Minutes of February 14, 2013
Faculty Council Meeting

Attendance
Members Present: Steve Ball, James Bauman, Clyde Bentley, A. Cooper Drury, Tim Evans, Lisa Flores, Francisco Gomez, Raja Gopaldas, Bina Gupta, Art Jago, Rebecca Johnson, Kattish Katti, Sudarshan Loyalka, Tony Lupo, Judith Mabary, Camila Manrique, Tom Marrero, Dennis Miller, Stephen Montgomery-Smith, Karen Piper, Joe Parcell, Craig Roberts, Harry Tyrer, Douglas Wakefield, Rachel Brekhus (Librarians), Don Sievert (MURA), Mark Prelas (AAUP), Richard Guyette (NTT), Nicole Monnier (NTT), Katherine Reed (NTT), and Rebekah Hart (sec.). Members Absent: Candace Galen, Cheryl Heesch, Ilhyung Lee, Stephen Sayers, Vitor Trindade, Charles Nilon (Black Faculty and Staff), Katherine Reed (NTT), and John Lory (NTT).

Approval of Minutes
Chair Harry Tyrer called the meeting to order at 3:30 p.m. in S203 Memorial Union. The 1-24-13 minutes remain unapproved.

Report of Officers
Chair Harry Tyrer announced that the first faculty forum on the NTT vote would take place on Tuesday, February 19 from 3-4:30 p.m. in S203 Memorial Union. A proposed ballot was sent to Steven Graham, with the Board of Curators providing the final approval at their April meeting. Rebecca Johnson reported for the ad-hoc committee on safety that the MUPD will present a 1½ hour program to Faculty Council on February 28 from 2-3:30 p.m. Faculty Council will be vetting this presentation for possible future forums. Sanda Erdelez, chair of the Graduate Faculty Senate, noted that several members of GFS were attending the meeting today and announced that the Senate wants to work together with Faculty Council.

Discussion Item(s)
Guests: Tom Phillips & Pat Okker on The Strategic Plan. Copies of a six-page draft were presented to Council for discussion. The timetable for producing completion of the plan is contained in the draft with April 11 as the date targeted to present the plan to the Board of Curators. Two Town Hall meetings will be held (March 5 and 7) as part of the plan. Phillips indicated that the strategy statement has been kept short; the themes (six in number) and levers (tactics) to implement the plan as well as the metrics to judge its progress are also part of the draft. Council members were encouraged to distribute this draft in their own units for feedback, needed by March 15. Respondents can visit the strategic statement website and provide comments <http://strategystatement.missouri.edu/>.

Rebecca Johnson inquired as to whether a prioritization of the themes was in place. Although Okker indicated that the themes were not prioritized, the term “leading metrics” may seem to indicate such. Phillips provided clarification that those items in the leading metrics categories would necessarily have an effect on those under lagging metrics. No decisions have been made at this early stage as to how the academic analytics will be used or whether the metrics will be weighted. When asked about the lack of distinction among tenured, tenure-track, non-tenure
track faculty, and graduate students teaching higher level courses, Phillips noted that a problem with the metrics is that no one system will fit everyone.

Guests: Provost Foster, Dean Justice, and Dean Thompson. Tyrer provided Loyalka, representing NSEI, and Justice, representing administration, fifteen minutes each to present their viewpoints. Loyalka presented first, utilizing a PowerPoint presentation that addressed three areas: NSEI, Shared Governance, and the CRR (Collected Rules and Regulations). Loyalka reviewed the history of actions surrounding the Institute closure announcement on March 12, 2012 effective March 15 followed by a summation of the history of nuclear engineering at MU. The decision process regarding the closure and restructuring is a subject of strong concerns from a variety of constituencies, ranging from students and parents to the larger research community. The Provost’s statement was reviewed as well as several item numbers in the CRR, namely 20.035, 20.036, 20.110, 300.010, 320.020, and 320.150. In light of the alleged failure of administration to follow the CRR, Loyalka offered the suggestion that the provisions in 20.035 (Audit) and/or 320.150 (Discontinuance of Programs or Departments) be considered as ways to move forward. Both options would allow for shared governance and thoughtful reviews and recommendations to the Chancellor.

Justice then discussed the history and context of the restructuring from the perspective of the administration. Recent actions have been taken in the interest of bringing areas together in order to retain viability and influence. An external review was conducted, which determined that NSEI could not continue in its present form. When admissions were closed to allow the transition of NSEI into the School of Engineering, Faculty Council presented a resolution to the provost to re-open admissions immediately and to retain the curriculum currently in place. The provost responded by opening admissions and agreeing that the present curriculum would remain in place for five years.

James Thompson noted that students were being accepted into the College of Engineering. The intent of the College is to have programs that are acceptable in the discipline. Students are now being admitted into multiple areas of emphasis. There are eighteen core faculty, of which the NSEI faculty are a part. There are approximately thirty courses relevant to nuclear engineering to which students now have access.

Justice explained more of the history of the restructuring actions. Interim director Volkmer retired in 2006. The search for a new director failed and in 2007, Graduate Dean Benoit became acting director, after determining that hiring a director would be premature before knowing the direction NSEI would go. In 2008 the budget line for the director was assigned to Compete Missouri. In 2010, discussions began on how to restructure NSEI and the Truman School of Public Policy so that tenure lines were not in the graduate school. Any failure at transparency in this process was because of the complexity of the matter of restructuring while insuring faculty rights and positive results for students. No tenure lines were in question. Loyalka indicated that he has e-mails that counter Justice’s comments.

Tyrer opened the discussion to questions from members of Faculty Council. In response to the inquiry of why a top-ranking program is being folded into a lower-ranking one, Justice responded that in fact the Engineering program is in the mid-range, competing against many more institutions than NSEI. No one disputes the success of the faculty members; the objective
was to harness what exists on campus into a better working model. In response to the question of why admissions were closed, Justice responded that he could not bring students into a program that would no longer exist. Existing students would be able to complete their degrees under the same requirements with no curriculum changes. [Recorder’s Note: the Provost pledged that no curriculum changes would be made for five years. See above.]

Karen Piper expressed concern about MU’s reputation being damaged as a result of these disagreements. Johnson inquired as to why the present NSEI program could not be enlarged. Justice informed Council that this had been tried in 2002 but failed. What is desired at this point is a broader program in Nuclear Engineering that has various branches. The existing curriculum could continue, but there are also faculty with interests in other branches of nuclear engineering that could result in new emphasis areas. When the implementation of the external review was questioned, Justice indicated that NSEI knew about the review and agreed to it. Justice took their comments into account when making the agenda. Sievert asked that the representatives from administration provide Council with a written version of their statements. Piper asked why the new nuclear engineering program was not being directed by the NSEI faculty. John Gahl noted that many are qualified to teach nuclear engineering courses who do not have degrees in nuclear engineering, yet their experience and research is in this field.

Responding to Gupta’s inquiry regarding why NSEI had been moved to the graduate school in the first place, Justice informed the group that NSEI, formerly in the College of Engineering, had been moved to the graduate school because of conflict between NSEI faculty and those in engineering.

Roberts noted that whether or not the CRR had been violated was the real issue that Faculty Council must address. Justice answered that he had been worried about breaking the CRR and conferred with General Council as a result. Katti reviewed the main sources of conflict in the restructuring process: NSEI are a highly qualified, successful faculty; Thompson wants to expand the College of Engineering. Administration is concerned with how to capitalize on the need to expand. Roberts pointed out that the CRR fails in this type of situation and advocated an audit.

Tyrer then opened questions to those attending who were not members of Faculty Council. Randy Curry, the Director of the Physical and Power Electrical Center, made a plea for working together to resolve these issues. Publicity about this conflict is damaging the ability to get grants in Washington. Quality must be maintained and NSEI retained as a unit.

Loyalka and Justice made closing comments. Loyalka spoke for going forward and getting it right. The negative publicity is hurting the institution. Justice agreed, reiterating that the goal is to move toward a larger, more comprehensive program for the students and university.

Adjournment
The meeting was adjourned at 5:20 p.m.

Respectfully submitted,
Judith Mabary, Recorder
Points that I (Dean Thompson) made in my presentation to Faculty Council on February 14, 2013.

• The country and the world need engineers with nuclear engineering (NE) knowledge and expertise.
  o There is currently growth in nuclear energy production world-wide
  o Updates, maintenance and repair of nuclear power facilities is required

• The engineers needed in nuclear industries will be nuclear engineers, but also mechanical, electrical, chemical and civil engineers. The largest demand and need will be for the other (non-nuclear) engineers to design, construct, and maintain nuclear devices and systems. It is an advantage if these engineers have some formal education in nuclear engineering.

• The need for the broad range of engineers (again not just nuclear engineers) will be domestic but also international. The need will be in numerous nuclear areas which include reactors and power production, but also in other areas such as radiation production for medical purposes.

• The Nuclear Engineering Program (NEP) was in the College of Engineering from 1964 to 2002.

• MU’s College of Engineering is now again managing the NEP, together with other relevant engineering programs including Mechanical, Electrical, Chemical and Civil Engineering.

• The College of Engineering NEP will produce graduates with MS and PhDs in Nuclear Engineering. The NE courses will also be available to all engineering graduate students and undergraduate seniors for electives. The courses will also be of benefit to undergraduate students participating in the already existing undergraduate “minor” in nuclear engineering. This “openness” to the curriculum to students of numerous disciplines will produce BS, MS, and PhD graduates from other engineering disciplines (Mechanical, Electrical and Chemical) and other disciplines such as physics, chemistry, geology, and medicine.

• The MU College of Engineering NEP is now accepting students. There are more than 20 nuclear engineering courses and at least 10-20 additional courses available throughout the College and MU campus relevant to nuclear degrees and students interested in nuclear within another major. Courses are also available through the University Engineering Alliance which offers nuclear engineering courses electronically, particularly from Texas A&M and K-State.

• The NEP has 18 “core” faculty and will have numerous “affiliated” faculty from through the campus. The research and technical staff at MURR will be strong participants.

• John Gahl is the NEP Director. John has for numerous years held a ½ time appointment at MURR and has many years of Nuclear related experience. The Graduate Advisor is Naz Islam. Naz has a PhD in Nuclear Engineering from Rensselaer Polytechnic Institute and numerous years of professional experience working in nuclear reactor facilities.

• Engineering has more than 110 faculty. Many of these faculty have expertise and experience either directly in nuclear engineering or areas important for nuclear engineering education.

• The College of Engineering faculty is capable and well prepared to manage and teach students, and conduct research in nuclear engineering.

• There will be a strong outreach component and an advisory committee committed to industry involvement in the development of NEP.
PROVOST’S COMMENTS TO FACULTY COUNCIL ON NSEI ISSUES
February 14, 2013

My comments are to provide context for the broader discussion we will have today about the issues surrounding the NSEI.

Let me start by saying that MU has amazing assets in nuclear science and engineering. This is widely recognized. At the center is, of course, the Reactor—a world class facility. But in addition—and of course related—are the NSEI programs, Radio Chemistry, Nuclear Physics, other engineering assets, Radiology, School of Health Professions, and of course external collaborators such as AMEREN. The question is—has been subject of discussion for many years: how do we bring all of these assets together to form a highly visible, coherent, high-impact national/international presence in both research and education.

More than a decade ago, when NSEI was moved from Engineering to the Graduate School, one of Chancellor Wallace’s charges was to bring our resources together to form a nationally/globally visible, high-reputation presence in Nuclear Science and Engineering. For whatever reasons, that didn’t happen to the extent that had been envisioned. In keeping with the agreement made at that time, as captured in Chancellor Wallace’s letter, we have conducted an external review of NSEI as a key part of reviewing the future of this new administrative structure. We’ve explored many options for the future of the Nuclear Engineering program, with extensive discussions including the NSEI faculty and many others across campus. We discussed the future role and home of the NSEI faculty, and of expansion/broadening of the programs in Nuclear Engineering and Nuclear Science.

The external review, which occurred in 2010, brought three prominent nuclear engineers to campus—a group approved by the NSEI faculty. Their review confirmed our concerns and our positive aspirations for Nuclear Science and Engineering at MU. On the one hand, we have impressive nuclear assets, including especially the reactor and very high quality faculty. On the other hand, NSEI has some impressive successes, but it is a small, highly focused unit that has not brought campus-wide resources together as had been envisioned at the time of the move to the Graduate School.

As this external review of NSEI occurred, along with other aspects of the assessment mandated in Chancellor Wallace’s letter, some developments in the Graduate School came into the discussion. Most importantly, two new highly successful interdisciplinary graduate programs (Master of Public Health and Informatics Program) were formed and became a model for others in the future—programs that brought to MU a structure for institutional graduate programs that is common at other major universities, and that helped solidify the vision for the Graduate School’s educational contributions. At the same time, it became clear that the Graduate School is not appropriately structured to house and support department- or college-like programs with tenured faculty and substantial space and lab needs. In this sense neither the Truman School of Public Affairs nor NSEI were a good fit with the Graduate School.

Over the past nine months, there has been a great deal of discussion and significant conflict over these issues. Dean Justice will provide more detailed information. Several important outcomes emerged. First, it was decided that both the Truman School of Public Affairs and NSEI would no longer be housed in the Graduate School. Second, NSEI in its current form would be phased out as an administrative unit. Accordingly, a new administrative home for the Power Concentration needed to be found. Third, following several months of discussion, the College of Engineering proposed new emphasis areas in Nuclear Engineering, to be delivered in a cross-departmental “area” program called the Nuclear Engineering Program (NEP). Fourth, the existing Power Concentration in Nuclear Engineering that has been offered through NSEI (including Medical Physics and Health Physics) was facing a deadline for admitting students for the fall, 2013. The need to open admissions was especially urgent given the large GAANN grant for student support that was awarded to the program, and the need to sustain the CAMPEP accreditation for Medical Physics. Fifth, the Faculty Council discussed the NSEI issues and passed a resolution that admissions should be opened immediately, and that a structural solution for the Power Program (i.e., the NSEI program) be achieved that would keep the research and education programs intact.

Chancellor Deaton responded to this resolution immediately mandating that admissions be opened immediately, that the Power curriculum be administered through the NEP, that the current NSEI faculty maintain their roles in offering the Power curriculum, and that the curriculum not be changed for at least five years unless a majority vote of the NSEI faculty voted in favor of the change. Current students will remain in the “NSEI Program” until they finish their studies, with support staff and faculty unchanged. (I think Dr. Deaton’s letter has been distributed to all Faculty Council members.)
Accordingly, the admissions process is open and accepting applications for the Power Concentration, including Medical Physics and Health Physics. The NSEI faculty have not yet gotten on board with these arrangements, but discussions are continuing about achieving agreement on how to proceed. Approval of the broader Nuclear Engineering Program by the Graduate Faculty Senate has been delayed for process reasons; admissions has not yet been opened for the broader program, but approval of the program is expected in the near future. And finally, broader discussions will continue about MU’s future in Nuclear Science and Engineering, going way beyond Engineering, engaging our many assets across campus and beyond.

George Justice
Introductory Remarks to Faculty Council
February 14, 2013
I am hoping to put the larger vision articulated by Provost Foster and the map for the future laid out by Dean Thompson in the context of six years of discussion of the future of the Nuclear Science and Engineering Institute. Therefore, I’ll begin with conversations that took place in 2006 upon the retirement of Dr. Wynn Volkert, the first interim director of NSEI.

2006: Dean Pam Benoit initiated a search for a new director upon Dr. Volkert’s retirement. The search did not come up with a candidate who could take the position, and Dean Benoit ended up labeling a search as “premature” given that the external review (the “task force” she mentioned in an email message to NSEI faculty) had yet to take place. Graduate School assumed administrative responsibilities for NSEI, with Dean Benoit functioning as “Acting Director.”

2007: Compete Missouri process around campus. As its contribution to Compete Missouri, Dean Benoit gave back the salary associated with Dr. Volkert’s administrative role. In 2003, when he transferred this amount to the Graduate School, Budget Director Tim Rooney signaled that it was for Dr. Volkert’s administrative responsibilities. Since the Graduate School had assumed these responsibilities, this was an appropriate amount to return to the university.

2009: Dean Benoit was in process of scheduling the external review mandated by Chancellor Wallace’s letter when she left MU to take on the position of provost at Ohio University. Provost Foster charged me (newly named George Justice) with conducting the review. Fall 2009: I begin with the list of reviewers put together by Dean Benoit, but two of those prominent faculty members were no longer available. NSEI faculty objected to the third, who was removed from the list. I found three prominent faculty members from Oregon State, Penn State, and North Carolina State who agreed to serve on the review committee. Dr. Mark Prelas of NSEI approved the list of reviewers, and in the winter/spring of 2010 I put together the charge to the reviewers and their agenda, after sharing the NSEI self-study with them. NSEI faculty had input into the agenda, and added participants to the meeting with affiliated faculty.

2010: Review conducted. The report of the reviewers found that although the faculty took care of NSEI graduate students effectively, the structure of NSEI had not brought together campus assets. Listed as the primary strengths of the campus were the MU Research Reactor (MURR) and radiochemistry, along with other efforts and faculty around the university.

2010: MDHE asks the university to look at “low producing” programs. In that context, I sat down with Drs. Loyalka and Prelas of NSEI and Dr. Bart Wechsler of the Truman School to begin conversation on where each unit might find a productive home in a “line college.” I had downsized to one associate dean, and it made sense for faculty tenurelines to be housed in colleges set up to work with faculty lines. NSEI faculty declined to pursue a possible return to Engineering. They signaled that another home might be possible, but that it would take time to pursue those possibilities.
2012: Reorganization of the Graduate School. It was extremely tricky and required political negotiation to reorganize so that the Truman School would become independent and NSEI be reshaped to fit the strengths of the campus. We did not commit any violations of the Collected Rules, nor was there ever any thought that the faculty would not continue in their tenured positions. Their continuing tenure was the bedrock value behind the administrative changes that we proposed. In all of the evolutions of the reorganization since it was announced in March, 2012, we have tried to serve students and faculty in the long term while making sure that the campus brings together its strategic assets.
March Action Regarding NSEI

- Faculty learned of closure same as the public, through the announcement. The announcement cited a 2010 review and finances, there was no mention of CAMPEP Accreditation or of how review concerns had been addressed.
- The Justice emails 1/1/2012-3/12/2012 (which became available in December 2012) show that the decision to dismantle NSEI had been taken as early as January 2012.
March Actions, contd.

- The timeline to close was advanced from July 1, 2012 to March 1, 2012, following a Justice/Foster meeting with the Chancellor in January (based on the understanding that Justice drew from this meeting; it is not clear if the Chancellor was informed of this).

- Justice instruction to others: “tight lid” regarding actions- No NSEI faculty engagement/information.
“EXCEPT, as you will see from Chancellor Wallace’s memo (attached), he specifically mentions 320.150 as the process that will be used to end the program.

So I worry that even if we don’t need to follow 320.150 B.4-7 (which deals with ending tenured appointments) the faculty will still insist that the campus follow 320 B.1-3, which involves setting up a faculty panel to listen to the case and provide a recommendation to the Chancellor, who can still discontinue the program. (Even if we’re not actually “discontinuing” the program.)

Another problem: 320.150 B.8 says that we can’t start up another program within three years without reinstating the faculty. Of course I don’t think this applies because we’re not actually terminating the program in the ways that 320.150 expects.

All of this goes to say that because Chancellor Wallace specified this section of the Collected Rules, we may be forced to follow procedures that aren’t actually relevant to the more subtle transformations that we’re trying to undertake. And this might end up derailing what would be right for the campus.

Or am I overreacting? Ken, do you follow me here? What do both of you think?”

George
Sent February 1, 2012 9:23 PM
From George Justice to Ken Dean and Brian Foster
History of Nuclear Engineering At MU

- 1955-Course in Nuclear Engineering Offered
- 1964-Nuclear engineering formally established with administrative responsibility under the graduate school
- 1964-First MS in NE awarded
- 1977-Medical Physics emphasis initiated
- 1989-Administrative Responsibility given to College of Engineering
- 2002-Nuclear Science and Engineering Institute Established/administrative responsibility shifted back to graduate school
- 2003 – INIE Award, one of five in the nation
- 2007 – VHTR Consortium award, one in the nation
- 2007 – Ranked First in the Nation by Academic Analytics
- 2008 – NRC Fellowship Awards
- 2011 – CAMPEP Accreditation
- 2012 – Best Book on Energy Award

- Many DOE and DOEd awards
Over the past three weeks, very productive discussions have occurred about the future of
MU’s programs in Nuclear Science and Engineering. A very broad range of constituents
have engaged in the discussions: faculty and administrators from numerous units on campus,
students, alumni, and external constituents (e.g., employers of NSEI alumni) have provided
valuable input, as has especially the faculty from NSEI. Although there are many issues still
under discussion, there is broad agreement on some key matters that have surfaced in the
discussions.

One of the most important is that MU will assure that students currently in the NSEI
programs will not suffer adverse consequences to the reorganization…in fact, that they will
benefit from the greater MU presence in the Nuclear Science and Engineering area nationally
and internationally. To this end, we will see that NSEI as a unit and its programs will
remain in full operation until ALL current students and those admitted in 2012 and
possibly later have been served. By “full operation” we mean that faculty will remain
engaged, that curriculum will be offered, that staff and other support will be continued.
Concerns, Resolution, and Issues

- Strong concerns of the decision process expressed by students, parents, staff, faculty, faculty council chair, alumni, constituents, and community at large regarding the unilateral action.

- There were several meetings of the Provost, Vice Chancellor, and Graduate Dean with FC Chair and NSEI Faculty. The Provost issued the statement,
NSEI AND GRADUATE SCHOOL RESTRUCTURING:
STATEMENT ON DISCUSSIONS TO DATE
April 9, 2012

Over the past three weeks, very productive discussions have occurred about the future of MU’s programs in Nuclear Science and Engineering. A very broad range of constituents have engaged in the discussions: faculty and administrators from numerous units on campus, students, alumni, and external constituents (e.g., employers of NSEI alumni) have provided valuable input, as has especially the faculty from NSEI. Although there are many issues still under discussion, there is broad agreement on some key matters that have surfaced in the discussions.

One of the most important is that MU will assure that students currently in the NSEI programs will not suffer adverse consequences to the reorganization…in fact, that they will benefit from the greater MU presence in the Nuclear Science and Engineering area nationally and internationally. To this end, we will see that NSEI as a unit and its programs will remain in full operation until ALL current students and those admitted in 2012 and possibly later have been served. By “full operation” we mean that faculty will remain engaged, that curriculum will be offered, that staff and other support will be continued.
Another important matter is to assure that the NSEI faculty members’ needs will continue to be accommodated after their tenure homes move from the Graduate School--space, grant continuation and renewal, department/unit home, and other matters--to assure their continued effectiveness. The discussions with the faculty have been extremely productive, with many creative and compelling ideas emerging. Several options have surfaced about the potential “tenure home” of the faculty, including the College of Engineering and several others.

All of that said, the most important and really exciting part of the discussion is about increasing MU’s national and international visibility and stature in Nuclear Science and Engineering. We envision a campus-wide “consortium” of Nuclear Science and Engineering programs, centers, facilities, and other units on campus—a collaborative resource that will create dramatic synergies that will enhance all program elements. Moreover, we are considering a broadly interdisciplinary graduate program and a research center that would engage perhaps upward of 60 MU faculty in nuclear science and engineering. And finally, we are exploring the potential of strong external relationships that will be productive for both MU and our external partners—an interesting example being our collaboration with Washington University in the Medical Physics program. The future for Nuclear Science and Engineering at MU is exciting, and the recent discussions give us reason to be very optimistic about dramatically increasing the University’s stature in this important area.
Provost’s statement

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20.035 Program Assessment and Audit
20.036 Procedures for Reviewing Proposals to Establish New Degree Programs
20.110 Department Chair
300.010 Faculty Bylaws of the University of Missouri-Columbia
320.020 President’s Authority
320.150 Discontinuance of Programs or Departments of Instruction

These apply to everyone, not just NSEI
20.035 ~ Audit

- “..The purpose of a program audit is to determine if a selected degree program or academic unit should be modified, consolidated with another degree program and/or academic unit, suspended, or discontinued. The Chancellor or her or his designee will determine which programs or academic units should undergo a program audit. ..”
20.036 Procedures for Reviewing Proposals to Establish New Degree Programs

- **Proposals to Establish New Ph.D., Other Doctoral, and Professional Programs**
  - Proposals should be prepared on the campuses in accord with the CBHE guidelines and format.
  - Following review and approval by appropriate campus units and by the Chancellor, the proposal should be submitted by the Chancellor to the President.
  - The President will refer the proposal to the Office of the Vice President for Academic Affairs for review and advice.
  - The President will either (1) send copies of the proposal to the Chancellors on the other campuses with a request for review and comment, (2) return the proposal to the submitting campus for revision, or (3) return the proposal to the campus with a negative decision. If (1), the President will also appoint an outside review team, usually with three to five members, to seek advice about the need for the program, the merits of the proposed program, the ability of the proposing campus to offer the program, and possible opportunities for intercampus cooperation and collaboration. It will normally take three to six months to complete the outside review.
  - Based on the comments received from the outside review team and the campuses, the President will either approve or disapprove the proposal. If approved, the President will submit the proposal to the Board of Curators.
  - If the proposal is approved by the Board of Curators, the President will submit the proposal to the CBHE.
300.010 Faculty Bylaws

- **Primary and Direct Authority** -- The UMC Faculty has essential decision-making authority in matters directly affecting the educational program of UMC, including but not limited to:
  - (1) Articulation and maintenance of standards of academic performance -- this includes but is not limited to guidelines for appropriate research, service, and scholarships; requirements for graduation; and related matters.
  - (2) **Construction and approval of courses of instruction and of curricula.**
  - (4) Formulation of criteria determining professional standing of Faculty -- including but not limited to such matters as tenure, promotion, termination, guidelines for responsibility, Faculty standing with regard to Graduate Faculty membership and doctoral dissertation supervision.
  - (6) Determination of minimum admission requirements.
Authority -- The discontinuance of a program or a department which would result in the termination of continuous appointments or term appointments before their expiration may be done in either of the following manners:

- The Board of Curators in the exercise of the power vested in it by Article IX, Section 9(a) of the Constitution of the State of Missouri may discontinue a program or department which would result in the termination of continuous appointments or term appointments before their expiration without following the procedures set out in this Section 320.150.B to 320.150.B.4, inclusive, but the Board of Curators in making its decision shall consider the criteria set out in Section 320.150.B.2. Before a final decision is made to terminate a program or a department under Section 320.150.A.1, the Board of Curators shall consult with the President and the Chancellor of the affected campus, who will consult with appropriate faculty representatives and the affected academic unit. Within a reasonable time to be set by the Board, the affected academic unit shall be given the opportunity to submit to the Board of Curators, through the Chancellor and the President, its response to a proposed program or department termination and any alternate suggestions and recommendations.
The procedures in the Section 320.150.B to Section 320.150.B.5 may be used to discontinue a program or department which would result in the termination of continuous appointments or term appointments before their expiration.

If either alternative is used to discontinue a program or department which would result in the termination of continuous appointments or term appointments before their expiration, the provisions of the Section 320.150.B.5 to Section 320.150.D.2.e(2), inclusive are applicable.
Why is 320.150 Relevant?

- It applies to all academic units on the campus that may be subject to discontinuance.

- It is specified in the NSEI formation Letter.

- The continuous appointments of tenured NSEI faculty have been jeopardized by the March action. Had the Rule been followed, it is likely that the decision would have been not to dismantle NSEI/degree, and the NSEI faculty tenures would not be jeopardized.
Considerations -- The discontinuance of a program or department which could result in the termination of continuous appointments or term appointments before their expiration shall be based on the following criteria:

- Contribution of the program to campus and University missions;
- Need for the program;
- Financial considerations;
- Quality of the program;
- Welfare of the student, including the opportunity which student currently enrolled in the course will have to complete it;
- Extent to which the program is available at other institutions in the State and region; and
- Extent to which the University has unique advantages in offering the program.
Shared Governance (Fall, 2012 FC Workshop)

- President Emeritus Mel George: “The interests of all are coordinate and related, and unilateral action can lead to confusion or conflict.”

- Chancellor Brady Deaton: Trust, Transparency and Timeliness
Suggestions for going forward?

- Follow CRR 20.035 (Audit) and/or CRR 320.150 (Discontinuance)

- Both of these respect shared governance (faculty engagement) and allow for thoughtful reviews and recommendations to the Chancellor. In the case of Audit the Chancellor makes the final determination. With Discontinuance, appeals are allowed.