

INDIANA UNIVERSITY BLOOMINGTON

Creation, Reorganization, Elimination, and Merger of Academic Units and Programs

(Formerly the Merger, Reorganization and Elimination of Academic Units and Programs)

(Approved: BFC 04/28/15)

I. Scope and definitions

- A. Given that the Bloomington Faculty Council ([BFC constitution](#) [section 2.1.a.1.e] provides legislative authority to the faculty in matters pertaining to the “Creation, reorganization, merger, and elimination of programs and units affecting more than one school on the campus”, and consistent with our commitment to shared faculty and administrative governance, the policies outlined in this document shall be followed except in the cases of financial exigency, when the policies outlined in (VII) shall apply.
- B. Circumstances such as new directions in scholarship, sciences and the arts; new expectations for students entering professional careers or pursuing advanced education; financial opportunities or constraints; or administrative efficiencies may make it prudent to consider and, perhaps, to create, merge, reorganize, or eliminate academic units (CREM), necessitating a reallocation of financial resources and the reassignment of faculty members, librarians, professional and support staff, and students to new academic homes. Proposals to create, restructure, merge, or eliminate academic units, or to change the status of an existing unit should be made only when that action is expected significantly to enhance the ability and capacity of Indiana University Bloomington to perform its joint mission of education and scholarship. CREMs should construct academic units that will be well-respected nationally and internationally and whose achievements will enhance the institution’s reputation for excellence in teaching, research and creative activity. Proposals should be both responsive to current conditions and mindful of millennia of intellectual endeavor.
- C. The role of the BFC CREM standing committee is to monitor and safeguard the legislative authority of the faculty over CREM initiatives. If faculty members who are immediately and substantially affected by the CREM changes believe that they have not been sufficiently engaged in the process of planning, development, implementation and review, they may petition the CREM standing committee at any point. The committee will consider the petition in a timely manner, and discuss it with involved administrators and local faculty committees. The CREM standing committee has the authority to insist that steps be taken to ensure (a) the inclusion of all materially affected faculty members

in a process that (b) preserves the legislative authority of the faculty over CREM initiatives.

The membership of the CREM standing committee will be determined by the Nominations Committee of the BFC and will include an ex-officio member from the Provost's office. No more than one member shall be appointed concurrently from any single academic unit. Each member shall serve for a term of two years and cannot serve more than two consecutive terms. When a CREM is initiated, any member of the committee who is a member of the affected units or is determined to be an affected faculty member should step down from the committee and a replacement should be appointed by the BFC nominations committee.

The CREM standing committee will base its actions and decisions on the following key principles: preserving tenure, shared governance, academic freedom, and peer review of personnel decisions within units.

- D. In the case of a CREM proposal by the Indiana University administration that is focused on or proposed by a core or system school, or affects a core or system school, the University policy on Merger, Reorganization and Elimination of Academic Units and Programs Involving Core Schools (<http://www.iu.edu/~ufc/docs/policies/CoreSchoolMRE.pdf>) will be invoked.
- E. In what follows below, unless otherwise specified, "faculty" refers to all tenured faculty and librarians, tenure-track faculty and librarians, and all categories of non-tenured faculty (lecturers and senior lecturers, clinical professors, research scientists and scholars, research associates, academic specialists, and professors of practice). The "Provost" refers to the individual holding this office or those to whom the responsibilities have been delegated by the Provost. "School policy committee" refers to policy committees as described in the BFC's Elected Policy Committee Statement (<http://www.indiana.edu/~bfc/docs/policies/electedPolicyCommittee.pdf>).
- F. "Materially affected faculty members," shall refer to (i) all faculty members whose locus of appointment in a department or school (if non-departmentalized) will be changed by implementation of a CREM initiative, and (ii) all faculty members in a department or school (if non-departmentalized) where 25% or more of the faculty would have their locus of appointment changed by implementation of a CREM initiative.

II. Initiation of a CREM

- A. A creation, reorganization, elimination or merger of one or more degree granting units (CREM) may be initiated by the University, campus, or school administrators; by faculty through any of their governance bodies (including those of individual units); and by students through any of their governance bodies.

- B. An initiator as defined in (II.A.) is obliged to inform *directly* the CREM standing committee and Provost of its interest in proposing a CREM at the earliest stage of planning, and provide a *prima facie* case for doing so. A *prima facie* case entails a brief rationale that explains why the CREM is considered both desirable and feasible. The initiation should take place during the Fall or Spring semester to allow for full faculty involvement.
- C. The Provost will present the case for a CREM to all vice provosts and deans, together with a copy of this policy. The CREM standing committee will present the case, together with a copy of this policy, to school policy committees and potentially affected faculty members. A reasonable time for remonstrance will be provided, whereby parties may declare that they do not consider themselves to be involved in the CREM or additional parties may express their interest in participating in it. In circumstances where there is just cause for confidentiality, dissemination may be delayed, during which time no substantive steps may be taken in the CREM.

The CREM standing committee will discuss a response to the *prima facie* case and the degree to which the CREM would affect multiple units on campus. The CREM standing committee will consider issues including but not limited to: widespread curricular changes that affect units across campus, and intellectual organization of multiple units. Based on this discussion, the committee will make a public recommendation concerning which faculty or units are affected. If the deans of schools or faculty members are dissatisfied with this recommendation, they can appeal to the Provost. The Provost will then decide which units and which individual members of faculty are substantially affected.

If only a single unit is affected substantially, the CREM will proceed according to the CREM policy of the affected unit. Should the unit not have a CREM policy, the unit's policy committee will adapt this policy to suit its particular circumstances. If individual faculty members or governance bodies within the unit believe that they have not been sufficiently engaged in the CREM process, they may petition the CREM standing committee. In such cases, the CREM standing committee will mediate between the individual, the appropriate governing bodies and administration officers as discussed in (I.C.). In cases in which mediation is unsuccessful, the CREM will refer the case to the BFC Executive Committee, which may take further action.

- D. If a CREM substantially affects more than one unit, the governance bodies of the affected units will be presented with the *prima facie* case for a CREM by the initiator. The faculty will vote on whether or not to proceed with the CREM, in accordance with the voting procedures in the governance documents of the affected units, and according to a procedure, established in concert by the affected units prior to the vote, for combining the votes of individual units into a collective outcome. Individual affected faculty who are not voting members of any of the affected units will convene as a body and vote according to procedures that accord with the norms of governance at IUB.

- a. The count of the votes and mechanisms for voting will be reported to the CREM standing committee and the Provost. In the event that the CREM standing committee considers that appropriate procedures have not been followed and the legislative authority of the faculty has been violated, and subsequent to discussions with involved administrators and local faculty committees, the CREM standing committee may require that a vote be held again under appropriate procedures.
- b. If the affected units, according to the outcome of the vote described above, are unsatisfied with the *prima facie* case for a CREM, the initiator may resubmit a substantially revised proposal to the affected units for a new vote. At the request of one or more of the affected units, and following consultation with all the affected units and the initiator, the CREM committee may disallow a revised proposal on the grounds that it has not been substantially revised or that an unreasonable number of revised proposals have been submitted for faculty approval.

III. Internal and external review committees

- A. Should the affected units vote in favor of proceeding with a CREM, their deans will constitute an internal review committee composed of an equal number of members appointed by (1) the deans of the affected units, and (2) elected representatives of the faculty from each affected unit (e.g., the school policy committee or another elected body). In the case of schools which include multiple units, each of the units within the school that are substantially impacted by the CREM must be represented on the internal review committee. The internal committee will also include one representative of each of (1) the undergraduate students; (2) the graduate students; (3) professional staff; and (4) support staff from the affected units, to be selected by their representative organizations. The committee may also include substantially affected faculty members from outside the units, at the Provost's request. No more than 25 individuals should constitute the internal committee. The deans will report on the membership of this internal committee to the CREM standing committee and the Provost. The CREM standing committee may request the Provost to make changes in the membership of the committee in the event of procedural violations.
- B. The internal committee will consult widely and write a report on the desirability and viability of the CREM. The internal committee will also, in coordination with the Deans of affected units, appoint an external expert committee. The external expert committee will be composed of members who are not employed by Indiana University and are appointed in equal number by (1) the deans of the affected units and (2) by the faculty members of the internal committee. The deans will report on the membership of the external committee to the CREM standing committee and the Provost.

- C. The external committee will be tasked with assessing the desirability and feasibility of the CREM in light of the *prima facie* case, the internal committee's report, and reports emanating from periodic reviews of academic units affected substantially by the CREM. The external committee will make detailed recommendations on the CREM, based on its expertise and framed by a clear evidence-based rationale. The report will be presented to the deans of the affected units, the internal committee, and the CREM standing committee.
- D. Taking into account the assessment and recommendation of the external committee, the internal committee will produce a one-page executive summary of and response to the reports and present this summary, as well as both its own report and that of the external review committee, to the affected units. The affected units will vote according to procedures described in II.B above. The results of this vote will be reported to the Provost and the CREM standing committee. In the event that the CREM standing committee considers that appropriate procedures have not been followed and the legislative authority of the faculty has been violated, and subsequent to discussions with involved administrators and local faculty committees, the CREM standing committee may require that a vote be held again under appropriate procedures.

If the affected units, according to the outcome of the vote described above, are unsatisfied with the case for a CREM based on the documents provided in (III.D.), the internal committee may resubmit a substantially revised proposal to the affected units for a new vote. At the request of one or more of the affected units, and following consultation with all the affected units and the internal committee, the CREM committee may disallow a revised proposal on the grounds that it has not been substantially revised or that an unreasonable number of revised proposals have been submitted for faculty approval.

IV. Planning committee

- A. Should the affected faculty vote to proceed with the CREM, the internal committee will form a planning committee. The planning committee will include elected representatives of the faculty from each affected unit and ex officio members of the offices of the Deans of the affected units. It will also include one representative of (1) the undergraduate students; (2) the graduate students; (3) professional staff; and (4) support staff from the affected units, to be selected by the appropriate bodies through their representative organizations. The planning committee may constitute sub-committees as needed. The internal committee will report on the membership of the planning committee to the CREM standing committee, which has the right to require changes in the membership of the committee in the event of procedural violations.
- B. The planning committee will produce a comprehensive plan, as outlined in (IX). The planning committee will also compile a list of all affected faculty members, including any

substantially affected individuals who have not yet been included in the CREM. The Provost will give final approval to the list.

- C. The plan and list of affected faculty members will be shared with the Provost and the CREM standing committee. The Provost will disseminate the plan to vice provosts and deans. The CREM standing committee will be responsible for circulating the plan to school policy committees and all faculty members. All faculty members, librarians, students and staff shall have a reasonable period of time to be decided in consultation with the Executive Committee of the Bloomington Faculty Council, to review and respond to the plan. The planning committee may make amendments to the plan based on this feedback.

V. Finalization

- A. A plan revised by the planning committee will be presented to and voted on by the voting eligible faculty in the affected units and other faculty members identified as affected in (IV.C.) as one body.
 - a. The plan will not be deemed to have faculty approval if less than two-thirds of the votes cast by eligible faculty support the plan. The planning committee may resubmit a substantially revised proposal to the affected units for a new vote. At the request of one or more of the affected units, and following consultation with all the affected units and the planning committee, the CREM committee may disallow a revised proposal on the grounds that it has not been substantially revised or that an unreasonable number of revised proposals have been submitted for faculty approval.
 - b. The plan will be deemed to have faculty approval if at least two-thirds of the votes cast by eligible faculty members support the plan. The CREM will then proceed as outlined in the “General Matrix for the Administrative Approval Process for New Academic Programs and New Academic Structures.”
- B. The final votes will be reported to the CREM standing committee and the Provost.

VI. Arrangements for faculty graduate students, and academic courses

- A. *Tenure*. Except under conditions of financial exigency (cf. AAUP 1940 Statement of Principles on Academic Freedom and Tenure: “Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.”), the appointments of tenured faculty members and librarians shall not be terminated as a consequence of such reorganization. Necessary reductions in the number of faculty shall be achieved instead by voluntary attrition or reassignment and in consultation with the BFC. (See VIII. below for a more detailed discussion and definition of financial exigency.)

- B. *Expectations for Probationary Tenure-Track and Non-Tenure Track Faculty.* Faculty members and librarians who are affected by the reorganization of units and programs during the tenure probationary or probationary period will be reviewed for tenure and promotion under the criteria and standards of the original home unit at the time they were first appointed or the criteria and standards of their new unit, depending on the faculty member's choice. The timing of the decision about which criteria will be used will be agreed upon by the faculty member and the unit head, and noted in writing in the faculty member or librarian's personnel file. The review for tenure will be conducted by the voting eligible faculty of the new home unit.

Where there is a remaining body of faculty from the original unit who are not part of the new tenure home, the new tenure home will use the split appointment tenure process as a model:

- (1) The voting eligible faculty from the original unit will review the dossier and provide a letter, written by the former unit chair, offering their evaluation of the candidate to the new unit *before* it votes on the candidate's case.
- (2) As in FTE splits, the new home unit is encouraged to consider seriously the letter from the original unit in voting.

- C. *Expectations for Promotion.* Tenured faculty will be reviewed for promotion according to the criteria of their new home unit by the voting eligible faculty in their new unit.
- D. *Reassignment to New Academic Home.* Faculty members and librarians whose academic home unit is merged, reduced, eliminated, or in some other fundamental way reorganized may be reassigned to a new academic home based on the mutual fit of scholarly, scientific or artistic interests. Every effort shall be made to find a new home that is agreeable both to the affected faculty member and to faculty members in the receiving unit, with the understanding that in rare instances it may be impossible to find an arrangement that fully satisfies all parties. The dean of the affected unit and the Vice-Provost for Faculty and Academic Affairs have ultimate responsibility for finding a new academic home for affected faculty members. Faculty members and librarians remain obligated to perform customary research/creative activity, teaching and service responsibilities throughout the period of reorganization, subject to the availability of required resources.
- E. *Compensation and Other Benefits.* Reorganization of academic units and programs shall not result in base pay reductions, in the alteration of negotiated agreements or in the loss of time accumulated for vacation or sabbatical leave eligibility.
- F. *Continuity of Degree Programs.* Every effort shall be made to enable students enrolled in degree programs at the time of reorganization to complete the requirements for those degrees by including arrangements for completion of degree programs in the plan of a CREM, as outlined in (IX.G).

- G. *Contracts*. Contractual rights and obligations of non-tenure track faculty and graduate students shall be honored.
- H. *Grievances*. Faculty members and librarians who object to personal consequences of the reorganization of academic units and programs may file a grievance with the Faculty Board of Review, with the VPFAA, or the Bloomington Faculty Council CREM standing committee.

VII. Evaluation of CREMs

- A. The CREM standing committee undertakes to ensure that an evaluation of each CREM occurs after five years, in accordance with University Faculty Council policy D-20. A campus-wide committee with representatives from different IUB Schools and the Bloomington Faculty Council who are outside the academic unit and administration will be created for purposes of the review. The committee will include representatives of professional and support staff, and undergraduate and graduate students. An additional peer-review faculty committee from other universities will also provide assessment of the new unit to the committee. The committee must solicit the written evaluations of no fewer than four outside leaders in the field, half selected by the Dean(s) of the new or reorganized unit(s) and half appointed by the faculty of the new or reorganized unit(s). The committee will determine the metrics appropriate for the review, with the aim of identifying success or any shortfalls which must be ameliorated by further work, organizational change, implementation of new policies or investment in the unit. The designated committee will evaluate the strengths and weaknesses of the newly reorganized unit.

The evaluation/review will assess such issues as:

- 1) The quality and demand for the program(s) created or reorganized.
- 2) The achievement of planned key strategic outcomes that were expected.
- 3) Enrollment statistics.
- 4) Student retention, progression and graduation rates.
- 5) Employment trends for graduates of the new or reorganized unit(s).
- 6) Post-re-organization policies and faculty appointment procedures.
- 7) Faculty recruitment and retention
- 8) Role of and support for interdisciplinary research and creative activities, if relevant.
- 9) Faculty and students' research, creative activities, and teaching performances through transition with an emphasis on the implementation of new courses and curricula.
- 10) Unit(s) viability, including financial viability and administrative efficiency.

The report of the evaluation will be presented to the BFC Executive Committee and to the Provost.

VIII. Faculty Participation in Campus-Level Budget Decisions on Financial Difficulties

- A. Whenever a financial emergency for Indiana University generally or the Bloomington campus as a whole becomes imminent, the Bloomington faculty and administrators together shall consider the situation and the means for alleviating it. The campus shall strive to avoid impairment to its academic missions of research, teaching, and service.
- C. The term 'Indiana University Bloomington' (IUB) shall refer to all academic and nonacademic units and subunits of Indiana University that either exist on or report to Bloomington campus academic or administrative officers.
- D. Financial Difficulties:
 - a. A financial crisis for IUB as a whole would be a situation in which an unusual deficit, either incurred or anticipated, could be settled only through a level of retrenchment which might seriously impair IUB's academic missions of research, teaching, and service.
 - b. A financial exigency for IUB as a whole would be the worst type of financial crisis--a demonstrably bona fide, imminent financial crisis which threatened the survival of IUB 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.*
- E. As soon as a financial crisis for IUB as a whole becomes imminent or an ongoing financial crisis worsens, the Provost shall request the recommendations of the Bloomington Faculty Council (BFC). This information will be supplemented by a report by the Budgetary Affairs Committee (BAC). If the Provost believes that the circumstances for the IUB campus as a whole or Indiana University generally may be severe enough to lead to a declaration of financial exigency, then he or she shall request the BFC consider this possibility.
- F. The BFC shall secure and review relevant information, both budgetary and otherwise, about the campus and the entire University. The BFC shall consult with the Provost, the campus deans, the school deans, and other campus administrators. The BFC shall consult with the relevant BFC committees; and the BFC shall consult with representatives of other affected campus groups, such as the Professional Council, the organizations representing affected support staff, the IUSA and GPSO.
- G. The BFC shall consider alternatives for alleviating the situation. Within 30 days of the request from the Provost, the BFC shall submit to the Provost reports on their deliberations, their judgment of the severity of the situation, and their

recommendations for alleviating the effects, as well as whether the severity of the crisis warrants a declaration of financial exigency.

- H. The CREM committee will be charged with providing information that is related to but not strictly of a budgetary nature that may establish the scholarly value of a unit threatened with elimination as well as the unit's place in the larger landscape of intellectual and professional endeavors, and a historical record of the unit's sustained contributions to its academic mission as whole.
- I. Upon receipt of the recommendations of the BFC, the President of the University shall meet with the President and Executive Committee of the BFC and the Chairs of the BAC and the CREM to discuss the recommendations. Subsequently, the President of the University shall notify the BFC of the Trustees' and administration's assessment of the crisis and the proposed means for alleviating it and shall allow an opportunity for questions and discussion in a time frame to be agreed upon by the President and the BFC.
- J. 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.

* "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 means." AAUP 1976 Recommended Institutional Regulations on Academic Freedom and Tenure, page 17.

IX. Required elements of a CREM plan

A. Budget

A detailed budget, including a rationale for new human and other resources, will be required. If the unit in question is a new school or college, for example, the budget should include an estimation of salaries and how the school will be funded. The budget should include a financial projection that estimates the number of years in which the costs of the CREM will be recouped.

B. Degree and curriculum design

The plan for a new program, school, or college should include an explanation of the centrality of the program to the mission of the IU Bloomington campus as a whole. It should also include a description of the curricula, including the requirements for degrees and programs. In addition, there should be a timetable for the approval of new degrees and programs by all relevant internal and external bodies by the anticipated date for the completion of the CRM and establishment or reorganization of academic units, as

outlined in the “General Matrix for the Administrative Approval Process for New Academic Programs and New Academic Structures.”

C. Unit(s) structure plan

The plan should include an organizational chart that outlines the structure of the unit. A restructuring plan must include a description and explanation of each component of the suggested structure.

D. Space and infrastructure plan

When applicable, the implementation committee should include a plan for a new building, including anticipated location of faculty, administrative, and staff offices, as well as teaching and research/creative spaces. For programs and entities moving into a current building(s), the plan should include a map of research and teaching spaces as well as of office-space to which personnel will be assigned.

E. Reassignment of staff to new positions.

A list of proposed staff position reassignments must be included in the plan.

F. Transition timetable

A timetable for initiating and eliminating the degree programs, for introducing new degrees or programs (for example, choosing majors and minors, graduate student recruitment, and so on) must be included in the plan.

G. Legacy arrangements

Legacy arrangements for students in degrees and programs being eliminated (including staff and faculty support) must be included in the plan.

H. Faculty governance documents

Arrangements for faculty governance documents (including tenure and promotion guidelines and other policies and procedures) to be drawn up by the faculty of the affected units within a reasonable time must be included in the plan.