



RECOMMENDATION

Repeal – This policy from the Oregon Board of Education and former Oregon State Board of Higher Education (OSBHE) is inapplicable under the state’s new governance model. Authority for closure now resides with the Board of Trustees per UO Policy 1.01.01, Retention and Delegation of Authority. The Board has the authority to establish, eliminate, control or substantially reorganize academic programs and units of operation.

WEB SITE ADDRESS FOR THIS POLICY

<https://policies.uoregon.edu/content/new-instructional-programs-follow>

RESPONSIBLE OFFICE

For questions about this policy, please contact Office of the Senior Vice President and Provost at 541-346-2023.

ENACTMENT & REVISION HISTORY

Inherited from the State Board of Higher Education on July 1, 2014.

POLICY

Internal Management Directive 2.001 (1): The "Board shall act on institutional requests for modification of existing curricular allocations, including addition and deletion of curricular programs, in accordance with Board policies..."

OregonRevisedStatute351.200: The Board "may direct the elimination of duplicate work from any institution, and determine and define the courses of study and departments to be offered and conducted by each institution."

Statement on "Board Posture Toward Curricular Allocations," Item 2, Paragraph 2: "Curricular planning includes not alone the identification of unmet educational needs

and the development of programs designed to serve them; it includes, as well, the responsibility to evaluate in some systematic, orderly way and to reduce or to eliminate those whose continuance at current levels cannot be justified by defensible criteria."

Policies With Respect to Institutional Closure, Student Access, Reduction and Elimination of Programs

POLICY (OUS) 42
Program Closures, Suspensions, and
Eliminations

The president of the Board prepared and presented to the Board for review and discussion a statement, entitled Problems of Higher Education in Oregon—A Response. It set forth assumptions that had been expressed concerning higher education and commented on those assumptions, citing data pertaining to them. The issue of quality and the effects of the financial crisis on quality were reviewed. The question of institutional closure and student access were addressed. The statement concluded with a series of recommendations for dealing with what was believed to be a temporary financial crisis so that programs essential to the missions of the institutions or the System would be maintained and outstanding programs will be protected. (That portion of the statement appears below.)

"Another solution periodically suggested is that one or more institutions be completely closed. The Governor does not agree with such a solution. The State Board of Higher Education does not agree with such a solution. We believe that most of the public and most legislators do not agree that this is a viable solution. We believe this because the information that we have does not show that closing an entire institution is going to save appreciable amounts of money and may even increase costs in some respects. Without restricting access, the students would simply go to other institutions, creating need for new facilities and additional faculties there. Although there would possibly be some small saving in administrative costs, there would also be exceedingly uneconomic, even wasteful, use, if any, of existing facilities, to say nothing of imposing probably disastrous economic consequences upon the communities where the schools now exist.

"We have proposed that the manner in which access will be restricted will be through the closing or reducing in size of programs which we have instructed the institutions to identify. The Board will have the final decision as to which programs will be reduced or eliminated.

"This information is not yet available, but one of the central problems with the legislature is the request that we identify those programs before a determination has been made by the legislature that it is necessary. Although the fact that such identification may create a self-fulfilling prophecy is recognized to some extent by the legislature, nonetheless they continue to press for that information as necessary to their deliberations.

"The concern has also been expressed by members of the Higher Education Subcommittee of Ways & Means that the presidents cannot or will not identify programs to be reduced. One statement is that "the institutions cannot do it—their mission is to grow." Another assumption seems to be that the presidents will not do so because of their relationships and obligation to the various faculties.

"I would ask the question, 'If they will not or cannot, where will the information upon which an informed decision must be based, come from?'

"My confidence in the presidents is greater than that. They are paid (more or less well paid) to make such difficult decisions. They know where the programs are which will do the least damage to the institution and to the System. They are not as beholden to the faculties as popularly assumed. Most of the complaints I have received from faculty members about the presidents have been over their carrying out of Board decisions.

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"We must rely upon them because I doubt if this Board or even the Chancellor's Office, except in isolated instances, could really identify those programs which are weakest and where the public loss will be the least upon their elimination. We also know that weak programs have been eliminated or reduced in the past.

"If the public choice, after adequate public debate, is that we provide more quality for fewer students with less money, we will do so.

"It will not be done by some of the methods discussed herein which have been suggested to us.

"We will, of course, if it is insisted upon, be required to identify the programs which we would intend to eliminate that would have the effect of reducing student access. It is my opinion, however, that higher education and the public interest would be better served by simply requesting that the legislature tell us how much money we are to receive and assuring that we will make the hard decisions that they are asking for. I believe that such a posture is consistent not only with good judgment, but the statutory scheme for a system of higher education in Oregon. I recommend a careful reading of ORS 351.070, 351.110, and 351.200.

"It is entirely within the province of the legislature to change the entire System for providing higher education in Oregon, or even to abolish it; however, I do not believe that it is their prerogative under present legislation to supervise the educational programs or to define the courses of study and departments to be offered and conducted by each institution.' (ORS 351.200(1)) This will, of course, be the effect, directly or indirectly, of their reviewing programs at the institution level and making decisions as to funding that may result in their closure or continuation.

"The presidents and the System are apparently being confronted with a legislative procedure which will encourage not more for less, but as earlier stated, less for less.

"I certainly agree that there is necessity for coordinated effort by the State Board, otherwise we will only shift students from institution to institution or to other segments of education. I believe we have already established a mechanism by which coordinated effort will be achieved.

"It seems to me that we face a dilemma. What incentive is there to cut programs if some of the savings cannot be, at least in some substantial part, devoted to improvement of the remaining programs?

"Am I suggesting that we do nothing?

"I am not. To adopt such a posture is to risk the continuing deterioration of outstanding programs to maintain the mediocre.

"I believe that first of all the legislature should be urged to make every effort to fund higher education at the minimum levels suggested in the Governor's budget.

"In fact, Bill Barrows, the legislative fiscal analyst, has recommended approval of the Governor's budget for 1981-82. (Parenthetically, it should be noted that he has made some other policy proposals that I believe merit careful consideration.)

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"It should be made very clear that if growth continues, as it has, eliminating programs to deal with what we certainly hope (and many believe) is a transitory financial crisis, will have a long-range impact and cost which may be greater than the short-range savings, since these programs cannot be restarted without great public expense if future circumstances require it.

"I do recommend that the Chancellor be directed to work with the presidents to determine those programs which can be eliminated with the least damage to the institution and to the System, and that the following criteria be applied (among others which may be suggested by this Board or by the Chancellor's Office):

- (1) Those programs, which are central to the mission of the institution, will be maintained.
- (2) Those programs, that are essential to the System's mission as an educational delivery system as a whole, will be maintained.
- (3) The large measure of statewide public services now provided to Oregon's citizens and industries should be maintained.
- (4) Elimination should not be considered where the result will simply be to shift the burden to another institution or to some other segment of education.
- (5) Where quality is marginal or cost of maintenance or upgrading is disproportionate to the importance of the program to the mission of the institution and the System, it may be eliminated. These programs should be identified as soon as possible and elimination considered whether or not the Governor's budget is funded.
- (6) Outstanding programs will be protected. I do not think that that is a necessary assumption under some of the proposed legislative changes. An example is the continuing proposal to discontinue all physical education service courses. As I understand it, this would cripple what has just recently been identified as one of the five best P.E. schools in the country at the University of Oregon.

"Last, it is my proposal that the legislature consider that some substantial proportion of the savings which can be obtained from the elimination of programs be retained by the institution or the System for improvement of its other programs. This will encourage rather than discourage a hard look at programs that could be eliminated.

"I know this will not be particularly attractive to the presidents, but I believe that their choice is that they will have a reduced number of programs with reduced funds, or a reduced number of programs with more adequate funding for the remainder in the future.

"I do not believe that this can be accomplished before this legislature completes its deliberations. It will take time and effort, but I believe that it is a proposal which should be made to the legislature for the future if present levels of funding for higher education in Oregon are not to be improved."

NOTES