



New York University
A private university in the public service

Faculty Senators Council
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EXCERPTS FROM THE NYU FACULTY HANDBOOK

Procedures for Termination or Reorganization of Academic Programs

Resolution of the Board of Trustees adopted on December 10, 1979

RESOLVED, That the Board of Trustees approves the following procedures, previously approved by the University Senate, to govern the termination and reorganization of academic programs with the proviso that, under Section B, final authority to determine whether an academic program should be terminated or reorganized lies with the President of the University.

A. Consultation Procedure.

Because one of the main responsibilities of the faculty is the curriculum, no program leading to a degree or certification in any school of the University should be discontinued or reorganized without the involvement of the faculty of that school in reaching the decision.

When discontinuance or reorganization of a particular program is proposed, the entire matter is to be considered by an appropriate elected standing committee of the faculty of the school concerned (e.g., Policy and Planning Committee, Academic Affairs Committee, etc.) with the President of the Student Council of the affected school as an ad hoc member.

The department concerned should have the opportunity to present a proposal for continuation and/or reorganization to the committee. Such a proposal should have the support of a majority of the voting members of that department, although minority reports should be admissible for consideration.

The committee should have access to all pertinent information including, but not limited to:

- 1) The reasoning behind the proposed termination or reorganization.
- 2) The administrative history of the program, including what actions have been taken over the preceding five years which were supportive or non-supportive of the program.
- 3) All recent academic evaluations of the program by both internal and external evaluators.
- 4) All financial data relevant to the program and related programs, including estimated costs for retaining it or reorganizing it as a quality program consistent with the standards of New York University, and the probable impact such expenditures would have on other programs in the school.

The committee should also allow and encourage other appropriate members of the University community to provide further information and opinions, orally or in writing.

When it has concluded its study, the committee should report to the dean of the school and to the faculty of the school.

After the committee has made its report, the faculty will have the opportunity to vote on whether the program should be maintained.

B. Decision Making.

If the faculty recommends that a program be discontinued or reorganized, this should be done. If the faculty recommends that the program be maintained, and if this is not feasible, the degree, if any, to which it can be maintained/supported should be negotiated between faculty and administration. After a final decision has been reached, the administration must issue a written report to the faculty stating the reasons for the decision.

Should termination or reorganization involve an entire school, the above procedure would be conducted by the Faculty Council.

Resolution of the Board of Trustees adopted on December 1, 1997

WHEREAS, on December 10, 1979, the Board of Trustees of New York University adopted a resolution providing for "Procedures for Termination or Reorganization of Academic Programs" (the "Prior Resolution"); and

WHEREAS, it has become advisable to adopt the resolutions set forth below concerning the applicability of the Prior Resolution in connection with the potential merger or other combination of the NYU Hospitals Center and/or NYU Health System with the Mt. Sinai hospitals and/or Mt. Sinai health systems (the "Potential Hospital Combination") and the potential affiliation between Mt. Sinai School of Medicine and New York University (the "Potential Affiliation");

Now therefore, it is hereby

RESOLVED that, the Board of Trustees reaffirms that the Prior Resolution shall apply only to (i) a proposed discontinuation of an existing academic program (or programs) leading to a degree or certification at New York University which, at the time such discontinuance is authorized, explicitly provides for the complete discontinuance of such academic program (or programs), or (ii) a proposed reorganization of an existing academic program (or programs) leading to a degree or certification at New York University which, at the time such reorganization is authorized, explicitly provides for an immediate reduction in the number of existing tenured faculty holding positions in such program (or programs); and it is further

RESOLVED that, in any event, the Prior Resolution shall not apply to the Potential Hospital Combination or the Potential Affiliation unless the Potential Hospital Combination and/or the Potential Affiliation were explicitly to provide for (i) the complete discontinuance of any academic program (or programs) at the NYU School of Medicine, or (ii) an immediate reduction in the number of existing tenured faculty holding positions in any program (or programs) at the NYU School of Medicine; and it is further

RESOLVED that, neither these resolutions nor the Prior Resolution shall create or confer any private right of action or standing on any person or group employed by or affiliated in any way with New York University to pursue any claim or cause of action whatsoever in law or equity, or to pursue any other type of proceeding, in any court, agency of government or other forum or tribunal external to the University; and it is further

RESOLVED that, any question or dispute as to the meaning, applicability or implementation of these resolutions or the Prior Resolution shall be decided solely by the Board of Trustees of New York University whose decision shall be final and binding.

If there is any discrepancy between the text in this excerpt and the NYU Faculty Handbook, the NYU Faculty Handbook shall control.