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NOTE: This document shows recommended updates for ACHE’s Administrative Procedures §300-2-1-.04 (currently entitled “Operational Policy on the Approval, Disapproval, Deferral, and Withdrawal of New Programs of Instruction”). Included are the following supporting:

- **OVERVIEW** of proposed changes to Administrative Procedures §300-2-1-.04

- Clean DRAFT of proposed changes, using red text to indicate language added and black text to indicate language kept from the existing regulation. Comments are included to orient the reader. If recommendations are accepted, the new version of the section would read similar to this version.

- Marked-up DRAFT of the proposed changes, using strikethrough red text to show language recommended for deletion, underlined red text to indicate language added, and black text to indicate language kept from the existing regulation. Comments are included to orient the reader.

- **EXISTING VERSION** of Administrative Procedures §300-2-1-.04, also found at [http://www.alabamaadministrativecode.state.al.us/docs/hged/300-2-1.pdf](http://www.alabamaadministrativecode.state.al.us/docs/hged/300-2-1.pdf)

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**OVERVIEW**

300-2-1-.04 *Operational Policy on the Approval, Disapproval, Deferral, and Withdrawal of New Programs of Instruction*

**Last Amended:** 2018

**Synopsis of Section:** This section discusses actions the Commission may take on new program proposals, as well as some post-implementation considerations.

**Summary of Recommended Changes:**

- Title of section should be updated to include post-implementation monitoring.
- New subsection should be added on post-implementation conditions reflecting legislative requirements for program viability, in keeping with current practice.
- New subsection should be added on post-implementation review reflecting current practice.

**Link to Open Forum:** Administrative Procedures, Part 3 (Posted 8/18/22): [https://www.ache.edu/?page_id=16109](https://www.ache.edu/?page_id=16109)
CLEAN DRAFT

300-2-1-.04 Operational Policy on the Approval of New Programs of Instruction and Requirements for Post-Implementation Monitoring

(1) **Purpose:** The purpose of the operational policy on the approval, disapproval, deferral, and withdrawal of new programs of instruction is to ensure that all proposals for new degree programs are subject to a fair and consistent evaluation and determination.

(2) **Commission Responsibility:** It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for approving, disapproving, deferring, and withdrawing new programs of instruction. It is also the Commission’s responsibility to ensure that approved programs meet standards for viability and quality following implementation.

(3) **Scope:** This section shall apply to proposals for new academic degree programs as specified above in 300-2-1-.03(3).

(4) **Commission Actions on Proposed New Programs of Instruction:** The Commission shall take no longer than ten months to review proposals for new programs of instruction before taking one of the following actions on the proposal:

(a) **Approval:** The approval of a new program of instruction shall require the concurrence of a majority (7) of all the members of the Commission.

(b) **Disapproval:** A program that receives a negative recommendation by a majority vote of Commission members present may be reconsidered after one year at the request of the institution, provided substantive changes indicate the need for reconsideration.

(c) **Deferral:** Should the Commission (by majority vote of members present) defer action on a proposed program, it will specify the future meeting at which the program will be reconsidered, being mindful of the ten-month deadline for program action. If the ten-month limitation has been reached or will be reached before the next scheduled meeting of the Commission, action
will not be deferred; however, if the Commission decides that special consideration is warranted, such a program may be disapproved by a majority of members present with the provision that the program can be reconsidered at a specified meeting scheduled prior to the one-year restriction on resubmission of disapproved programs. Deferral is a Commission, not an institutional prerogative.

(5) **Withdrawal of a New Program Proposal**: Should an institution withdraw a proposed program from Commission consideration, it may be resubmitted at any time; however, the time which has expired prior to the withdrawal will not count toward the ten-month deadline on Commission program action. The Commission will have ten months beginning at the time the program is resubmitted to take action on the program.

(6) **Post-Implementation Requirements for Approved Programs of Study**: Any new degree program approved by the Commission shall have a seven-year post-implementation monitoring period, during which it must meet conditions set forth at the time of approval, as follows:

(a) **Condition on Graduates**: An approved degree program must meet the minimum viability standard for average number of graduates for its degree level, established by the Legislature as follows:

i. Baccalaureate degrees (IPEDS level 5), associate degrees (IPEDS level 3), and long certificates (IPEDS level 2) must produce an average of at least 7.5 graduates per year. In vocational and technical programs, a student who leaves the program for purposes of gainful employment, in the same field of study as the program, having obtained the skills in said program, shall count as a graduate. For two-year technical and vocational college programs, a student who completes 26 semester hours or equivalent programs shall be deemed and counted as a graduate for purposes of viability standards.

ii. Master’s degrees must produce an average of at least 3.75 graduates per year.

iii. Education Specialist or terminal sub-doctoral degrees must produce an average of at least 3.0 graduates per year.

Commented [RM1]: Language adapted from Code of Alabama 1975, §16-5-8(a)(2).
iv. Doctorate degrees must produce an average of at least 2.25 graduates per year.

(b) Condition on New Enrollments: Approved degree programs must attract a sufficient number of new students each year ("new enrollments") to ensure that the program will continue to meet minimum viability requirements for program graduates. In order to account for attrition or enrollment fluctuations over the post-implementation period, the condition for new enrollments shall be set at 25% higher than the minimum viability standard for graduates as follows:

   i. Baccalaureate degrees, associate degrees, and long certificates must enroll an average of at least 9.4 students per year following program implementation.

   ii. Master’s degrees must enroll an average of at least 4.7 students per year following program implementation.

   iii. Education Specialist or terminal sub-doctoral degrees must enroll an average of at least 3.75 students per year following program implementation.

   iv. Doctorate degrees must enroll an average of at least 2.8 students per year following program implementation, though an institution may request that the Commission reduce this number under certain circumstances.

(c) Condition on Reporting: Institutions must provide a report evaluating whether the program has met its post-implementation conditions and whether it has fulfilled the objectives stated in the proposal, specifically pertaining to employment outcomes for graduates.

(d) Additional Conditions: As appropriate to the specific program of study, the Commission may require additional post-implementation conditions, such as the following:

   i. Programs with discipline-specific accreditation may be required to show progress toward specialized accreditation as a post-implementation condition of approval.

Commented [RM2]: Phrased to allow for situations where institutions choose not to pursue specialized accreditation.
ii. Programs leading to professional licensure will be required to report steps to be taken to optimize exam pass rates and the licensure pass rate as a post-implementation condition of approval.

iii. In the case that the proposed program of study is likely to reduce new enrollments or graduates from an existing program of study, such as when an option within an existing program becomes a standalone program, the Commission may require that the existing program continue to maintain viability in terms of average annual number of graduates.

(7) **Implementation Window:** The window will be 24 months (2 years) from the time of Commission approval to implementation, before Commission approval will expire. An institution may request that a longer implementation window be approved under certain circumstances.

(8) **Post-Implementation Review:** At the end of the seven-year post-implementation period, ACHE staff will review the post-implementation report submitted in fulfillment of the condition on reporting, as noted above, and will notify the Commission as whether the program that has met its post-implementation requirements.

(a) Programs determined to have met all post-implementation conditions will no longer be subject to post-implementation monitoring.

(b) Any program determined not to have met one or more of its post-implementation conditions will be recommended for deletion from the Commission’s Academic Program Inventory, unless the Commission approves an amendment to the post-implementation conditions for the program.

**Author:** William O. Blow  
**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.  
MARKED-UP DRAFT

300-2-1-.04 Operational Policy on the Approval, Disapproval, Deferral, and Withdrawal of New Programs of Instruction and Requirements for Post-Implementation Monitoring

(1) **Purpose:** The purpose of the operational policy on the approval, disapproval, deferral, and withdrawal of new programs of instruction is to ensure that all proposals for new programs of instruction are subject to a fair and consistent evaluation and determination.

(2) **Commission Responsibility:** It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for approving, disapproving, deferring, and withdrawing new programs of instruction. It is also the Commission’s responsibility to ensure that approved programs meet standards for viability and quality following implementation.

(3) **Scope:** This section shall apply to proposals for new academic degree programs as specified above in 300-2-1-.03 (3).

(4) **Commission Actions on Proposed New Programs of Instruction:** The Commission shall take no longer than ten months to review proposals for new programs of instruction before taking one of the following actions on the proposal:

(a) **Approval:** The approval of a new program of instruction shall require the concurrence of a majority (7) of all the members of the Commission.

(b) **Disapproval:** A program that receives a negative recommendation by a majority vote of Commission members present may be reconsidered after one year at the request of the institution, provided substantive changes indicate the need for reconsideration.

(c) **Disapproval:** A program that receives a favorable vote of a majority of the members present but which falls short of receiving a favorable vote by a majority of the members of the Commission may be reconsidered at the next regularly scheduled meeting at the request of the institution provided substantive changes indicate the need for reconsideration.
Deferral: Should the Commission (by majority vote of members present) defer action on a proposed program, it will specify the future meeting at which the program will be reconsidered, being mindful of the ten-month deadline for program action. If the ten-month limitation has been reached or will be reached before the next scheduled meeting of the Commission, action will not be deferred; however, if the Commission decides that special consideration is warranted, such a program may be disapproved by a majority of members present with the provision that the program can be reconsidered at a specified meeting scheduled prior to the one-year restriction on resubmission of disapproved programs. Deferral is a Commission, not an institutional prerogative.

Withdrawal of a New Program Proposal: Should an institution withdraw a proposed program from Commission consideration, it may be resubmitted at any time; however, the time which has expired prior to the withdrawal will not count toward the ten-month deadline on Commission program action. The Commission will have ten months beginning at the time the program is resubmitted to take action on the program.

Post-Implementation Requirements for Approved Programs of Study: Any new degree program approved by the Commission shall have a seven-year post-implementation monitoring period, during which it must meet conditions set forth at the time of approval, as follows:

(a) Condition on Graduates: An approved degree program must meet the minimum viability standard for average number of graduates for its degree level, established by the Legislature as follows:

   i. Baccalaureate degrees (IPEDS level 5), associate degrees (IPEDS level 3), and degree-long certificates (IPEDS level 2) must produce an average of at least 7.5 graduates per year. In vocational and technical programs, a student who leaves the program for purposes of gainful employment, in the same field of study as the program, having obtained the skills in said program, shall count as a
graduate. For two-year technical and vocational college programs, a student who completes 26 semester hours or equivalent programs shall be deemed and counted as a graduate for purposes of viability standards.

ii. Master’s degrees must produce an average of at least 3.75 graduates per year.

iii. Education Specialist or other terminal post-master sub-doctoral degrees must produce an average of at least 3.0 graduates per year.

iv. Doctorate degrees must produce an average of at least 2.25 graduates per year.

(b) Condition on New Enrollments: Approved degree programs must attract a sufficient number of new students each year (“new enrollments”) to ensure that the program will continue to meet minimum viability requirements for program graduates. In order to account for attrition or enrollment fluctuations over the post-implementation period, the condition for new enrollments shall be set at 25% higher than the minimum viability standard for graduates as follows:

i. Baccalaureate degrees, associate degrees, and long certificates must enroll an average of at least 9.4 students per year following program implementation.

ii. Master’s degrees must enroll an average of at least 4.7 students per year following program implementation.

iii. Education Specialist or terminal sub-doctoral degrees must enroll an average of at least 3.75 students per year following program implementation.

iv. Doctorate degrees must enroll an average of at least 2.8 students per year following program implementation, though an institution may request that the Commission reduce this number under certain circumstances.

(c) Condition on Reporting: Institutions must provide a report evaluating whether the program has met its post-implementation conditions and whether it has fulfilled the objectives stated in the proposal, specifically pertaining to employment outcomes for
graduates.

(d) Additional Conditions: As appropriate to the specific program of study, the Commission may require additional post-implementation conditions, such as the following:

i. Programs with program-discipline-specific accreditation may be required to show progress toward specialized accreditation report steps to be taken to obtain accreditation in the proposal/application, and the accreditation status as a post-implementation condition of approval.

ii. Programs leading to professional licensure will be required to report steps to be taken to optimize exam pass rates in the proposal/application, and the licensure pass rate as a post-implementation condition of approval.

iii. In the case that the proposed program of study is likely to reduce new enrollments or graduates from an existing program of study, such as when an option within an existing program becomes a standalone program, the Commission may require that the existing program continue to maintain viability in terms of average annual number of graduates.

(a) The unemployment/continuing education rate post-implementation reporting will be considered as informational/notification only, and will not be a consequential consideration in evaluating attaining/meeting post-implementation.

(7) Implementation Window: The window will be 24 to 30 months (2½ years) from the time of Commission approval to implementation, before Commission approval will expire. An institution may request that a longer implementation window be approved under certain circumstances.

(8) Post-Implementation Review: At the end of the seven-year post-implementation period, ACHE staff will review the post-implementation report submitted in fulfillment of the condition on assessment reporting, as noted above, and will notify the Commission as whether the program that has met its post-implementation requirements.
(a) Programs determined to have met all post-implementation conditions will no longer be subject to post-implementation monitoring.

(b) Any program determined not to have met one or more of its post-implementation conditions will be recommended for deletion from the Commission’s Academic Program Inventory, unless the Commission approves an amendment to the post-implementation conditions for the program.

Author: William O. Blow
Amended: XXXX
300-2-1-.04 Operational Policy on the Approval, Disapproval, Deferral, and Withdrawal of New Programs of Instruction

(1) The purpose of the operational policy on the approval, disapproval, deferral, and withdrawal of new programs of instruction is to ensure that all such programs are subject to a fair and consistent evaluation and determination.

(2) It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for approving, disapproving, deferring, and withdrawing new programs of instruction.

(3) Approval: The approval of a new program of instruction shall require the concurrence of a majority (7) of all the members of the Commission.

(4) Disapproval: A program that receives a negative recommendation by a majority vote of Commission members present may be reconsidered after one year at the request of the institution, provided substantive changes indicate the need for reconsideration.

(5) Disapproval: A program that receives a favorable vote of a majority of the members present but which falls short of receiving a favorable vote by a majority of the members of the Commission may be reconsidered at the next regularly scheduled meeting at the request of the institution provided substantive changes indicate the need for reconsideration.

(6) Deferral: Should the Commission (by majority vote of members present) defer action on a proposed program, it will specify the future meeting at which the program will be reconsidered, being mindful of the ten-month deadline for program action. If the ten-month limitation has been reached or will be reached before the next scheduled meeting of the Commission, action will not be deferred; however, if the Commission decides that special consideration is warranted, such a program may be disapproved by a majority of members present with the provision that the program can be reconsidered at a specified meeting scheduled prior to the one-year restriction on resubmission of disapproved programs. Deferral is a Commission, not an institutional prerogative.
Withdrawal: Should an institution withdraw a proposed program from Commission consideration, it may be resubmitted at any time; however, the time which has expired prior to the withdrawal will not count toward the ten-month deadline on Commission program action. The Commission will have ten months beginning at the time the program is resubmitted to take action on the program.

Post-implementation conditions on enrollment, graduation rates, and the efficacy of the assessment system will be placed on the approval of new academic programs.

Programs with program-specific accreditation will be required to report steps to be taken to obtain accreditation in the proposal/application, and the accreditation status as a post-implementation condition of approval. Programs which require licensure will be required to report steps to be taken to optimize exam pass rates in the proposal/application, and the licensure pass rate as a post-implementation condition of approval.

The unemployment/continuing education rate post-implementation reporting will be considered as informational/notification only, and will not be a consequential consideration in evaluating attaining/meeting post-implementation.

The window will be 30 months (2 ½ years) from the time of Commission approval to implementation, before Commission approval will expire.

Author: William O. Blow