

**ARTICLE \_\_**

**MANAGEMENT RIGHTS**

A. All management functions, rights, and prerogatives, that have not been expressly modified or restricted by a specific provision of this Agreement, are retained and vested exclusively in the University and may be exercised by the University at its sole discretion. Such management functions, rights, and prerogatives include the right:

1. to determine, establish, direct, and control the University's mission, objectives, priorities, organizational structure, programs, services, activities, operations and resources;
2. to recruit, appoint and transfer unit members and to determine and modify the size and composition of the work force;
3. to determine or modify the qualifications, and responsibilities of unit members;
4. to direct, assign, schedule and otherwise supervise unit employees;
5. to train unit members subject to Article ---. Training;
6. to establish, modify, combine or eliminate job classifications within the unit;
7. to establish and modify standards of conduct and to discipline or discharge unit members for just cause subject to Article ---, Discipline and Discharge;
8. to establish and modify the processes and criteria by which unit members will be evaluated in their work performance;
9. to establish and modify rules, regulations and policies;
10. to alter, extend, or discontinue existing equipment, facilities, and location(s) of operations;
11. to determine the academic calendar each year;
12. to subcontract all or any portion of any operations;
13. to take such action as is necessary to maintain the University's efficiency and effectiveness, including determining the means, methods, personnel, budgetary, and financial procedures by which the University's programs, services, and operations are to be conducted;
14. to determine and modify tuition and fees for all programs in which unit members are based and all matters affecting financial aid;
15. to determine and modify policies and financial costs and charges associated with University housing;
16. to determine and modify what benefits will be offered to students, including health, dental, vision and other medical insurance and prescription drug policies, and to determine the student costs for such coverage;
17. to select all insurance carriers and to change carriers from time to time;

B. Decisions regarding who is taught, what is taught, how it is taught and who does the teaching involve academic judgment and shall be made at the sole discretion of the University.

- C. Other questions of academic judgment and decision-making shall remain in the University's sole discretion and over which the University has no obligation to bargain. These include, but are not limited to, judgments and decisions regarding all matters affecting:
1. student admissions;
  2. academic standards, and unit members' progress as students, including but not limited to the completion of degree requirements;
  3. research methodology and materials;
  4. external grants including application, selection, funding, administration, usage, accountability and termination;
  5. the creation, elimination or modification of courses and curriculum;
  6. instructional methods;
  7. the content of courses, instructional materials, the nature and form of assignments required including examinations and other work;
  8. class and section size;
  9. grading policies and practices;
  10. all other academic policies, procedures, rules and regulations in regard to unit members' status as students, including, but not limited to, all questions of academic standing, intellectual integrity, and any matter relating to academic progress in a University educational program;
- D. Any exercise of management rights shall be consistent with the terms and conditions of this Agreement. No action taken by the University with respect to a management or academic right shall be subject to the Grievance and Arbitration Procedures unless the exercise of such right violated an expressly written provision of this Agreement.
- E. The above enumeration of management and academic rights is not exhaustive and does not exclude other management or academic rights not specified above. The University, in not exercising any function hereby reserved to it in this Article, or in exercising any such function in a particular way, will not be deemed to have waived its right to exercise such function or preclude the University from exercising the same in some other way.