

- 06.1300 Financial Exigency and Discontinuance of Academic Programs.
- 06.1301 Definition. A financial exigency is an actual or imminent financial crisis, as determined by the Board, that threatens the survival of the Institution as a whole and that cannot be alleviated by measures other than terminating tenured or tenure-track faculty.
- 06.1302 Declaration of Financial Exigency. The decision to declare a financial exigency may be made only by an affirmative vote of the Board. Prior to voting, the Board will consider the recommendation of the Institution's administration submitted in a timely manner and through the Institution's established procedure. The declaration of a financial exigency will be for a specified period of time not to exceed two years, unless extended by the Board.
- 06.1303 Plan for Retrenchment. Before an Institution takes action pursuant to a declaration of financial exigency, it shall submit a plan for retrenchment to the Board for consideration. The Board may modify the plan prior to its approval.
- 06.1304 Termination of Tenured Faculty. An Institution's recommendation to terminate a tenured faculty member due to financial exigency must be presented to the Board for approval.
- 06.1305 Rescission of Declaration. The Board may, by majority vote, rescind its declaration of financial exigency at any time. Such rescission, however, does not operate to automatically withdraw or otherwise invalidate any notice of dismissal issued to an individual during the period of declared financial exigency.
- 06.1306 Financial Exigency Policy. Each Institution shall adopt a policy consistent with this Regents Rule that outlines Institution policy and procedures applicable prior to and during a financial exigency. The policy shall include the procedure for the Institution's administration and faculty to make recommendations to the Board regarding a declaration of financial exigency and provide for notice and

a hearing before a faculty committee for any faculty member whose termination is recommended due to financial exigency.

- 06.1307 Discontinuance of Academic Programs. Subject to the policies and rules of the Board and under the direction of the Chancellor, the President of an institution has general authority and responsibility for determining when to discontinue or abandon an academic program and when to eliminate occupied academic positions. A decision to discontinue an academic program may occur with or without a financial exigency and will be based primarily on educational considerations.
- 06.1308 Educational considerations. Educational considerations that could result in the discontinuance of an academic program may include, but are not limited to:
1. a substantial decrease in program enrollment or the number of degrees awarded;
 2. the need to shift substantial resources to other programs; or
 3. a substantial modification or redirection of school or department's mission.
- 06.1309 Policy. Each Institution shall adopt a policy consistent with this Regents Rule that outlines Institution policy and procedures applicable to discontinuance of academic programs and the elimination of occupied academic positions. The policy shall include the procedures for the Institution's faculty to make recommendations to the President regarding a discontinuance of academic programs and for assisting students enrolled in discontinued academic programs. It shall also provide for notice and a hearing before a faculty committee for any faculty member whose termination is recommended due to elimination of occupied academic positions.
- 06.1310 Termination of Tenured Faculty. An Institution's recommendation to terminate a tenured faculty member due to discontinuance of academic programs must be presented to the Board for approval.

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