unit.

Senator Weiss referenced para. 2.8 and asked whether the affected department chair should be notified of the proposal as soon as it is received by the Academic Vice President. This, in addition to now-omitted discontinuation criteria, would permit the unit an opportunity to repair deficiencies.

Senator Kasten reiterated the emphasis on confidentiality in the document.

Dr. Fred Kraft added that the President and the Agenda Committee need to determine the criteria for discontinuation.

Senator Greenberg presented several objections to the proposed discontinuation policy:

1. In para. 1.1 educational demand trends should be the primary consideration for program termination. In fact, the American Association of University Professors views educational demand trends as the exclusive criterion for program discontinuation.
2. This policy proposal contains no explicit criteria for program termination. This is unlike the policy at Kansas State University which has an entire section dealing with criteria.
3. Para. 2.13 does not require the University President to reveal the review bodies that disagree with his decision. But such knowledge is necessary in order that the President be held accountable for the decision.
4. The proposal makes no allowance for compensation payable to terminated faculty. While the Regents do not acknowledge severance pay, this does not preclude assignment to other duties for pay, e.g., attending a course of study, executing off-campus work, attending workshops.

Senator Kasten replied that the committee had discussed point 4, but decided against a list of specific alternative assignments.

Senator Greenberg responded that in the absence of specific alternative work duties, the proposal closes the door to their possibility. It is in our best interest to specify such options.

Senator Kasten stated that the door is not closed to these options under the proposal. Paragraphs 3.7 and 3.8 allow for assignment to other duties for a period not to exceed 12 months.

Senator Collison referred to para. 4.3 in asking if the term administration is vague.

Dr. G. Hoag replied that this paragraph is identical to that in the University Grievance Procedure.

Senator Gosman asked Dr. Hoag if his reply answered Senator Collison's question.

Senator Kasten said that administration means President or Academic Vice President.

Senator Collison requested an explanation of paragraph 3.2, subparts (2) and (3).

Senator Kasten replied that these subparts exempt students in discontinued programs from the requirement that their last 30 hours be taken at Wichita State University.

Senator Duell suggested a new penultimate sentence for para. 2.11, viz.: "Absentee ballots shall be accepted."

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Senator Kasten accepted this addition in the interest of obviating potential problems.

Senator Duell also requested that the last line of 2.11 be modified to require that the vote count accompany the action taken by the teaching faculty. Specifically: "A copy of that action, including the vote count, shall be forwarded to the Vice President for Academic Affairs..."

Senator Kasten modified the sentence according to the request.

Senator Gosman said the meaning of para. 2.7 is unclear. What academic unit is involved in the matter of resource reduction? A college and a department are both academic units. How can a department be declared to be insufficiently funded when the college has the wherewithal to fund it? Where does the lack of resources have to be proven?

Senator Kasten responded that the committee had intended this to apply to a department that has more than one program.

Senator Gosman stated that the question is very critical, and that some specific language will have to be added to para. 2.7 in order to resolve the ambiguity.

Senator Soles returned to the issue of early notification. Para. 2.11 should contain a second sentence: "Faculty in the affected department will be notified by the President or Vice President for Academic Affairs prior to the proposal being distributed to all members of the faculty."

Senator Kasten accepted this new sentence.

Ms. B. Mawhiney referenced paragraph 3.5 and asked if the committee had considered the case where all the tenured faculty are white males and the untenured faculty are females or minorities.

Senator Kasten answered that the committee had considered the tenured versus nontenured without regard to gender.

Ms. B. Mawhiney stated that it seems to her that the University President is committed to the concept of affirmative action. Females and minorities could bear the brunt of reductions in staff.

Senator Kasten noted that the paragraph in question applies to a department in which one of several programs is to be terminated. In this case it is anticipated that there would be a reasonable distribution of faculty. However, paragraph 4.6 provides an appeal process for those claiming unfairness based on discrimination.

Senator Wentworth noted that para. 2.6 does not deal with the possibility that program discontinuance is mandated on the President.

Senator Kasten acknowledged that the committee had not dealt with discontinuation being mandated by the Regents or by the Legislature. We focused on the charge emanating from the Regents. We assumed that Section 3 of the proposal would remain in force.

Senator Wentworth remarked that such discontinuation is more likely than that which would originate on this campus. The document should recognize this likely event.

Senator Graham continued this point. The Regents program review policy might dictate program discontinuance. This document does not reflect this reality.

Senator Kasten replied that this is beyond the committee's charge. We cannot control off-campus decisions. We can only hope that our policy would be honored.

Senator Graham suggested the possibility of a restraining order in case off-campus interests mandate an instant staff reduction.

ADJOURNMENT The meeting adjourned for lack of a quorum (4:43 p.m.).