



## SECTION I

### PART V CREATION, MODIFICATION OR DISCONTINUANCE OF ACADEMIC AND VOCATIONAL PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION

#### **1.00 Introduction**

Senate Bill 17-297 amended §23-1-107(1), C.R.S. to clarify that Commission approval is not required for new academic or vocational programs, so long as the new program is consistent with an institution's statutory role and mission. The Commission delegates review of statutory role and mission to Department staff (see Section 4.02.01 below). There are several exceptions where proposed degrees have additional statutory requirements, including educator preparation degrees offered by any institution; cannabis-related degrees or certifications offered by any institution; baccalaureate degrees at Colorado Mountain College; bachelor of science in nursing (B.S.N.) completion degrees at Aims Community College; and bachelor of applied science (B.A.S.) degrees at Aims Community College and at Colorado Community College System campuses. Each of these exceptions are explained in detail below. This policy does not apply to certificate programs.

It should be noted that 4-year institutions may offer programs that are commonly referred to as “certificates” 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 Commission’s role and responsibility in the creation, modification and discontinuance of academic and vocational programs is defined in §23-1-107, which states that:

- (1) A governing board of a state-supported institution of higher education is not required to submit a proposal to or obtain approval from the commission to create, modify, or discontinue academic or vocational programs offered by the institution, so long as the creation,

modification, or discontinuance of the academic or vocational program is consistent with the institution's statutory role and mission.

There are five exceptions where proposed degrees have additional statutory requirements:

- 2.01 Educator preparation program review and approval is a collaborative responsibility of the Colorado Department of Education and the Colorado Department of Higher Education and a dual approval process between the State Board of Education and the Colorado Commission on Higher Education, per §23-1-121, C.R.S.
- 2.02 Colorado Community College System institutions, as well as Aims Community College, received state authorization to propose bachelor of applied science (B.A.S.) degrees when Senate Bill 14-004 was enacted, creating §23-1-133, C.R.S. and amending §23-71-102, C.R.S., which require the State Board for Community Colleges and Occupational Education (SBCCOE) or the Board of Trustees for Aims Community College to submit to the Commission for its approval technical, career, and workforce development bachelor of applied science degree programs and specify the criteria to be used in evaluating requests.
- 2.03 Similarly, Senate Bill 10-101 and House Bill 19-1153 amended §23-71-102, C.R.S. to read, "...Colorado mountain college, in addition to its mission as a local district college, may also offer a limited number of baccalaureate degree programs as its board of trustees determines appropriate to address the needs of the communities within its service area and that are approved by the Colorado commission on higher education." The Commission has the authority to approve those degrees based on the criteria outlined in §23-71-133, C.R.S.
- 2.04 Similarly, House Bill 18-1300 amended §23-71-102, C.R.S. to read, "...Aims community college, in addition to its mission as a local district college, may also offer, as its board of trustees determines appropriate to address the needs of the communities within its service area...bachelor of science degree in nursing programs as a completion degree to students who have or are pursuing an associate degree in nursing" and the Commission has the authority to approve those degrees based on the criteria outlined in §23-1-133, C.R.S.
- 2.05 Cannabis-related degrees and certifications are subject to review by the governing board of the Institute of Cannabis Research and approval by the Commission per §23-31.5-112(3)(d), C.R.S.

### **3.00 Policy Goal**

The goal of this policy is to ensure that a new or substantively modified program is consistent with the statutory role and mission of the institution and meets additional statutory requirements (where applicable). Additionally, the Department needs certain information, including but not limited to degree level and CIP code, to enter new programs into the Student Unit Record Data System (SURDS) so that institutions may report enrollment and completion, for instance, in those programs.

### **4.00 New and Substantively Modified Programs: Process and Procedures**

#### **4.01 Governing Board Approval**

4.01.01 A governing board may act to approve a new degree program before or after the Department's approval of the program or 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 or substantively modified degree program immediately following board action. The Department requests that new program proposals be sent by the institution's or system's representative on Academic Council (or their designee) to the Department staff who facilitate Academic Council. Institutions should follow their normal process to ensure compliance with any applicable federal regulations as well as any accreditation requirements.

#### **4.02 Review by the Department**

4.02.01 Upon receipt of the notification of the governing board's action, the Department reviews the program for fit with the institution's statutory role and mission; compliance with the 60 credit cap for associate of arts and associate of science degrees or 120 credit cap for baccalaureate degrees [per §23-1-125(1)(a)] unless exempted by the Commission; and alignment with GT Pathways requirements unless a waiver is sought [per 23-1-125(3)]. The Department will respond to the governing board within 30 days of receiving the proposal.

4.02.02 In the case of new or substantively modified program proposals that are not subject to the statutory requirements outlined above (which will be the majority of new program proposals), if the Department determines that the proposed program is consistent with an institution's statutory role and mission and meets the other applicable statutory or Commission requirements outlined above then the Department shall enter the new or substantively modified program into the Student Unit Record Data System (SURDS) and notify the institution. Following notification to the institution, the new or substantively

modified program will be added to the agenda for the next meeting of Academic Council for information purposes.

- If the Department determines that the proposal is not consistent with the institution's statutory role and mission or credit cap or GT Pathways requirements (if applicable), it will so inform the governing board. The Department shall take waiver requests for credit cap and GT Pathways (where applicable) to the Commission for action.
- If disagreement on Department staff's determination arises then the review and ensuing discussion shall be elevated to Academic Council for its advice. The Commission shall have final authority as to whether or not the proposed program is approved.

4.02.03 In the case of new educator preparation programs, Department staff shall follow the review process outlined in Commission Policy I, P: Educator Preparation, per §23-1-121, C.R.S.

4.02.04 In the case of degree or certificate programs that are subject to statutory requirements or criteria that go beyond fit with role and mission (other than educator preparation programs), Department staff shall engage in appropriate and prudent due diligence in reviewing proposals, which may include inviting public comment and consulting with the Academic Council. The Academic Council is comprised of chief academic officers from public higher education institutions and systems across Colorado. As the primary stakeholder group for the Department on matters of academic policy and programs, the role of the Academic Council is to advise Department staff and help ensure that appropriate due diligence is conducted with any Commission business related to academic affairs. The Academic Council is an advisory body, and not a decision-making body.

4.02.05 In the case of Bachelor of Applied Science degrees at one of the campuses within the Colorado Community College System (§23-1-133(1), C.R.S.); Bachelor of Applied Science degrees at Aims Community College (§23-71-102 (1)(b)(II)(A) C.R.S., and §23-1-133(2), C.R.S.); and Bachelor of Science in Nursing degrees at Aims Community College (§23-71-102(1)(b)(II)(B), C.R.S., and §23-1-133(2), C.R.S.), the review process shall be as follows:

- The chief academic officer of the institution or system seeking approval of a BAS or BSN program shall submit a proposal to the Department addressing all of the criteria listed in §23-1-133(1)(a), C.R.S. (for Colorado Community College System institutions), or in §23-1-133(2)(a), C.R.S. (for Aims Community College), including:
  - Data demonstrating sufficient workforce and student demand for the proposed degree program;

- The regional and professional accreditation requirements for the degree program, if applicable, and evidence that the institution can satisfy those requirements, as appropriate, at both the institutional and program levels;
- Evidence that providing the degree program is cost-effective for students, for the institution, and for the Colorado Community College System (if applicable);
- Evidence that the degree program is sufficiently distinguishable from an existing degree program at a state four-year institution provided within the community college's service area, and sufficiently distinguishable from a degree program that had been offered in conjunction with a state four-year institution that is scheduled to be reinstated; and
- Evidence that the degree program could not practically or feasibly be offered through a statewide transfer agreement.
- Upon receipt of the proposal, the Department will consult with all state four-year institutions regarding any existing similar academic programs offered by the four-year institutions, and any potential opportunities to offer the proposed degree through collaboration or articulation.
- If the Department determines that the institution's or system's proposal does not meet one or more of the above statutory requirements, the Department will provide a written response identifying the area or areas where the proposal has fallen short. The institution or system may revise and resubmit the proposal for review.
- If the Department determines that the institution's or system's proposal does meet the above statutory requirements, the proposal will be sent to members of the Academic Council for consideration of any anticipated systemwide effects of the new degree program.
- Members of Academic Council will have no fewer than 30 calendar days (excluding periods of time between academic terms) to review the proposal and provide written feedback to the Department, which will be shared with the proposing institution.
- Following the 30-day review period, the proposal will be placed on the agenda for the next meeting of the Academic Council for discussion. At the meeting, Department staff will summarize the feedback received from institutions on the proposal and provide an opportunity for representatives of the proposing institution or system to respond.
- If there is no indication among members of Academic Council that the proposed degree program could have negative systemwide effects, the proposal will be placed on the next Commission meeting agenda with a staff recommendation for approval.
- If there is indication among members of the Academic Council that the proposed degree program could have negative systemwide effects, the institution or system submitting the proposal will be encouraged to

resolve any areas of concern. The institution or system may then submit a revised proposal, which will be reviewed by Department staff. If Department staff determine that the proposing institution has sufficiently addressed any concerns raised by members of Academic Council, the proposal will be placed on the next Commission meeting agenda with a staff recommendation for approval. If Department staff determine that the proposing institution has not sufficiently addressed concerns raised by members of Academic Council, or sufficiency is indeterminate, the revised proposal will be sent to members of Academic Council for another review period of no fewer than 30 days, after which the revised proposal will be placed on the agenda for the next meeting of the Academic Council for discussion, with similar steps taken as outlined above.

- If following a second round of feedback there is indication that the proposed degree program could have negative systemwide effects, the institution or system may request that the proposal be brought to the Commission for discussion. In preparing the agenda item for the Commission, Department staff will summarize all feedback received during the review process and may recommend that the Commission approve or not approve the program. The Commission may choose to act by approving or not approving the program or may request additional information and postpone action to a future meeting.

4.02.06 In the case of baccalaureate degrees at Colorado Mountain College [§23-71-102(1)(b)(I), C.R.S., and (§23-71-133(1), C.R.S.)], the review process shall be as follows:

- The chief academic officer of the institution shall submit a proposal to the Department addressing all of the criteria listed in §23-71-133(1), C.R.S., including:
  - Data demonstrating sufficient workforce and student demand for the proposed degree program;
  - The regional and professional accreditation requirements for the degree program, if applicable, and evidence that the institution can satisfy those requirements, as appropriate, at both the institutional and program levels;
  - Evidence that the institution's provision of the baccalaureate degree program is the most cost-effective way to provide the program within the institution's service area; and
  - Evidence via a cost-benefit analysis that the institution's proposed baccalaureate degree program will not create a negative impact for the institution or require additional state-appropriated money to operate.

- Upon receipt by the Department, the proposal will be placed on the next Academic Council meeting agenda or distributed to Academic Council electronically for the Council's advisement to the Department.
- Once the Department determines that the institution's proposal meets the above statutory requirements, the proposal will be placed on the next Commission meeting agenda with a staff recommendation for approval. If the proposing institution disagrees with the assessment of Department staff, the institution may request that the proposal be brought to the Commission for discussion. In preparing the agenda item for the Commission, Department staff will summarize all feedback received during the review process and may recommend that the Commission approve or not approve the program. The Commission may choose to act by approving or not approving the program, or may request additional information and postpone action to a future meeting.

4.02.07 In the case of cannabis-related degrees or certifications (§23-31.5-112(3)(d), C.R.S.), the review process shall be as follows:

- The proposing institution shall inform the Institute of Cannabis Research at Colorado State University-Pueblo of its intention to develop a cannabis-related academic program and follow the procedures and processes established by the Institute's governing board for providing advisement to institutions seeking to develop a cannabis-specific curriculum.
- The chief academic officer of the institution seeking approval of a cannabis-related program shall submit a proposal to the Department addressing the following criteria:
  - Fit with the institution's statutory role and mission;
  - Confirmation of required approvals from the institution's governing board and applicable accrediting agencies (or evidence that approval processes have been initiated); and
  - Written confirmation of consultation with the Institute of Cannabis Research.
- If the Department determines that the institution's proposal does not meet one or more of the above requirements, the Department will provide a written response identifying the area or areas where the proposal has fallen short. The institution may revise and resubmit the proposal for review.
- If the Department determines that the institution's proposal does meet the above requirements, Department staff shall seek input from the governing board of the Institute of Cannabis Research on the need and fit of the proposed program in meeting the needs of the cannabis industry or advancing research and economic development associated with cannabis in Colorado. The Department will also initiate a public

comment period of no fewer than 30 days. The program proposal will be placed on the next Academic Council meeting agenda or distributed to Academic Council electronically for the Council's advisement to the Department. The Department may ask the institution to revise the proposal in response to any feedback received.

- Once the Department determines that the institution has satisfactorily addressed any concerns, the proposal will be placed on the next Commission meeting agenda with a staff recommendation for approval. If the proposing institution disagrees with the assessment of Department staff, the institution may request that the proposal be brought to the Commission for discussion. In preparing the agenda item for the Commission, Department staff will summarize all feedback received during the review process and may recommend that the Commission approve or not approve the program. The Commission may choose to act by approving or not approving the program, or may request additional information and postpone action to a future meeting.

#### **5.00 Non-Substantive Modifications to and Discontinuance of Existing Programs**

Following institutional and/or governing board approval, proposals that involve non-substantive modification to or discontinuance of an existing 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. Following notification by the institution to the Department, the discontinued or non-substantively modified program will be added to the agenda for the next meeting of the Academic Council for information purposes.

HISTORY: CCHE Agenda Item III, B – November 6, 2014; CCHE Agenda Item III, B – December 4, 2014; CCHE Agenda Item VI, A – October 23, 2017; CCHE Agenda Item V, B - December 7, 2017; CCHE Agenda Item III, E – December 6, 2018; CCHE Agenda Item IV, B – September 5, 2019; CCHE Agenda Item III, A – March 6, 2020.