

AAUP Works

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Faculty Rights under Restructuring

Frequently Asked Questions about the AAUP-UC Contract

Q. Can a department or college be “dissolved” or relocated?

In the sense of reorganizing the structure of the university, yes. Departments and programs can be reformulated or moved to different colleges in a restructuring process. Faculty have the right to give advice and counsel during a reorganization (see Article 27.2). Faculty input is crucial to the development of a plan that will actually work to the benefit of UC students and the public.

Q. Can a department or college be permanently closed?

So long as faculty have appropriate Article 27 input, yes, programs, departments or colleges can be closed. However, if faculty are to lose their jobs because of a closure or restructuring, then the procedures outlined in Article 29 of the contract must be followed (see further details below).

Q. Can a department refuse to accept a “relocated” faculty member? Can a dean refuse to accept relocation of a program or department to his/her college?

No. Faculty members’ tenure and appointment terms reside with the university, not a particular program, department, or college. However, the administration undoubtedly has in the past and would in the future consult with faculty members, unit heads, and deans about individual-level decisions in a reorganization, even after the completion of a formal restructuring process—as they should per shared

governance principles.

Q. Can faculty be terminated during a restructuring?

If restructuring leads to the closure of an academic unit, program or college, yes—but, again, only if Article 29 of the contract is invoked (see next question for details).

Q. What would happen if the University were to invoke Article 29? How does it work, and what would it mean to me?

First, the Administration must notify the AAUP and all faculty members in the affected unit at least 60 days in advance of making a recommendation to the UC Board of Trustees for closure and termination of employment. The Administration’s notice must include the reasons why the long-range educational mission of the University necessitates closure of the unit and termination of faculty; all parties have the right to reply and present evidence to the Board. If the Trustees agree that there is “probable cause” for closure and the need to terminate faculty members, then the Faculty Senate appoints a committee to study the matter. The committee has 60 days to make recommendations to the Faculty Senate. The Faculty Senate then has 21 days to vote to accept or reject the committee’s recommendation, and submit the committee report and its decision to the Board of Trustees.

If the Board makes a final decision to close the unit and terminate faculty, plans must be made to allow students to complete their programs and normal attrition used to reduce the number of faculty in the program (i.e., retirements; non-reappointment of adjunct, clinical, research, or field service faculty members). The Administration must make a good faith effort to relocate *all* faculty members in the affected unit so that their University employment can continue in other departments. For tenured faculty members, this may include providing sufficient time and resources for retraining. When relocation is not possible, there are specific notice provisions based on length of service to the University. (For details, see Article 29.9 - 29.24.)

If there are other questions about contractual rights in a restructuring process, we urge you to contact the Chapter office for clarification.

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