

FAILURE TO FOLLOW UNIVERSITY ACT PETITION CAPILANO FACULTY ASSOCIATION PROPOSAL FOR SETTLEMENT WITHOUT PREJUDICE AND PRECEDENT

The University will develop an Educational Policy pursuant to and in compliance with Section 35.2(6) of the University Act.

The Educational Policy will be developed and implemented prior to the establishment, revision, or discontinuance (suspension or cancellation) of courses or programs at the University.

The University will ensure that its academic priorities remain paramount, particularly in regard to the quality of instruction and the preservation of academic freedom.

The Educational Policy will be developed in accordance with the principles, processes, and objective criteria set out in this agreement.

Development of the Educational Policy will involve the Senate, and the University will engage in full consultation with the Capilano University Faculty Association (CFA).

Principles

- Openness and transparency are fundamental to any sound academic-planning activity.
- Academic freedom and open debate are central to protecting and promoting a scholarly environment.
- Faculty have the right and responsibility to participate in the life of the institution, particularly in the governance and administration of academic matters: both through membership on committees and governance bodies, and through meaningful consultation with functional areas and the Faculty Association.
- Academic planning, including the establishment, revision, or discontinuance of courses or programs, should not be done as part of the budget process.
- Economic and commercial considerations should not be the primary drivers of governance policy and academic decision-making.
- Program-funding decisions should be made based on a broad set of criteria that account for wider academic and social values, institutional strengths, and student demand and priorities.

Processes

Decisions regarding the revision or discontinuation of programs or courses will be made based on the consultative decision-making process set forth below.

Program Assessment

For ongoing review of existing programs, the Senate will establish

- (i) procedures for appointing assessors;
- (ii) the terms of reference and procedures that assessors must follow;
- (iii) provisions for circulating draft and final reports; and
- (iv) the mechanisms and timelines for implementing recommendations with respect to program assessments.

These procedures will be consistent with the following principles:

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- Courses or programs will be assessed only with respect to academic quality.
- Pre-emptive imposition of quantitative indices, such as minimum course- or program-enrolment thresholds, may systematically marginalize innovative and non-traditional teaching and should not be the sole or determining criteria.
- Program or course assessments will be open and fair allowing for full participation by members of the program being assessed, and all other affected faculty.
- Program or course assessment will give due regard to academic diversity and protect academic freedom.

Programs or courses will not be revised or discontinued until the consultation process set down in this agreement has concluded.

The consultation process will be outside of the budget process.

At risk programs or courses will be identified according to the criteria below. The identified programs or courses will have one academic year to implement changes to address issues raised in the initial review. The Senate will oversee the process, and will consult with:

- Administration
- Functional Areas
- Faculties
- Capilano University Faculty Association

More specific procedures for consultation will be established in the Educational Policy.

When program or course discontinuance is being recommended primarily due to fiscal reasons then, in addition to the consultative process, a special fact-finding committee will be struck to thoroughly investigate the fiscal challenges and choices open to the University.

Fact-Finding Committee

The discontinuance or revision of courses or programs for primarily fiscal reasons will only be considered as a last resort after all efforts have been undertaken to alleviate any anticipated financial crisis by rigorous economies in all other segments of the University, and only after all possible means of improving the University's revenues have been exhausted.

If the Board believes that a budget deficit exists that requires changes to courses or programs, it will immediately strike a fact-finding committee jointly appointed by the board and the Capilano Faculty Association (CFA), and will provide the joint committee with all relevant financial information. The CFA will also be provided with all relevant financial information.

The joint fact-finding committee will conduct an open and transparent investigation in order to confirm the existence and extent of the budget deficit through accounting for all the University's resources, not just the academic or salary budgets. It will determine the validity and scope of the financial crisis and explore all alternatives to prevent the discontinuance or revision of courses or programs. Only after the

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fact-finding committee has confirmed the existence of a budget deficit will the board consider discontinuance or revision of courses or programs.

Any reduction of the budget for specific programs must not exceed the amount of the reduction identified by the fact-finding committee.

A budget deficit cannot be declared for an individual functional area or program.

Criteria

Any process that involves the establishment, revision, or discontinuance of programs or courses should apply a consistent and explicit set of criteria, including, but not limited to, the following:

- (i)** Ensure programs continue to meet the quality standards for teaching and learning, and student outcomes.
- (ii)** Build on the academic integrity of educational programs, protect Capilano University's academic reputation, and maintain public confidence in the programs the University offers.
- (iii)** Maintain academic diversity and freedom, and promote a scholarly environment.
- (iv)** Maintain the wider academic values integral to successful and effective functioning of functional areas, Faculties, and the institution as a whole.
- (v)** Maintain the wider social values and regional relevance integral to benefiting of the communities that the University serves as a special purpose teaching university.
- (vi)** Maintain flexibility and opportunity for students in the context of both the University and the wider public post-secondary system, to open multiple pathways for students.
- (vii)** Maintain a breadth and depth of offerings that are consistent with student priorities and needs.
- (viii)** Maintain critical courses that are integral to a program's ability to deliver a specific certification to students.

Re-instatement of Discontinued Programs

Capilano University will reinstate, where possible, all programs and courses that were discontinued in spring 2013.