

UTFA PROPOSAL: COLLEGIAL PARTICIPATION IN ACADEMIC RESTRUCTURING

May 23 2013

Preamble

In order for the University of Toronto to achieve its mission, faculty and librarians must enjoy academic freedom, including direct and meaningful involvement in processes of academic restructuring in order to shape the conditions under which they perform their activities and duties.

From time to time, Divisions, Faculties, academic programs and units are established, closed, restructured, amalgamated or relocated. In a university setting, this is normal and indeed necessary to the evolution of the institution, and the parties recognize the importance of sound academic planning in establishing or changing appropriate academic priorities.

The purpose of this article is to ensure that these processes unfold in a manner consistent with the principles of shared and collegial governance, academic freedom and professional autonomy, respecting the authority of Governing Council and its committees.

1.1 Scope of Article

This article applies to any proposed establishment, closure, amalgamation, relocation, or other significant restructuring of the University or any Division or Faculty or unit (hereafter referred to as “academic restructuring”) within the University. The determination of academic priorities of the University and Divisions, Faculties, and units within the University is also subject to the collegial processes set out in this Article.

1.2 Unit Definition

A unit is understood to mean any department within a Division or Faculty (including single unit Faculties), or any Institute, Centre or School offering some combination of undergraduate teaching, graduate teaching, or research and professional activities or programs, and any library or specific library collection.

1.3 Principles

Academic restructuring shall be undertaken in a manner which:

- Ensures that timely notice is given to members of affected Divisions, Faculties and units.

- Ensures that relevant information will be provided in a timely way for the purposes of academic restructuring.
- Ensures that deliberations and decisions regarding changes to Divisions, Faculties and units are collegial, fair, equitable, transparent and inclusive with regard to members of the Divisions, Faculties, or units and any affected Divisions, Faculties, or units.
- Ensures that deliberations and decisions regarding changes to Divisions, Faculties, and units adhere to the principle of shared governance and follow due process.
- Ensures that deliberations and decisions regarding changes to Divisions, Faculties, and units respect the principles of academic freedom and professional autonomy for those members of the Division, Faculty, or unit and for those members of other Divisions, Faculties, or units who shall be or are likely to be affected by the proposed changes.
- Ensures that no decisions are taken and no changes are implemented in processes of academic restructuring until shared and collegial deliberations and consultations, including procedures consistent with this article, have been concluded.
- Ensures the integrity and security of continuing appointments.
- Ensures that academic restructuring, including any proposed changes to the University, as well as Divisions, Faculties, or units within the University, is based on bona fide academic priorities or objectives.

1.4 Written Notification and Information

Any established bodies for collegial deliberation over academic restructuring shall be provided with financial and budgetary information relevant to the proposed restructuring. In addition, written notification of any proposed academic restructuring, together with information, including financial and budgetary information, relevant to consideration of the proposed restructuring, shall be provided in an accessible and timely fashion to members of affected Divisions, Faculties, or units to members who might be affected by the proposal(s), and to the Association. In no circumstance shall such notification be given later than 120 days prior to any final decision regarding the proposal(s). In the event that the 120 day period since notification has elapsed, no implementation shall proceed in advance of the completion of procedures consistent with this article. Any additional or subsequent information relevant to consideration of proposed changes to any Division, Faculty, or unit shall be made available upon request in a convenient and timely fashion for consideration by members of affected Division, Faculties, or units, members likely to be affected by the proposal, and to the Association in such a manner as to allow sufficient time for it to be considered and subject to comment in advance of a decision.

1.5 Reasonable Opportunity for Collegial Discussion

Academic restructuring shall feature deliberations that provide reasonable opportunity for members of the affected Divisions, Faculties, and units and members who are likely to be affected by the proposal to be directly and meaningfully involved in collegial discussions of the proposal prior to any decision being made regarding the proposal. In the event that committees or sub-committees of affected Divisions, Faculties, and units are created to consider and propose changes, they shall be representative of members of the affected Divisions, Faculties and units and shall seek, and be open and responsive to, input from members who may be affected.

1.6 Rationale and Consideration of Alternatives

Any proposed academic restructuring shall be accompanied by a clear rationale, which sets out a bona fide academic reason for the proposal, and which includes explicit and genuine consideration of alternatives. This rationale shall be made available to members of the affected units or programs and to members of other Divisions, Faculties, and units who are likely to be affected by the proposal.

1.7 Opportunity to Comment Before Academic Board and Governing Council

In considering any proposed academic restructuring, Governing Council and its committees (including Academic Board) shall ensure that reasonable opportunity to comment on the proposals is given to members of the Division, Faculty, or unit and members of other Divisions, Faculties, or units likely to be affected by the proposed changes. No decision on or implementation of academic restructuring proposals or proposals to change any Division, Faculty, or unit shall be made before full deliberation and approval by the full Academic Board and the full Governing Council of the University of Toronto. A reasonable opportunity to comment will also be provided at the Divisional level.

1.8 Reasonable Protection for Affected Members

Professional autonomy and academic freedom in teaching, research and professional and scholarly activities demand that the security and integrity of individual appointments must not be adversely affected by any changes to Divisions, Faculties, or units. Reasonable efforts shall be made to ensure that proposed academic restructuring will allow individual members to perform the essential teaching, scholarly and professional activities for which they are qualified. An individual member who has reasonable grounds to believe he or she shall be adversely affected by proposed changes to a Division, Faculty, or units shall be given opportunity to propose changes to his or her appointment, including transfer to another Division, Faculty, or unit. The Dean, Chief Librarian (as appropriate to the member) and/or the Provost shall make reasonable efforts to accommodate these requests. No process of academic restructuring shall deprive any member of the security and

integrity (including reasonable efforts to ensure continuity and support for individuals in carrying out and meeting their teaching, research and professional/scholarly activities and expectations) of a continuing track appointment, including rank and salary.

1.9 Third Party Contracts and Arrangements

No donor, philanthropist or other third party contract or arrangement shall prevail over or be applied in a manner inconsistent with established policies and practices of academic planning, this article, or the policies and practices of the Academic Board and the Governing Council, in setting academic priorities for the University, Faculties, or units or in proposing new Divisions, Faculties, or units, or in introducing changes to existing Divisions, Faculties, or units.

1.10 Grievances

A grievance alleging a breach of this article shall normally be filed at Step No. 3 of the grievance procedure. The parties will attempt to resolve it in a timely and collegial manner. Either party shall have the option of requesting a hearing before the GRP on an expedited basis, in which case a hearing shall be scheduled within 30 calendar days of the request. The chair of the GRP shall have the power to order interim remedies, including but not limited to a freeze on the implementation of any proposal.

1.11 Amendments

Amendments to this article shall be made in accordance with and are subject to the provisions of Article 6 of the Memorandum of Agreement.