

BOWLING GREEN STATE UNIVERSITY FINANCIAL EXIGENCY PLAN

Subject to the authority of the President and the Board of Trustees, the following is the Financial Exigency Plan for Bowling Green State University.

A. Definition of Financial Exigency

Financial exigency is an imminent financial crisis which so seriously jeopardizes the University's academic programs and the ability of the University to fulfill its mandatory obligations to the public that the termination of probationary and tenured faculty contracts is necessary. Projections of enrollment, of instructional subsidies, and other sources of revenues must demonstrate both to the faculty and to the administration that the shortage of funds will be so severe and persistent that there is no reasonable alternative to a change in the nature and character of the Institution.

B. Declaring Financial Exigency

The Senate Executive Committee, as the representative body of the Senate, shall constitute the faculty group to participate in the decision by the Board of Trustees to declare that a state of financial exigency exists at Bowling Green State University.

1. When the Senate Executive Committee (SEC) has heard the arguments of the administration concerning the present or anticipated existence of a state of financial exigency, the SEC shall draw its own conclusions concerning the claim of the severity of the diminishing resources of the University and the impact of the crisis on the quality of academic programs.
2. The Chair of the Faculty Senate shall report the results of the SEC's deliberations to the faculty as a whole and to the Faculty Senate. The Senate may choose to endorse SEC's conclusions or to draw its own conclusions about the present or anticipated existence of a state of financial exigency.
3. The general reaction of the faculty as reported to the Secretary of the Senate, along with the formal opinions of SEC and the Faculty Senate, shall be transmitted to the President and the Board of Trustees.
4. The Board of Trustees shall consider these opinions and the recommendations of the President, together with all other relevant information, in deciding whether or not to declare a state of financial exigency. The responsibility of declaring financial exigency rests with the President and the Board of Trustees.
5. The SEC shall annually review with the administration the state of the University's financial condition relative to exigency until the Board of Trustees revokes the financial exigency state.

C. Procedures for Implementation

Probationary and tenured faculty contracts can be terminated only through program curtailment. There are three basic options available as part of program curtailment: 1) consolidation of previously separate units; 2) reduction of an existing unit; or, 3) elimination of an existing unit.

Step 1: The group charged with identifying program units which are to be curtailed shall be the Committee on Academic Priorities (CAP). Units shall be defined as to include, but not limited to, activities, offices, services, functions, degree programs, academic specializations, departments, divisions, centers, and institutes in the academic area. If in the process nonacademic areas are identified for financial savings, these shall be stated to the administration and included in the Committee's report to the Senate.

Membership of the Committee:

The membership of this Committee (CAP) shall include:

- the faculty membership of SEC, including Faculty Senate Officers (9),
- one representative from the Council of Chairs, selected by the Council of Chairs,
- one representative from the Council of Deans, selected by the Council of Deans,
- the chief academic officer of the University,
- the undergraduate and graduate members of SEC (non-voting),
- two faculty, selected by the SEC and Com/Com, to provide desirable pertinent expertise not otherwise represented among the Committee membership.

The Committee on Academic Priorities shall be chaired by the Chair of the Faculty Senate, and the Secretary of the Faculty Senate shall serve as Secretary to the Committee.

Criteria to be Used for Program Curtailment:

Criteria for program curtailment are, unranked:

- importance to the academic mission of the University,
- quality, as determined by periodic reviews and evaluations,
- enrollment patterns,
- cost-benefit and revenue relationships,
- number of programs served,
- frequency with which a service is rendered,
- recognition of equal opportunity principles.

Step 2: Before a program unit is recommended to the Senate for curtailment, this Committee shall state its rationale for curtailment of the unit and allow the unit opportunity to provide additional information.

Step 3: The Chair of the Committee shall report the recommendations of the Committee, along with the basic rationale for these recommendations to the Faculty Senate for its timely consideration. The Faculty Senate may choose to endorse or to modify these recommendations.

Step 4: The recommendations of the Committee, and the resulting action of the Faculty Senate, shall be forwarded to the President for implementation. Once a decision has been made to curtail a program unit, University administrators shall terminate individual faculty contracts only after vigorous good faith efforts have been made to reassign these faculty members, to offer them early retirement options, or to make other appropriate arrangements.

D. Rights of Faculty

1. Faculty on probationary contract shall not be denied tenure or have employment terminated on the basis of financial exigency unless the program unit with which such faculty are primarily associated has been targeted for consolidation, reduction, or eliminations.
2. Faculty with tenure shall not have employment terminated on the basis of financial exigency unless the program unit with which such faculty are primarily associated has been targeted for elimination.

3. The President shall inform by registered mail the individuals whose appointments are to be terminated providing each with a statement of the criteria and procedures by which the decision was reached.
4. Any faculty member who believes termination has resulted from a prejudicial use of the foregoing procedures shall have the right to file a grievance with the Faculty Personnel and Conciliation Committee in accordance with B-I.E. within twenty class days after receipt of the notice. No appeal can be heard which is based upon a challenge to the existence of exigency or to the procedures outlined in this document.

E. Financial Exigency Declared by State

If financial exigency should be declared by the Board of Regents or the State Legislature, the procedures described in this document shall be followed in their entirety at Bowling Green State University.

F. Short-term Financial Crisis

A short-term financial crisis involving a shortfall of funds within a single academic year or fiscal period is to be distinguished from a state of financial exigency. Contractual obligations of the University are fixed within a given contract period and should not be invalidated. There are little or no salary savings gained from a financial crisis requiring immediate action. The administration should share with the SEC its alterations and plans for reallocating the University's financial resources without termination of probationary and tenured faculty contracts.

Approved by Faculty Senate 10-18-82
Approved by Board of Trustees 2-11-83