

2.24 Restructuring of Academic Units

2.24.1 Principles

To allocate its resources effectively, the University may from time to time merge, reduce or discontinue academic units (defined in section 2.24.2) when they are no longer central to the University's mission or when resources must be allocated to other units deemed more critical to its mission. Such changes are hereafter referred to as restructuring. Although it is expected that changes in the academic structure of the university through merger, reduction, or discontinuance of academic units will occur infrequently, they are potentially disruptive, so that procedures are needed to ensure fair treatment of faculty, staff, and students housed in the affected units. The procedures are outlined in Appendix F. To the extent that similar issues arise in the creation of new academic units (including splitting an existing unit into two), these procedures should apply to those cases also.

2.24.2 Definitions

- “Academic unit” refers to a department, school, or college within the university.
- “Program reduction” refers to the elimination of part of an academic unit, such as a sequence of courses, a track or specialty, or a major program of study within an academic unit.
- “Merger” refers to the joining of the faculty of two or more academic units through administrative action, one consequence of which could be program reduction.
- “Discontinuance” refers to the elimination of an academic unit.

2.24.3 Responsibility and Duties of the President

The NJIT Board of Trustees has ultimate 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 restructure academic units are the responsibility of the President. The President has the duty to seek the advice of administrators and faculty within the University in considering such decisions and to ensure that all faculty and staff who might be affected by such restructuring are consulted before a final decision is made, and to ensure that the decision takes into account the rights and needs of current faculty, staff, and students.

2.24.4 Role of the Faculty Council

In cases where the proposed restructuring can be accomplished without significant impact on faculty appointments, the role of the Faculty Council shall be limited to responsibilities described in section 2.1 of the Faculty Handbook. In cases that do result in significant impact on faculty appointments (e.g. termination or significant change of duties of a tenured or tenure-track appointment before the end of the time specified for that appointment in the Faculty Handbook), an ad-hoc committee (referred to hereafter as the Committee) formed under the auspices of the Faculty Council shall represent faculty interests, with the intention of ensuring appropriate reassignment of impacted faculty. The function of the Committee will be to oversee the procedures laid out in Appendix F, step 3a, to ensure that the Provost receives

objective and unbiased information on the matter. The Committee shall consist of seven tenured faculty members, with four members appointed by the Faculty Council and three appointed by the Provost. The Provost shall not appoint any person who is currently a Dean, Assistant or Associate Dean, Assistant or Associate Provost, or Vice President. To ensure Committee objectivity, due diligence will be given regarding each appointment to the Committee to avoid real or apparent conflicts of interest. In particular, no members shall be appointed from academic units directly affected by the restructuring, and no more than two of the members appointed by either the Faculty Council or the Provost shall be faculty members of the same college or school. The Committee elects its own chairperson from among its members.

Appendix F

When a Dean, after consultation with the Provost and any other appropriate Deans or department chairs, believes it necessary to consider restructuring of an academic unit, the procedure herein shall be followed. In cases where the restructuring above is a merger, reduction, or discontinuance of colleges or schools, the Provost shall 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.

1. The Dean shall convene a meeting of the appropriate faculty of the affected units. At this meeting the Dean shall explain the reasons for considering restructuring and propose the terms and conditions of any changes in faculty status resulting from the proposed restructuring, 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 the faculty to introduce any information in support of continuation of the academic unit or to suggest alternatives. This information may be conveyed to the Dean orally or in writing, individually or in groups, and must be received within a reasonable period of time following the meeting (normally two weeks). In addition, any faculty member with tenure who believes that reassignment or modifications in research or teaching assignments is tantamount to termination of his/her appointment with the University (hereafter referred to as *impacted faculty*) shall inform the Dean in writing, providing reasons for his/her concern, within this same period of time. If, after a reasonable period following the meeting with the unit in question (normally two weeks), the Dean decides to pursue the proposed merger or discontinuance, and there are no impacted faculty, he or she shall proceed to step 2. If the Dean has received written responses from impacted faculty, he or she shall proceed to step 2a.
2. The Dean shall convey the reasons for considering the restructuring, along with a summary of all responses received, to the Provost, Deans, and the Faculty Council. It is expected that the Provost will consult with the UCRC, Graduate Council, and CAA regarding academic and administrative impact of the proposed restructuring. A copy of the summary conveyed by the Dean shall be available to the faculty in the office of the academic unit under consideration. Such notification is to provide opportunity to identify consequences that may have been overlooked or elicit suggestions for alternatives. The Dean shall allow a reasonable period (normally thirty days during the fall and spring semester) for these groups to respond. If, after receiving any responses from these groups, the Dean decides to proceed with consideration of the restructuring, and no faculty appointments are to be terminated, the Dean shall proceed to step 3.

3. The Dean shall submit a recommendation to the Provost. This recommendation shall include all information and advice regarding the proposed restructuring that has been offered by individuals or groups, including the report of the Committee and vote of the Faculty if step 3a has been invoked. In all cases, the Dean's recommendation shall include proposed provisions to allow students already enrolled to complete their degree requirements.
 4. The Provost is responsible for reviewing the recommendation for restructuring 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 shall make a final recommendation to the President, which recommendation shall be made public.
 5. The President, after studying the recommendation from the Provost, and obtaining any additional information, clarifications, or advice that he or she thinks necessary, shall make the decision whether to restructure the academic units. If the President decides to restructure 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.
-
- 2a. If the Dean has received written notice from affected faculty in step 2, the Dean shall inform the Faculty Council. Within a reasonable period (normally two weeks), the Dean shall convene a second meeting of the faculty of the affected units, with members of Faculty Council invited, and convey to them a summary of whatever information has been assembled and the alternatives suggested. The Dean shall provide a written statement explaining plans for all impacted faculty members. If the Dean's plan is accepted by the impacted faculty members, the Dean shall proceed to step 2. Otherwise, the Dean shall continue with step 3a.
 - 3a. Those impacted faculty not satisfied by the Dean's written plan shall indicate their concerns to the Dean in writing within a reasonable period (normally two weeks), requesting that the restructuring be reviewed by the Faculty Council, and the Committee shall be constituted. The purpose of the Committee's work shall be to provide objective and unbiased information on the matter to the Faculty Council and the Provost. The Faculty Council shall request the Committee to determine whether the restructuring is based on sound educational considerations. Examples of factors that may be considered include program viability (based on demand for a program and the potential for growth), and the need to avoid duplication, or to effect economies in management, or to strengthen related programs. An academic unit's record of excellence will be a consideration in decisions regarding soundness of the restructuring, but will not be the sole deciding factor. The Committee shall have a summary of all data gathered and shall have access to the original materials from which the summary has been compiled. The Committee is free to gather other material at its discretion; it may seek advice from knowledgeable parties on campus or elsewhere. Normally the committee should complete its work within thirty days. The committee shall convey its report to the Faculty Council, who then shall make a recommendation regarding acceptance. The report and the Faculty Council acceptance recommendation will be presented to the university faculty who will vote on concurrence. The committee's report, together with the Faculty Council's recommendation and the vote of the Faculty, shall be conveyed to the Dean, who shall then proceed to step 3.