

**SAN JOSE STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSE, CA 95192**

**S13-9, Policy Recommendation, Merging, Dividing,
Transferring, Eliminating Academic Units**

Legislative History:

Rescinds: S06-7

At its meeting of May 6, 2013, the Academic Senate approved the following policy recommendation presented by Senator Kimbarow for the Organization and Government Committee. University Policy S13-9 was approved and signed by President Mohammad Qayoumi on June 11, 2013.

At its meeting of March 4, 2019, the Academic Senate approved Amendment A to University Policy S13-9. University Policy S13-9 was approved and signed by President Mary A. Papazian on April 15, 2019. Amendment A rescinds University Policy S06-7.

**Policy Recommendation
Merging, Dividing, Transferring, Eliminating Academic Units
Rescinds S06-7**

Whereas S06-7 was developed to address a policy vacuum regarding procedures to follow in merging, dividing, transferring or eliminating academic units, and

Whereas S06-7 was founded on the principle of meaningful consultation with all academic units affected by a proposed merger, department division, transfer, or elimination, and

Whereas S06-7 provided a general framework to achieve meaningful consultation but failed to provide a clear operational process to ensure that all parties would adhere to this principle, and

Whereas the campus community would benefit from an operational roadmap to ensure procedural transparency and to facilitate full participation of affected academic units and programs affected by proposed mergers, division, transfer or elimination, and

Whereas clear guidelines will minimize the likelihood of the need for conflict resolution by the Organization and Government committee as defined in S06-7, now, therefore, be it

RESOLVED:

1. When a proposal is made by an academic unit, college dean or the Provost (or other university authority) to divide or eliminate an academic unit, to merge it with another academic unit or to transfer it to another college, the basic principle established by this policy is that there should be opportunity for meaningful consultation with all affected academic departments, *staff, and students* before any such proposal is approved or implemented. Any associated termination of degree programs shall comply with UP 99-4.

2. Implementation of this principle requires that all affected academic units be informed of the proposed change and allowed a reasonable time to evaluate it. *In the spirit of meaningful consultation such proposals should be announced at a point in an academic semester that provides sufficient time for affected faculty, staff, and students to consider the proposal and, in the case of faculty, to express their opinions by vote according to the policy on voting rights.*

3. A proposal to divide, eliminate, or merge an academic unit has multiple and significant implications for the campus community. The process should be governed by consultation among all affected academic units. The consultation should consider some or all of the following depending on the proposal.

- A. A rationale for the proposed organizational change
- B. Resource implications
- C. RTP implications
- D. Curriculum and accreditation implications
- E. Implications for students

4. In addition to consultation with the affected academic unit(s) or, development of a proposal also requires consultation with the dean of any college(s) affected and the Provost.

5. The Provost will announce the voting timeline on a proposal. No timeline shall include fewer than 5 or more than 15 faculty duty days.

6. The vote of the regular (tenured and tenure-track) faculty and the vote of the temporary faculty in the affected academic unit(s) *shall be tallied and recorded separately, and the vote of the faculty shall be advisory only. The results of the voting should be made public within 7 calendar days. Voting shall be conducted consistent with the voting rights afforded by the CBA and consistent with SS-S11-3.*

7. If any parties involved in the process believe that policy was not followed, they may request a hearing before the Organization and Government Committee of the Academic Senate within 20 faculty duty days after the results of the vote are announced. *The request must make a clear case that meaningful consultation among affected faculty did not occur in order for O & G to proceed with a hearing. O & G will not evaluate the merits of the proposed reorganization, only whether the principle of meaningful consultation was followed.* At the hearing, all such academic units and authorities may be heard, as well as all faculty of affected academic units. After the hearing, the Organization and Government Committee shall make a written report to the Provost, the President and the Academic Senate with its determination of whether meaningful consultation among all affected parties was achieved.

8. A copy of all successful proposals as well as an account of the consultation process will be archived by the Academic Senate to serve as a resource to the University community. The dean's office of the affected college(s) will provide such an account.

9. Processes to merge, divide, or eliminate Academic Departments in progress as of May 6, 2013 are covered under the existing policy.

10. Resolved that S06-7 be rescinded.

Approved:	Organization and Government Committee (Electronic Vote) 5/1 /13
Vote:	9-0-0
Present:	Bacich, Cheruzel, Hebert, Kimbarow, Park, Poole, Rubio, Rudy, Rose-Riley
Absent:	None
Financial Impact:	None anticipated
Workload Impact:	Activities related to preparation and dissemination of the proposal scheduling meetings and forums to discuss the proposals; and implementing voting procedures.