

**Higher Education Chapter 300-2-1
Supp. 12/31/13 2-1-53
Attachment To Rule 300-2-1-.09
Guidelines For The Review And Approval Of The Consolidation Or
Merger Of Two-Year Postsecondary Institutions
Alabama State Board Of Education Resolution
Passed January 25, 1996**

CONSOLIDATION OR MERGER OF POSTSECONDARY INSTITUTIONS

WHEREAS, a recommendation that all colleges in The Alabama College System be given the opportunity to become community colleges was passed by The Alabama College System President's Association and accepted by the Chancellor of the Alabama College System; and

WHEREAS, on May 26, 1989, the Chancellor instructed all technical colleges then accredited by the Commission on Educational Institutions of the Southern Association of Colleges and Schools to become accredited by the Commission on College of the Southern Association of Colleges and Schools; and

WHEREAS, the Chancellor is responsible for the development of guidelines and criteria to be met by institutions of the Alabama College System in changing status; and

WHEREAS, the Chancellor, upon the occasion of an institution's having met the guidelines and criteria specified for changing status may recommend approval of such change in status to the Alabama State Board of Education; and

WHEREAS, the Alabama State Board of Education wishes to reaffirm its commitment to peer accreditation processes and its support, without reservation, of the need for and importance of such reviews; and

WHEREAS, the Alabama State Board of Education expresses its desire that colleges under its supervision communicate with the Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission on Higher Education in a timely and appropriate manner; and

WHEREAS, it is the expectation of the Chancellor that institutes involved in consolidation or merger shall undertake deliberate planning processes in accordance with the requirements of The Criteria for Accreditation of the Commission on Colleges of the Southern Association of Colleges and Schools and requirement of the Alabama Commission on Higher Education;

NOW, THEREFORE, BE IT RESOLVED, That the Chancellor may cause two or more institutions within the Alabama College System to consolidate or merge for the purpose of forming a comprehensive community college by presenting for approval, first to the Alabama Commission on Higher Education for review, comments and/or action, and then to the Alabama State Board of Education a Statement of Intent to Consolidate or Merge which shall incorporate and conform to the following stipulations and provisions:

1. A description of the institutions to be consolidated or merged and the designation of a name for the newly created comprehensive community college;
2. A statement of personnel assurances addressing the individual identities, missions, and histories of the affected institutions; the status, right, privileges, and benefits of employees of both the consolidated or merged institutions and the new community college; the status, rights, and privileges of students of both the consolidated or merged institutions and the new community college; employment practices and related and relevant matters of law; and such other information as the Chancellor shall deem appropriate;
3. Assurance that personnel at the institutions to be consolidated or merged have been involved in the preparation of the Statement of Intent to Consolidate or Merge, and that close consultation between personnel at the institutions to be consolidated or merged and staff members will continue during the consolidation or merger process;
4. A description of the benefits to be derived from the consolidation or merger in terms of enhancement of programs and services available to residents of the new college service area;
5. A description of the benefits to be derived from the consolidation or merger in terms of efficiency of management, leadership, and coordination of instructional and student support activities;

6. A plan to secure and/or maintain appropriate accreditation for the newly formed community college, including the Prospectus for Substantive Change as required by the Commission on Colleges of the Southern Association of Colleges and Schools;
7. The results of an audit of the effectiveness of educational programs at each of the affected institutions, and especially a description of the impact of the consolidation or merger upon existing and/or potential occupational/technical programs to be used to provide entry-level job training skills to residents of the new college service area;
8. A description of library/learning resources to support the programs at the newly consolidated or merged institution;
9. A description of the impact of the consolidation or merger upon the ability of the new community college to provide training for business and industry within the college service area;
10. A description of the impact of the consolidation or merger upon the ability of the new community college to provide community service and continuing education opportunities to the residents of the service area;
11. A student population projection and student demographic analysis for the new community college;
12. A disposition of existing facilities, equipment, and supplies for the consolidated or merged institution as it affects the new community college;
13. A description of the fiscal support available for the new community college, including a copy of the most recent financial audits of the affected institutions and a financial impact statement regarding their consolidation or merger;
14. A plan setting forth the steps to be taken and time lines to achieve the administrative and programmatic consolidation or merger of the institutions involved into a single comprehensive community college, developed with input from and consultation between personnel at the institutions to be consolidated or merged;

A. The consolidation or merger of institutions shall proceed in two phases, commencing with an administrative consolidation or merger, for which a detailed plan shall be developed which shall contain a description of the administrative organization for the new institution, and a specific time line noting the initiation and completion dates of the administrative phase of the consolidation or merger;

B. A detailed plan for the final phase of the consolidation or merger, the programmatic phase, shall be developed and shall contain a description of the educational program at the new institution, including an inventory of programs, as well as other specific information related to programmatic realignments, and a specific time line noting the initiation and completion dates of the programmatic phase of the consolidation or merger;

15. Provisions for planned professional development to enhance and support the growth of the new comprehensive community college;

16. A description of the geographic area to be served by the new community college;

17. A specific time line defining the entire consolidation or merger process;

18. The Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission on Higher Education shall be notified at the beginning of the planning process for consolidations or merges and at least six months in advance of the designated date for final approval, in accordance with its provisions for substantive change; and

19. The Alabama State Board of Education directs the president(s) and the Chancellor, when necessary, to visit the Southern Association of Colleges and Schools personally to assure understanding and communication concerning pending consolidations or merges.

BE IT FURTHER RESOLVED, That the consolidation or merger of institutions shall be recommended only after public meetings concerning the proposed consolidation or merger are held in each community where an affected institution is located; that the Chancellor shall approve all elements of the transition plan for carrying out the consolidation or merger of institutions and monitor all actions taken and evaluate their effectiveness; that

consolidated or merged institutions shall not be recognized as one institution until the administrative and programmatic phases are completed, the Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission on Higher Education have recognized and approved the consolidation or merger; and the Alabama State Board of Education has rendered final approval; and that the Chancellor shall report annually for the first three years to the Alabama State Board of Education concerning the programs of the consolidation or merger including elements of fiscal, program, and administrative accountability.

BE IT FURTHER RESOLVED, That the colleges are instructed to submit copies of all correspondence with and materials provided to and received from the Commission on Colleges of the Southern Association of Colleges and Schools to the Alabama Department of Postsecondary Education for conveyance to the Alabama State Board of Education.

CHANCELLOR'S GUIDELINES AND TIMETABLE FOR MERGER OR CONSOLIDATION

1. Approval of Statement of Intent to Consolidate or Merge by the Alabama Commission on Higher Education;
2. Approval of Statement of Intent to Consolidate or Merge and of personnel assurances by the Alabama State Board of Education (initial action);
3. Institutional notification of pending change to the Commission on Colleges of the Southern Association of Colleges and Schools (immediately after initial action);
4. Preparation and submission of Prospectus for Substantive Change (as required by the Commission on Colleges of the Southern Association of Colleges and Schools);
5. Visit by Substantive Change Committee (varies);
6. Approval of change by the Commission on Colleges of the Southern Association of Colleges and Schools (varies);
7. Approval of formal request for administrative consolidation by the Alabama Commission on Higher Education;

8. Final approval of change by the Alabama State Board of Education subject to acceptance of the prospectus by the Commission on Colleges of the Southern Association of Colleges and Schools (six months after initial action);

9. Recognition of programmatic change;

10. First year progress report;

11. Second year progress report;

12. Third year progress report.

Author: William O. Blow

Statutory Authority: Code of Ala. 1975, §§16-5-1, et seq.

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