

**TOPIC:                    PROPOSED REVISIONS TO POLICY I, V:    POLICY AND PROCEDURES FOR THE APPROVAL OF NEW ACADEMIC PROGRAMS IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN COLORADO OPERATING UNDER A PERFORMANCE CONTRACT**

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**I.        SUMMARY**

This is a discussion of proposed revisions to Commission Policy I, V: Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating under a Performance Contract. These proposed changes were prompted by requests from 4-year institutions to have certain certificate programs state-approved. The current policy is silent on certificates at four-year institutions. While these proposed changes add a mechanism for review and approval of qualifying certificates, they also reduce regulation by allowing department staff to attend to non-substantive changes to already approved programs without going to the Commission for approval.

**II.       BACKGROUND**

The Commission has authority to approve new programs, based on fit with statutory role and mission, per §23-5-129(6)(b), C.R.S. The current Commission policy, based on this statute, is silent on the approval of certificate programs at four-year institutions. Thus, the department has no mechanism for state approval of qualifying certificates and their entry into the SURDS database, which will allow institutions to track enrollment in and get credit for completion of those programs. This policy does not change current practice for the two-year institutions but does clarify in policy that State Board for Community Colleges and Occupational Education approval is sufficient for “state approval” and department staff may enter certificates and associate of applied science degrees into SURDS without taking them to the Commission for formal action. This practice has been in place for at least six years and reduces the number of new program requests for which staff have to prepare Commission agenda items. Staff tracked the number of program requests coming from the Colorado Community College System from September 23, 2013 to December 23, 2013 and the breakdown is as follows:

Certificate programs added: 8  
Certificate programs closed: 9  
AAS degrees closed: 1

This volume of program requests received by the department is normal and would significantly add to Commission agendas and staff time preparing those agendas if staff were to include them. This policy revision proposes to keep the current practice for community college programs in place; create a mechanism for four-year institutions to similarly have their certificates reviewed

and entered into SURDS by department staff; and proposes that department staff handle non-substantive changes (like a change in degree name or closure of a program) without going to the Commission for approval. Department staff has worked on this draft policy with the institutions for more than one year, including representatives on Academic Council, Deans & Directors of Extended Studies, Financial Aid, Data Advisory Group, Registrars, and anyone involved in creating and maintaining certificate programs. A final, revised draft was sent out for comments October 14, 2014. No additional comments were received from stakeholders.

### **III. STAFF ANALYSIS**

The following changes are proposed:

1. Title: The name of the policy was simplified.
2. Section 1.00 Introduction: Clarifying language was added in regards to the review and approval of associate of applied science degrees, which is covered under Commission Policy I, D. Language was also added to clarify that certificate programs at 2- and 4-year institutions are reviewed and approved by each institution's or system's governing board. If certificates are found to fit with statutory role and mission, after a review by department staff, they may be entered into the SURDS database.
3. Section 1.00 Introduction: Language was added to clarify that institutions may offer what are often commonly referred to as "certificates" but that do not result in a bona fide credential. Examples are a sequence of courses that are not credit-bearing and are cash-funded, or an emphasis area within a degree. These offerings do not require department review and are not eligible for entry into SURDS as a bona fide certificate program. To be eligible for entry into SURDS, certificates must be credit-bearing, standalone programs (i.e., not part of a baccalaureate or graduate degree program) and this requires that institutions meet any applicable accreditation and federal gainful employment requirements. Applicable certificate programs are recognized and defined by Integrated Postsecondary Education Data System (IPEDS), to which the department uploads enrollment and completion data from SURDS. Those definitions are available at definitions: <http://nces.ed.gov/ipeds/glossary/index.asp?searchtype=term&keyword=certificate&Search=Search>. IPEDS is a part of the National Center for Education Statistics (NCES), which according to its website:  
...is the primary federal entity for collecting and analyzing data related to education in the U.S. and other nations. NCES is located within the U.S. Department of Education and the Institute of Education Sciences. NCES fulfills a Congressional mandate to collect, collate, analyze, and report complete statistics on the condition of American education; conduct and publish reports; and review and report on education activities internationally. (<http://nces.ed.gov/about>)
4. Section 2.00 Statutory Authority was updated with the latest revision of statute. Also, the note that pertained to institutions not operating under a performance contract was struck because all institutions now operate under a performance contract.

5. Section 4.01 Governing Board Approval distinguishes between department and Commission. New program proposals are submitted to the department, the department conducts the review, and then the department takes proposals to the Commission where appropriate.
6. Sections 4.02 Review by the Department for Fit with Statutory Role and Mission, and 4.03 Final Action by the Commission, clarify the department's review process and sequence of events for Commission approval.
7. Section 4.02.01 Clarifying language was added in regards to the extra review and approval requirements for educator preparation programs and baccalaureate degrees at Colorado State University – Global Campus, Colorado Mountain College, Aims Community College and within the Colorado Community College System.
8. Section 5.00 Changes to Existing Approved Programs clarifies that non-substantive changes or closures of degree programs can be handled by department staff and do not require Commission approval.

A copy of the revised policy showing track changes can be found in Appendix A and a “clean” copy with track changes accepted in Appendix B. The proposed, revised policy is in line with statute and other CCHE policies. Based on discussion department staff have had with SHEEOs in other states, it is also in line with how other states are handling new program approval (see, for example, Virginia in Appendix B). It has been vetted with department staff, Extended Studies Deans and Directors, Academic Council and other appropriate campus representatives.

#### **IV. STAFF RECOMMENDATIONS**

**This item/report is a discussion/information item only; no formal action is required by the Commission.**

#### **STATUTORY AUTHORITY**

C.R.S. §23-5-129. Governing boards - performance contract - authorization - operations

(6) While operating pursuant to a performance contract negotiated pursuant to this section, the governing board of a state institution of higher education:

(b) Need not consult with nor obtain approval from the Colorado commission on higher education to create, modify, or eliminate academic and vocational programs offered by the institution, so long as such creations, modifications, and eliminations are consistent with the institution's statutory role and mission. Institutions shall submit information to the department demonstrating that the creation or modification of an academic or career and technical education program is consistent with the institution's statutory role and mission. The Colorado commission on higher education shall have the authority to override the creation or modification of an

academic or vocational program if the change made by the governing board is inconsistent with the institution's statutory role and mission.

**APPENDICES:**

Appendix A: (with track changes) Proposed Revisions to CCHE Policy I, V: Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating under a Performance Contract

Appendix B: (track changes accepted) Proposed Revisions to CCHE Policy I, V: Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating under a Performance Contract

Appendix A: (with track changes) Proposed Revisions to CCHE Policy I, V: Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating under a Performance Contract

SECTION I

PART V ~~POLICY AND PROCEDURES FOR THE~~ APPROVAL OF NEW ~~ACADEMIC~~ PROGRAMS FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION ~~IN~~ ~~COLORADO~~ OPERATING UNDER A PERFORMANCE CONTRACT

1.00 Introduction

The public higher education system in Colorado is intended to provide access to certificate and degree programs, specifically broad geographic access to undergraduate programs, access to master's degree programs based on market demand, and unique access to doctoral degree programs. No new degree programs may be implemented at a state postsecondary institution unless the proposal is approved by the appropriate governing board and ~~reviewed~~ by the ~~Colorado~~ Commission, except as noted below on Higher Education. The Commission's role is limited to evaluation of a proposed program's fit with an institution's role and mission. A new degree program may not be implemented without Commission determination that it is consistent with the institution's role and mission.

This program approval policy and set of procedures applies to Associate of Arts, Associate of Science, Associate of General Studies, baccalaureate and graduate degree programs. This policy does not apply to Associate of Applied Science degrees [per Commission Policy I, D] or certificate programs offered at technical colleges or 2- and 4-year institutions, which must be approved by each institution's or system's governing board, are reviewed by Department staff for fit with statutory role and mission, and do not require action by the Commission to be entered into the Student Unit Record Data System (SURDS) and thus be considered "state approved."

It should be noted that 4-year institutions may offer other programs that are commonly referred to as "certificates" but that do not require review by the Department and are not eligible for entry into SURDS. Examples include, but are not limited to, non-credit bearing programs offered on a cash-funded basis, emphasis areas within degrees, and other sequences of courses that do not result in a bona fide credential. To be eligible for entry into SURDS, certificates must be credit-bearing, standalone programs (i.e., not part of a baccalaureate or graduate degree program). Certificates that can be applied to degree program requirements, such as "stackable certificates," are considered to be standalone programs.

2.00 Statutory Authority

The ~~Colorado Commission on Higher Education~~'s role and responsibility in the approval of new ~~academic~~ programs at institutions operating under a performance contract is defined in §23-5-129, which SB-04-189. It reads states that:

(6) While operating pursuant to a performance contract negotiated pursuant to this section, the governing board of a state institution of higher education:

(b) Need not consult with nor obtain approval from the Colorado commission on higher education to create, modify, or eliminate academic and vocational programs offered by the institution, so long as such creations, modifications, and eliminations are consistent with the institution's statutory role and mission. Institutions shall submit information to the department demonstrating that the creation or modification of an academic or career and technical education program is consistent with the institution's statutory role and mission. The Colorado commission on higher education shall have the authority to override the creation or modification of an academic or vocational program if the change made by the governing board is inconsistent with the institution's statutory role and mission.

~~\* For public colleges and universities not operating under a performance contract, program approval follows the CCHE policy on approval of new academic programs adopted by the Commission at its June 2003 meeting.~~

### **3.00 Policy Goal**

The goal of ~~CCHE's this approval policy for academic degree programs at institutions operating pursuant to a performance contract~~ is to ensure that a new or substantially modified program is consistent with the statutory role and mission of the institution.

### **4.00      Process and Procedures**

~~The academic degree approval process includes:~~

- ~~a. Governing board approval.~~
- ~~b. Review by the Commission of proposed program's fit with institution's role and mission.~~
- ~~c. Post approval review as specified in performance contracts.~~

#### 4.01 Governing Board Approval

4.01.01 A governing board may act to approve a new certificate or degree program before or after ~~Commission the Department's~~ endorsement of the program's fit with the institution's statutory role and mission.

4.01.02 The governing board shall formally notify the ~~Department~~Commission of its approval of a new certificate or degree program immediately following board action. Institutions should follow their normal process to ensure compliance with any Title IV, federal Gainful Employment, or accreditation requirements.

4.02 Review by the ~~Commission~~Department of Role and Mission

4.02.01 Upon receipt of the notification of the governing board's action, ~~CCHE~~the Department reviews the program for fit with the institution's statutory role and mission, 60 credit cap for associate of arts and associate of science degrees, 120 credit cap for baccalaureate degrees [per §23-1-125(1)(a)], and gtPathways requirements unless a waiver is sought [per 23-1-125(3)] and responds to the governing board within 30 days of receiving the proposal. There may be additional requirements for which the Department reviews proposals and those are outlined here:

- a) educator preparation programs are reviewed for additional criteria, as defined in §23-1-121, C.R.S.;
- b) baccalaureate degrees at Colorado Mountain College are reviewed for additional criteria, as defined in §23-71-133, C.R.S.;
- c) bachelor of applied science degrees within the Colorado Community College System are reviewed for additional criteria, as defined in §23-1-133(1), C.R.S.;
- d) bachelor of applied science degrees at Aims Community College are reviewed for additional criteria, as defined in §23-1-133(2), C.R.S.; and
- e) baccalaureate degrees at Colorado State University – Global Campus are reviewed for additional criteria, as defined in §23-31.3-101(2).

45.02.02 If ~~CCHE~~the Department determines that the proposed program is consistent with an institution's statutory role and mission and meets other applicable requirements outlined above, it shall collaborate with the institution to assign a CIP code to the program, and recommend the Commission approve the new program. ~~place the program on CCHE's list of approved degree program list, and, in writing, inform the governing board. The program may be implemented anytime after this notification is received.~~

45.02.03 If ~~CCHE~~the Department determines that the proposal is not consistent with the institution's statutory role and mission or other applicable requirements outlined above, it will so inform the governing board.

- ~~• No new degree can be implemented without CCHE determination that the program is consistent with the institution's role and mission.~~

~~Note: While not required to do so, an institution or governing board may request the Commission to review a proposed academic program's fit with the institution's role and mission prior to being considered by the governing board. CCHE will respond within 30 days of receiving the proposal.~~

~~If CCHE determines that the proposed program is consistent with an institution's statutory role and mission, it shall so inform the institution and no further consideration of that issue will be made by the Commission.~~

~~If CCHE determines that the proposal is not consistent with the institution's role and mission, it will, discuss the matter with governing board staff and, if requested to do so, communicate the concern in writing to the requesting governing board.~~

#### 4.03 Final Action by the Commission

~~4.03.01 Once the Commission has approved the new program, the Department will enter the program in the Department's list of approved certificate and degree programs in SURDS and inform the governing board. The program may be implemented any time after this notification is received.~~

### **5.00 Changes to existing approved programs**

Following institutional and/or governing board approval, proposals that involve non-substantive modificationing of the academic scope of an existing degree program, consolidation of programs, ~~or~~ renaming a degree program or closing a program must be reported to ~~CCHE~~ the Department for appropriate entry in the list of approved programs in SURDS and do not require action by the commission. Examples include:

- Changing the degree (e.g., B.A. to B.S.) or name of a program.
- Changing the CIP or sequence number.
- Splitting an already approved program into multiple programs (e.g., splitting a B.S. Physical Sciences into a B.S. Physics, B.S. Chemistry and B.S. Geosciences).
- Adding an emphasis area that requires a sequence code and separate entry in SURDS so that enrollment and completion can be reported just for that emphasis area. If the institution does not want the emphasis area listed separately in SURDS then no Departmental notification is required.
- Closing a program.

Appendix B: (track changes accepted) Proposed Revisions to CCHE Policy I, V: Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating under a Performance Contract

\*Please excuse formatting and focus on content.

SECTION I

PART V APPROVAL OF NEW PROGRAMS FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION OPERATING UNDER A PERFORMANCE CONTRACT

**1.00 Introduction**

The public higher education system in Colorado is intended to provide access to certificate and degree programs, specifically broad geographic access to undergraduate programs, access to master's degree programs based on market demand, and unique access to doctoral degree programs. No new degree programs may be implemented at a state postsecondary institution unless the proposal is approved by the appropriate governing board and by the Commission, except as noted below.

This program approval policy and set of procedures applies to Associate of Arts, Associate of Science, Associate of General Studies, baccalaureate and graduate degree programs. This policy does not apply to Associate of Applied Science degrees [per Commission Policy I, D] or certificate programs offered at technical colleges or 2- and 4-year institutions, which must be approved by each institution's or system's governing board, are reviewed by Department staff for fit with statutory role and mission, and do not require action by the Commission to be entered into the Student Unit Record Data System (SURDS) and thus be considered "state approved."

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## **2.00 Statutory Authority**

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## **3.00 Policy Goal**

The goal of this policy is to ensure that a new or substantially modified program is consistent with the statutory role and mission of the institution.

## **4.00 Process and Procedures**

### **4.01 Governing Board Approval**

4.01.01 A governing board may act to approve a new certificate or degree program before or after the Department's endorsement of the program's fit with the institution's statutory role and mission.

4.01.02 The governing board shall formally notify the Department of its approval of a new certificate or degree program immediately following board action. Institutions should follow their normal process to ensure compliance with any Title IV, federal Gainful Employment, or accreditation requirements.

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governing board within 30 days of receiving the proposal. There may be additional requirements for which the Department reviews proposals and those are outlined here:

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4.02.02 If the Department determines that the proposed program is consistent with an institution's statutory role and mission and meets other applicable requirements outlined above, it shall collaborate with the institution to assign a CIP code to the program and recommend the Commission approve the new program.

4.02.03 If the Department determines that the proposal is not consistent with the institution's statutory role and mission or other applicable requirements outlined above, it will so inform the governing board.

#### 4.03 Final Action by the Commission

4.03.01 Once the Commission has approved the new program, the Department will enter the program in the Department's list of approved certificate and degree programs in SURDS and inform the governing board. The program may be implemented any time after this notification is received.

### **5.00 Changes to existing approved programs**

Following institutional and/or governing board approval, proposals that involve non-substantive modification of the academic scope of an existing program, consolidation of programs, renaming a program or closing a program must be reported to the Department for appropriate entry in the list of approved programs in SURDS and do not require action by the commission. Examples include:

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