



SECTION I

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

1.00 Introduction

Public institutions of higher education in Colorado are not required to obtain approval from the Commission on Higher Education 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 4.00 below). There are two exceptions where proposed degrees have additional statutory requirements and require commission approval: cannabis-related degrees or certifications offered by any institution; and bachelor of science in nursing (B.S.N.) completion degrees at Aims Community College. These exceptions are explained in detail below. This policy does not apply to non-credit bearing programs offered on a cash-funded basis, emphasis areas within degrees (e.g., minors), and other sequences of courses that do not result in a bona fide credential.

2.00 Statutory Authority

2.01 Program Development and Approval

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 two exceptions where proposed academic programs have additional statutory requirements:

2.01.01 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.

2.01.02 House Bill 18-1300 and House Bill 21-1330 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, that are approved by the commission on higher education pursuant to section 23-1-133(2)."

2.02 Program Data Reporting

Per Colorado Revised Statutes, §23-1-108(8) "the commission shall prescribe uniform academic reporting policies and procedures to which the governing boards and their institutions shall adhere"; and per §23-1-108(9), "the state-supported institutions of higher education shall provide the commission with such data as the commission deems necessary upon its formal request." This includes data related to the creation of academic programs, student enrollment in and completion of academic programs, and the awarding of any credentials to students that appear on an official academic transcript.

3.00 Policy Goals

The goals of this policy are threefold: 1) to promote innovation within institutions of higher education to offer academic programs that are responsive to student, community, and workforce needs; 2) to ensure that new or substantively modified programs are consistent with the statutory role and mission of the institution and meet additional statutory requirements (where applicable); and 3) to ensure that the Department receives certain information related to academic programs needed for state-level and federal reporting on enrollment and completion, including but not limited to degree level and CIP code.

4.00 New and Substantively Modified Programs: Process and Procedures

4.01 Institutional Authority

As noted earlier, with certain articulated exceptions, governing boards are not required to obtain approval from the commission to create academic or vocational programs offered by an institution provided the program is consistent with the institution's statutory role and mission.

Four-year institutions—including those without specific statutory authority to offer associate degrees (the Colorado Re-Engaged Initiative—or CORE—notwithstanding, see §23-1-131.5, C.R.S.)—may award sub-baccalaureate academic credentials that appear on the official academic transcript, including certificates, provided the credential is composed of credit-bearing courses that are part of the regular undergraduate curriculum (or credit awarded for prior learning), and the completed credential can be applied in full to one or more bachelor’s degree programs offered by the institution within the institution’s statutory role and mission. Only those institutions with explicit statutory authority to offer associate degree programs may award associate degrees (the Colorado Re-Engaged Initiative—or CORE—notwithstanding, see §23-1-131.5, C.R.S.).

4.02 Institutional Approval

4.02.01 A governing board may act to approve a new academic 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.

4.02.02 The governing board shall formally notify the Department of its approval of a new or substantively modified academic 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.

4.02.03 There may be cases when an institution’s governing board has determined that it does not need to formally act to approve a new academic program offered by an institution, in which case the institution’s representatives shall notify the Department of this fact when submitting information about newly created or modified academic programs.

4.02.04 Institutions shall formally notify the Department of any and all academic programs that lead to a credential that appears on an academic transcript so that the credential can be added to the Student Unit Record Data System (SURDS). Institutions shall notify the Department of any programs that are reported to SURDS but that the institution wishes to exclude from reporting to the U.S. Department of Education through the Integrated Postsecondary Education Data System (IPEDS). The Department will work collaboratively with institutions on what data are submitted to IPEDS and ensure that decisions are aligned to IPEDS and US Department of Education guidelines and requirements.

4.02 Review by the Department

4.02.01 Upon receipt of the notification of the governing board or other institutional 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; alignment with GT Pathways requirements unless a waiver is sought [per 23-1-125(3)]; and any other applicable statutory requirements. The Department will respond to the institution within 30 days of receiving the notification.

4.02.02 In the case of new or substantively modified programs that are not subject to the statutory requirements outlined above (which will be the majority of new programs), if the Department determines that the 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 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 cannabis-related programs and BSN programs at Aims Community College, 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.

4.02.04 In the case of 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 shall submit a proposal to the Department addressing all of the criteria listed in §23-1-133(2)(a), 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 providing the degree program is cost-effective for students and for the institution;
 - 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 may revise and resubmit the proposal for review.
- If the Department determines that the institution'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 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 submitting the proposal will be encouraged to resolve any areas of concern. The institution 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 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.

4.02.05 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; CCHE Agenda Item IV, A – September 2, 2021; CCHE Agenda Item III, A – October 22, 2021; CCHE Agenda Item III, A – June 1, 2023; CCHE Agenda Item II, D – July 28, 2023.