



Approval of Amendments to New Academic Program Review Administrative Rule (6 CSR 10-4.010)

Coordinating Board for Higher Education
January 22, 2019

BACKGROUND

The Coordinating Board for Higher Education (CBHE) approved a new, three-tiered framework for the review of new academic program proposals at its meeting on June 8, 2017. MDHE staff modified the existing administrative rule to reflect these changes, which the board approved at its December 2017 meeting. MDHE staff filed the proposed revisions with the Secretary of State in February 2018, but because of a clerical error had to begin the rulemaking process again. MDHE staff refiled the rule with the Secretary of State in November, and it was published for public comment in the December 1 edition of the Missouri Register. MDHE staff received several comments and suggestions for changes to the proposed rule during the required public comment period, and the rule has been revised in response to those comments. The current version of the rule is presented here for the board's review and consideration.

CURRENT STATUS

The full text of the revised rule is included as an attachment to this agenda summary. The specific changes to the rule as approved by the CBHE in December 2017 are explained below. The page numbers refer to the attachment. Text below in ~~striketrough~~ has been deleted, and text below in **bold font** are revisions, both in response to comments received during the public comment period.

Page 1 This definition has been deleted in response to comments provided by the Council on Public Higher Education. Subsequent references to "CBHE-approved service region" in the rule have also been deleted.

~~(C) CBHE approved service region—a geographic region for which a public institution has responsibility for meeting the educational needs of its residents.~~

Page 1 A definition of "collaboration" has been added to the rule, in response to comments provided by Southeast Missouri State University.

(C) Collaboration—two or more institutions of higher education working together to deliver an academic program or degree.

Page 2 The definition of "minor change" has been revised in response to comments provided by the Council on Public Higher Education.

(P) Minor change—modifications to existing programs ~~such as a that do not involve changes to course content, prerequisites, or credit hours, including~~ change of program title or CIP code; **the combination of programs; request for inactive status; the establishment of one year certificate programs under an existing parent program;** new options; **request for** program deletion; **change in the mode of delivery;** or new single semester certificate programs.

(W) Substantive curricular change—significant modifications or expansion of an existing program. Examples of substantive changes include but are not limited to a change in the program’s overall credits or goals; deletion and replacement of a significant number of courses in the program’s curriculum; ~~change in the primary mode of delivery;~~ change in the program’s purpose; change in the audience(s) that the program is intended to serve.

Page 5 As noted above, all references to “CBHE-approved service area” have been deleted. The original intent of defining service areas was not to limit an institution to a specific area but to trigger a more thorough review and assessment of the proposed program through the Comprehensive Review—rather than the Routine Review—process. MDHE staff believe having some geographic-based criteria is desirable and ultimately beneficial for institutions. The intent is not to confine an institution to a specific place or region, nor is it intended function as a way for an institution to “veto” another institution’s proposed program. Programs proposed to be offered at a location other than the main campus, a CBHE-approved off-site location, or within an approved voluntary service region will require information beyond that needed for a Routine Review, but the proposal will not automatically be queued for a Comprehensive Review. The proposing institution will need to provide a compelling rationale justifying the need for the program and why it is best suited to deliver the program in the proposed location. While not mandatory, the proposing institution may include in its application letters or other materials as evidence that it has the support of other institutions in the vicinity of the proposed location. Such evidence will likely keep the proposal on the Routine Review track.

(B) Routine Review.

1. Proposals for new academic programs that are not minor, but do not constitute a significant change in an institution’s current role, scope, or mission will be reviewed under the routine review process. For a proposed program to be considered through routine review, it must meet all of the following criteria:
 - A. The program is clearly within the institution’s CBHE-approved mission;
 - ~~B. The program will be offered within the proposing institution’s CBHE approved service region;~~
 - B. The program will not unnecessarily duplicate an existing program in the applicable geographic area, as described in subsection (9)(C) of this rule;
 - C. The program will be offered at the main campus or at a CBHE-approved off-site location;
 - D. The program will build on existing programs and faculty expertise; and
 - E. The cost to launch the program will be minimal and within the institution’s current operating budget.
2. The following proposals ~~generally~~ will be considered under the routine review process:
 - A. Substantive curricular changes to an existing program;
 - B. Delivery of an approved program at a CBHE-approved off-site location; and
 - C. New degree programs offered **on the main campus, at a CBHE-approved off-site location, or within its CBHE-approved voluntary service area, or** in collaboration with an institution already approved to offer such a program.
3. **Proposals for programs to be offered other than on the main campus, a CBHE-approved off-site location, or within a CBHE-approved voluntary service area may be reviewed as a routine review if it meets both the criteria listed under (B)1.A-E (above) and meets the conditions A-B listed below. After evaluating the proposal, department staff may recommend the proposal warrants a comprehensive review.**
 - A. The institution already offers the program on its main campus, at a CBHE-approved off-site location, or within its CBHE-approved voluntary service area,
 - B. The proposal includes a compelling rationale justifying the need for the program and why the proposing institution is best suited to deliver the program in the proposed location.
 - C. The proposal may include evidence that the proposing institution has communicated with the other public institutions about the proposing institution’s intention to offer the proposed program. The inclusion of this evidence may be a factor in reviewing the proposal as a routine review. [Nota bene: This criterion is intended as a means of keeping the review on the routine review timeline. The proposing institution could include in its application, for example, letters of support from other institutions in the vicinity of the proposed program or those who offer similar programs. Such efforts prior to submission of the application may keep the review on the routine review timeline.]

Page 7 MDHE staff recommends deletion of the text describing how Comprehensive Reviews would be implemented in 2017-2018 and 2018-2019 review cycles. We are currently are completing the 2018-2019 review cycle, and thus the language is no longer pertinent. MDHE staff recommends that, at the conclusion of the 2019-2020 review cycle, a task force be formed to evaluate the framework and recommend improvements for the board's consideration.

- ~~B. Comprehensive reviews will be phased in to the program approval process.~~
- ~~I. In the 2017-2018 review cycle, the CBHE will consider no more than three (3) proposals, in total, to offer a degree outside an institution's CBHE approved mission. No more than two (2) proposals may come from either public universities or public two (2) year institutions during this review cycle.~~
 - ~~II. In the 2018-2019 review cycle, the CBHE will consider no more than five (5) proposals, in total, to offer a degree outside an institution's CBHE approved mission. No more than three (3) proposals may come from either public universities or public two (2) year institutions during this review cycle.~~
 - ~~III. If changes to statutes or licensure requirements warrant the authorization of more than one (1) institution to propose a program requiring a comprehensive review, such proposals may be considered as a single proposal for purposes of this section only.~~
 - ~~IV. Each individual institution's proposal will be evaluated on its own merits.~~
 - ~~V. After two (2) proposal cycles, the CBHE may reconvene a task force to evaluate the new framework and to recommend improvements for the CBHE's consideration.~~

NEXT STEPS

MDHE staff will file with the Secretary of State the changes made to the rule, as well as a record of the comments the department received and how they were addressed within the rule. The Secretary of State will publish the rule in the *Missouri Register* on March 15. Barring any further delays, the rule will become effective April 30.

RECOMMENDATION

Staff recommend that the Coordinating Board for Higher Education approve the amendments to the New Academic Program Review Administrative Rule (6 CSR 10-4.010), as described in the attachment to this agenda summary.

ATTACHMENT

- Proposed Amendments to 6 CSR 10-4.010

Attachment

**Amendments New Academic Program Review Administrative Rule (6
CSR 10-4.010)**

**Title 6—DEPARTMENT OF HIGHER EDUCATION
Division 10—Commissioner of Higher Education
Chapter 4—Submission of Academic Information, Data and New Programs**

PROPOSED AMENDMENT

6 CSR 10-4.010 Academic Program Approval. The department is deleting sections (1) and (6), amending sections (2)–(5) and (7)–(10), and renumbering as necessary.

PURPOSE: This amendment sets forth the revised evaluation criteria and procedures for submitting new degree and certificate programs and program changes by public and independent institutions of higher education in Missouri to the Coordinating Board for Higher Education.

[(1) Policy.

(A) In light of its responsibilities imposed and assigned by sections 173.005.2(1) and (7) and 173.030(1) and (2), RSMo, the Coordinating Board for Higher Education (CBHE) has determined that it can and should discharge its obligations by requiring institutions of higher education in the state to submit to it information concerning all new degree and certificate programs. The coordinating board will review all new program proposals and, in the case of public institutions, will approve or disapprove them. In the case of independent institutions, the coordinating board will review the programs and make pertinent recommendations. Although these recommendations are not binding on independent institutions, submission of the proposals is required of independent institutions in order to address the issues of duplication and access at the postsecondary level as well as to enable the coordinating board to fulfill its statutory obligations. Furthermore, compliance with this policy is one (1) of the conditions for the eligibility of independent institutions for participation in the Missouri student grant program.

(B) Sections of this rule that do not apply to independent institutions are those dealing with cooperative intercampus degree programs, staff advisory comments, use of consultants, performance reviews for new programs, joint review with CBHE and the Department of Elementary and Secondary Education and program finances.]

[(2)](1) Definitions.

*(A) [Certificate—a prescribed course of study which confers an award other than a formal degree.] **CBHE-approved mission—a description of the public institution’s programs, audiences served, level and type of degrees offered, or other distinguishing factors, which the CBHE has reviewed and approved.***

*(B) [CIP Taxonomy—the six-digit code number assigned to academic program types by the Center for Educational Statistics of the United States Department of Education. CIP categories are described in the United States Department of Education publication, A Classification of Instructional Programs (CIP).] **CBHE-approved off-site location—locations other than the main campus (for universities) or taxing district (for community colleges) that the CBHE has reviewed and approved. The department maintains an official inventory of approved off-site locations.***

(C) CBHE-approved service region—a geographic region for which a public institution has responsibility for meeting the educational needs of its residents.

(C) Collaboration—two or more institutions of higher education working together to deliver an academic program or degree.

(D) Certificate program—a prescribed course of study which confers an award other than a formal academic degree.

(E) Classification of Instructional Programs (CIP)—a taxonomic scheme that supports the accurate tracking and reporting of fields of study and program completions activity. The CIP is the accepted federal government statistical standard on instructional program classifications, developed by the U.S. Department of Education.

(F) Combination programs—the result of a mechanical combination of two (2) previously existing programs.

[(C)](G) Commissioner—the commissioner of higher education as appointed by the CBHE.

[(D)](H) Content—the program specialization with its related options, if any, for which recognition is intended to be given by the conferring of a degree or certificate.

*[(E)](I) Coordinating board, board or CBHE—the Coordinating Board for Higher Education created by [the Omnibus State Reorganization Act, Law 1974, p. 530] **article IV, section 52 of the Missouri Constitution.***

*[(F)](J) Degree—[any prescribed course of study in an institution of higher education which constitutes an area of specialization leading to a recognized degree. This is the same as the term discipline specialty as represented by the Classification of Instructional Program (CIP) code used in reporting] **an award conferred by a college, university, or other postsecondary education institution as official recognition for the successful completion of a program of studies as defined by and reported to the United States Department of Education’s Integrated Postsecondary Education Data System] and to the [Missouri] coordinating board’s [for higher education’s] certificate and program inventory. In baccalaureate degrees or higher, the term program is generally the same as major.***

(K) Department—the Missouri Department of Higher Education created by article IV, section 52 of the Missouri Constitution.

(L) Duplication—proposing to offer the same or a similar program to one that is already being offered by another institution.

(M) Inactive status—the result of formal action by an institution on the status of an existing academic program, which suspends the program for a period not to exceed five (5) years.

[(G)](N) Independent institution—an approved private institution of higher education meeting the requirements of section 173.*[205/1102(2), RSMo, provided it is also either accredited or a candidate for accreditation by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Secondary Schools and provided it offers a postsecondary course of instruction at least two (2) years in length leading to conferral of a degree]* **Higher Learning Commission.**

[(H)](O) Level—a degree, such as associate, baccalaureate, first professional, master's, specialist, doctorate and any other designation lower, higher, or intermediate to those which now exist or may be created. (Specialist programs, related to the state requirements for the certification of public school administrators and to the further education of public school teachers and supervisors, should be limited specifically to the field of education. These programs are essentially extensions of master's level studies and should evidence a study beyond that expected of master's programs.)

(P) Minor change—modifications to existing programs **such as a that do not involve changes to course content, prerequisites, or credit hours, including change of program title or CIP code; the combination of programs; request for inactive status; the establishment of one-year certificate programs under an existing parent program; new options; request for program deletion; change in the mode of delivery; or new single-semester certificate programs.**

(Q) Professional Degree—is an award for completing a program that 1) serves as a prerequisite to practicing in the profession; 2) requires at least two (2) years of college work prior to entering the program; and 3) requires a total of at least six (6) academic years of college work to complete the degree program, including prior required college work plus the length of the professional program itself.

[(I)](R) Program—a prescribed course of study that leads to the formal award of a certificate or degree.

1. Certificate 0 (Undergraduate)—Postsecondary award, certificate, or diploma (less than one (1) academic year) below the baccalaureate degree—

- A. Less than nine hundred (900) contact or clock hours; or
- B. Less than thirty (30) semester or trimester credit hours; or
- C. Less than forty-five (45) quarter credit hours.

2. Certificate 1 (Undergraduate)—Postsecondary award, certificate, or diploma (at least one (1), but less than two (2) academic years) below the baccalaureate degree—

- A. At least nine hundred (900), but less than one thousand eight hundred (1,800) contact or clock hours; or
- B. At least thirty (30), but less than sixty (60) semester or trimester hours; or
- C. At least forty-five (45), but less than ninety (90) quarter hours.

3. Associate's degree—an award that normally requires no more than sixty (60) semester credit hours unless necessary for accreditation or licensure.

4. Certificate 2 (Undergraduate)—postsecondary award, certificate, or diploma (at least two (2), but less than four (4) academic years) below the baccalaureate degree—

- A. At least one thousand eight hundred (1,800), but less than three thousand six hundred (3,600) contact or clock hours; or
- B. At least sixty (60), but less than one hundred twenty (120) semester or trimester credit hours; or
- C. At least ninety (90), but less than one hundred eighty (180) quarter credit hours.

5. Baccalaureate degree—an award that normally requires no more than one hundred twenty (120) semester credit hours unless necessary for accreditation or licensure.

6. Graduate certificate—an organized program of study beyond the bachelor's degree, designed for persons who have completed a baccalaureate degree but not meeting requirements of academic degrees at the master's level.

7. Master's degree—an award that typically requires successful completion of a program of study of at least the full-time equivalent of one (1), but not more than two (2) academic years of work beyond the bachelor's degree. Some of these degrees may require more than two (2) full-time equivalent academic years of work.

8. Post-master's certificate (First-professional certificate)—an organized program beyond the master's degree but not meeting requirements of academic degrees at the doctor's level. This award is designed for persons having completed the first-professional degree (refresher courses or additional units of study in a specialty or subspecialty).

9. Doctoral degree—the highest award a student can earn for graduate study (research/scholarship or professional practice).

(S) Program deletion—the removal of a program or an option from an institution's program offerings.

(T) Program change—any revision or change in a program name or its nomenclature, including CIP number.

[(J)](U) Public institution—an approved public institution of higher education meeting the requirements of section 173.*[205/1102(3), RSMo], provided it is also either accredited or a candidate for accreditation by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Secondary Schools, and provided it offers a postsecondary course of instruction at least two (2) years in length leading to conferral of a degree].*

[(K)](V) Program option[s] or option—a formally designated area of specialization within an existing degree program that has a distinctive curricular pattern. A [preponderance] majority of required courses for the option will be taken in a core of courses common to all variations of the existing parent degree. For the purposes of program changes, option, emphasis area, and other similar terms are assumed to be equivalent.

(W) Substantive curricular change—significant modifications or expansion of an existing program. Examples of substantive changes include, but are not limited to, a change in the program’s overall credits or goals; deletion and replacement of a significant number of courses in the program’s curriculum; change in the primary mode of delivery; change in the program’s purpose; change in the audience(s) that the program is intended to serve.

[(L)](X) Program [T]type or type of program—A designation within a degree level, such as associate of arts(AA), associate of science (AS), associate of applied science (AAS), bachelor of arts, bachelor of science, bachelor of science in engineering, master of arts, master of science, doctor of philosophy, doctor of education, etc. [AA and AS degrees are oriented toward transfer to baccalaureate programs. AAS degrees are not oriented toward transfer to baccalaureate programs, but rather are terminal vocational programs.]

[(3)](2) [General Program Approval] Special Procedure[s] for New Public Institutions.

(A) The coordinating board or its designee shall be responsible for the review of all new program proposals and shall either approve or disapprove them. Institutions submitting new programs for CBHE review shall follow the format outlined by CBHE staff. Submissions shall be made on appropriate forms as provided by the CBHE. All actions resulting in the approval of new programs for public institutions shall be subject to a stipulation regarding the program’s ability to attain specified performance goals during a stipulated period that shall have been established by the sponsoring institution and shall have been approved by the board or its designee.

(B) Performance Review. At the conclusion of the stipulated period, the program’s performance shall be reviewed on the basis of the specified goals in a manner mutually satisfactory to the sponsoring institution and the commissioner. In the event a new program fails to develop satisfactorily in the allotted period as determined by the board or its designee, the status of the new program shall be evaluated. As a result of this review, approval may be continued with or without further stipulations, or program authorization may be withdrawn. In the latter event, should the sponsoring institution choose to continue the new program rather than terminate it, the resources associated with the program shall be withdrawn from the institution’s funding base for the purpose of developing future state appropriation requests.

(C) Special Procedure for New Public Institutions.]

1.(A) Since newly-established public institutions have ordinarily only begun the process of assembling the resources necessary to offer instruction, application of the usual [and customary] review process would [not] be inappropriate. As a consequence, new public institutions must develop a five- (5)-[-] year academic plan that projects those programs the institution intends to develop during this period based upon a need analysis it has conducted. The institution must also provide satisfactory evidence that it can reasonably expect to acquire the resources necessary to support these programs. The institution must submit annual updates on the plan and its progress toward full implementation. At these times the institution may request revisions in its original plan.

2.(B) Subject to [coordinating board] CBHE approval of the plan, the new institution may offer these programs for a period not to exceed five (5) years. During this time the institution must submit formal proposals for new program approval; however, the submission of these programs may occur on a schedule convenient to the institution. Those programs that have not received regular approval by the end of the five- (5)-[-] year planning period shall be terminated, or the resources associated with the program shall be withdrawn from the institution’s funding base for the purpose of developing future state appropriation requests.

[(D)](C) Notice. Prompt notice of the results of all academic program approval and review actions by the board or its designee, including any pertinent comments relating thereto, [shall] will be sent to the [Coordinating Board for Higher Education] CBHE whenever the action decision has been delegated, to all higher education institutions and to the public in a manner deemed appropriate by the commissioner.

[(4)](3) General Program Review [Policies] for Independent Institutions. Except for subsections (4)(A), (4)(B), the right to appeal provided in section (8), and any pertinent definitions in section (1), this rule does not apply to independent institutions. Independent institutions shall submit all new degree and certificate programs for CBHE review according to the procedure in either subsection (4)(A) or (4)(B), as determined by department staff. The CBHE may offer nonbinding recommendations on such program proposals, and may use submitted information to aid the analysis of public institutions’ program proposals. Submission of new program information is a prerequisite to receiving any funds administered by the CBHE in accordance with section 173.005.2(9) and (10), RSMo, but receipt of such funds does not depend on receipt or compliance with CBHE comments or recommendations. In no event, section (4) of this rule notwithstanding, will independent institutions’ program proposals be subject to CBHE approval.

(A) Independent institutions shall submit all new degree and certificate programs for coordinating board review. Institutions submitting new programs for CBHE review shall follow the general format used by public institutions. Submissions should be made on appropriate forms as provided by the CBHE.

(B) The board or its designee shall review new program proposals submitted by independent institutions and may make pertinent comments and recommendations. Although these recommendations are not binding on independent institutions, submission of the proposals is required of independent institutions to address the issues of duplication and access at the postsecondary level as well as to enable the CBHE to fulfill its statutory obligations. Compliance with this policy is one (1) of the conditions for the eligibility of independent institutions for participation in the Missouri student grant program.

(C) The board or its designee shall ensure that the review of new programs submitted by independent institutions is conducted in a manner to provide that all criteria and definitions that are applicable to public institutions are also applicable to independent institutions except as explicitly provided in this rule. These criteria, however, shall be applied with due regard for the differences between public and independent institutions as well as the different degree of responsibility and authority the coordinating board and state have in the operation of the respective sectors.

(D) With respect to permissible differences in the review process between independent and public institutions, the following criteria, procedures and definitions shall not be applicable to independent institutions unless an individual independent institution should voluntarily elect to participate in a particular review provision:

1. All financial criteria shall not be applicable and related data should not be submitted;
2. Provisions related to cooperative intercampus degree programs shall not be applicable;
3. Provisions related to staff advisory comments shall not be applicable;
4. Provisions related to performance reviews for new programs shall not be applicable;
5. Provisions related to the use of consultants shall not be applicable; and
6. Provisions related to the joint review of vocational programs by the coordinating board and the Department of Elementary and Secondary Education shall not be applicable.

(E) Notice. Prompt notice of the results of all academic program review actions by the CBHE or its designee, including any pertinent comments relating thereto, shall be sent to the Coordinating Board for Higher Education whenever the action decision has been delegated, to all higher education institutions and to the public in a manner deemed appropriate by the commissioner.]

(4) Types of Review.

(A) Staff Review.

1. Minor changes to existing academic programs and the addition of some certificates may be addressed through a staff review. Institutions shall report all minor changes to ensure that the state program inventory is accurate and complete.

2. Requests for minor changes to existing academic programs must be submitted to the department on forms provided by the department. The following guidelines apply to specific change requests:

A. Moving an existing program to inactive status.

(I) Programs placed on inactive status will be suspended for a specified period not to exceed five (5) years.

(II) Students in the program at the time this status is adopted will be permitted to conclude their course of study if they have no more than two (2) years of coursework remaining, but no new students may be admitted to the program.

(III) At the conclusion of the designated inactive period, not to exceed five (5) years, the institution must review the program's status and may either delete it or reactivate it.

(IV) Only programs and certificates may be placed in inactive status; options are deleted through the program deletion process;

B. Program deletion. At the time an institution notifies the Higher Learning Commission (HLC) in writing about the circumstances for which HLC requires a teach-out agreement, the institution must also notify the department. Institutions must provide program name, level, CIP code, and effective date of deletion;

C. Location notification. This includes change of address updates, and notifications of closed locations. Notifications of closed locations must also include the list of programs to be deleted at the location;

D. Change of program title or CIP code. A title, CIP code, or nomenclature revision that includes substantive curriculum changes may be deemed tantamount to a new program and may be referred to the institution for consideration at the routine or comprehensive review level;

E. Combination programs. Combination programs will be reviewed at the staff review level for the elimination of duplicated requirements. The development of interdisciplinary programs and area study programs that utilize the resources of several existing programs will be reviewed through the routine or comprehensive new program approval process. However, proposals that combine two (2) or more programs ordinarily involve a substantive curricular change, which must be reviewed in the comprehensive process described in subsection (5)(C);

F. Certificate programs. Single-semester certificate programs, either as a stand-alone or as part of a parent-degree program, will be considered under staff review. A one- (1-) year certificate may be considered under staff review only if developed from, directly related to, and deriving courses predominantly from an approved parent degree program. Otherwise, one- (1-) year certificate proposals must be submitted as a new program at the routine or comprehensive review level, as appropriate;

G. Graduate certificates. Graduate certificates greater than a single semester in length may be approved at the staff review level if they are part of an existing approved parent degree program. Graduate certificates greater than a single semester that are not part of an approved parent degree must be submitted as a new program at the routine or comprehensive review level, whichever is appropriate; and

H. Adding an option to an existing program. The addition of a specialized course of study as a component of an umbrella degree program may be submitted as a program change subject to a determination by the CBHE or its designee regarding the potential for unnecessary or inappropriate duplication of existing programs, in accordance with subsection (9)(C) of this rule. Only in those instances in which duplication is necessary and appropriate may the proposed option be implemented. Options within a parent degree program will have the same CIP code as the parent degree. The institution shall provide

evidence that the proposed option functions as a component of an umbrella degree program, including the curriculum common to the parent degree and all of its options.

(I) The following general guidelines distinguish a permissible option addition from a proposed new degree program:

(a) An option or emphasis area generally functions as a component of an umbrella degree program. As such, an option in a specialized topic will consist of a core area of study in the major plus selected topical courses in the specialty. Typically, the core area of study will constitute a majority of the requirements in the major area of study as measured in the number of required courses or credit hours;

(b) A proposed option or emphasis area must be a logical component or extension of the umbrella degree program. One (1) measure of this compatibility—but not the only one—would be the consonance of the proposed addition with the federal CIP taxonomy. For instance, using physics as an example, optics would be an appropriate option (emphasis area) while astrophysics would ordinarily not be acceptable as it is typically viewed as a branch of astronomy rather than physics;

(c) The number of new courses required to implement a new option or emphasis area is relevant. Four (4) or more new courses in a proposed new option will raise questions about resource commitments and suggest that a new program has been developed; and

(d) The need to develop new courses as a condition of implementing an option is a relevant consideration.

3. Review and reporting. Department staff will review requests for minor changes to existing academic programs. Department staff may request additional information from the proposing institution.

4. Timeline. For all requests submitted by the first of the month, department staff will process, review, and report back to institutions by the end of that same month. Department staff will report routine review actions to the CBHE at the next regular board meeting following completion of review.

(B) Routine Review.

1. Proposals for new academic programs that are not minor, but do not constitute a significant change in an institution's current role, scope, or mission will be reviewed under the routine review process. For a proposed program to be considered through routine review, it must meet all of the following criteria:

A. The program is clearly within the institution's CBHE-approved mission;

B. The program will be offered within the proposing institution's CBHE-approved service region;

C. The program will not unnecessarily duplicate an existing program in the applicable geographic area, as described in subsection (9)(C) of this rule;

D. The program will be offered at the main campus or at a CBHE-approved off-site location;

E. The program will build on existing programs and faculty expertise; and

F. The cost to launch the program will be minimal and within the institution's current operating budget.

2. The following proposals generally will be considered under the routine review process:

A. Substantive curricular changes to an existing program;

B. Delivery of an approved program at a CBHE-approved off-site location; and

C. New degree programs offered on the main campus, at a CBHE-approved off-site location, or within its CBHE-approved voluntary service area, or in collaboration with an institution already approved to offer such a program.

3. Proposals for programs to be offered other than on the main campus, a CBHE-approved off-site location, or within a CBHE-approved voluntary service area may be reviewed as a routine review if it meets both the criteria listed under (B)1.A-E (above) and meets the conditions A-B listed below. After evaluating the proposal, department staff may recommend the proposal warrants a comprehensive review.

A. The institution already offers the program on its main campus, at a CBHE-approved off-site location, or within its CBHE-approved voluntary service area.

B. The proposal includes a compelling rationale justifying the need for the program and why the proposing institution is best suited to deliver the program in the proposed location.

C. The proposal may include evidence that the proposing institution has communicated with the other public institutions about the proposing institution's intention to offer the proposed program. The inclusion of this evidence may be a factor in reviewing the proposal as a routine review. [Nota bene: This criterion is intended as a means of keeping the review on the routine review timeline. The proposing institution could include in its application, for example, letters of support from other institutions in the vicinity of the proposed program or those who offer similar programs. Such efforts prior to submission of the application may keep the review on the routine review timeline.]

4. Process.

A. Institutions shall provide information about the proposed program to the department on forms provided by the department. This information will include certification that the proposal meets the criteria for routine review and that the program meets the criteria for all new academic programs. Department staff may request additional information from the proposing institution.

B. Department staff will verify and post the proposal on the department's website to allow for twenty (20) days of public review and comment. Any institution, member of the profession, occupation, or specialized academic field, and any other interested individual may express an opinion to department staff regarding any new program proposal. Comments must be received within twenty (20) days of the proposal's posting on the department website.

C. The proposing public institution will address comments and feedback received. Once all concerns are resolved, the commissioner will recommend provisional approval of the program for a period of five (5) years.

(I) The public institution shall establish clearly defined performance goals for the new program to be achieved during the provisional implementation period. The public institution may revise its performance goals for the new program at any time during the designated implementation period with the concurrence of department staff.

(II) Provisional approval by the CBHE or its designee is valid for two (2) years following the first fall term after CBHE approval. If an institution has not implemented the proposal by that date, the approval will lapse and the program proposal must be resubmitted with updated information.

D. At the end of the five- (5-) year provisional approval period, the department will review the program's viability to determine whether the CBHE's provisional approval should become unconditional, remain provisional pending further review in two (2) years, or be terminated.

(I) Public institutions shall provide to department staff, in a manner prescribed by department staff, enrollment, graduation, and staffing data for the program, as well as a brief summary of program performance. If the program is performing as well as or better than the projections in the original program proposal, the department will recommend that the CBHE approve the program unconditionally.

(II) If the CBHE terminates provisional approval, the public institution shall take the necessary steps to close the program, which includes accommodating students currently enrolled in the program.

4. Timeline.

A. Requests submitted by the first of the month will be reviewed and processed, and in most cases institutions will be notified, by the end of that same month. Department staff will report routine review actions to the CBHE at the next regular board meeting following completion of review.

(C) Comprehensive Review.

1. Proposed new academic programs that meet any of the following criteria will be subject to a comprehensive review:

A. The program will be offered outside the institution's CBHE-approved service region;

A. The institution will incur substantial costs to launch and sustain the program;

B. The program will include the offering of degrees at the baccalaureate level or higher that fall within the Classification of Instructional Programs (CIP) code of 14, Engineering;

C. The program is outside an institution's CBHE-approved mission;

D. The program will include the offering of a doctoral degree, as further described in paragraph (9)(C)3. of this rule (applicable only to non-University of Missouri institutions);

E. The program will include the offering of a professional degree, as further described in paragraph (9)(C)3. of this rule (applicable only to non-University of Missouri institutions); or

F. The program will include the offering of an education specialist degree.

2. Elements of a Complete Proposal for Comprehensive Review. Institutions shall submit the proposal to the department on forms provided by the department. A complete proposal includes the following:

A. Evidence of good faith effort to explore the feasibility of collaboration with other institutions whose mission or service region encompasses the proposed program. At a minimum, this will include letters from the chief academic officers of both the proposing institution and other institutions involved in exploring the feasibility of **collaborative collaboration** attesting to the nature of the discussions and explaining why collaboration in this instance is not feasible;

B. Evidence that the offering institution is contributing substantially to the CBHE's *Blueprint for Higher Education* as adopted on February 4, 2016, pursuant to section 173.020(4), RSMo, and is committed to advancing the goals of that plan;

C. Evidence of institutional capacity to launch the program in a high-quality manner, including:

(I) An external review conducted by a team including faculty experts in the discipline to be offered and administrators from institutions already offering programs in the discipline and at the degree level proposed. The review must include an assessment of the offering institution's capacity to offer the new program in terms of general, academic, and student service support, including faculty resources that are appropriate for the program being proposed (e.g. faculty credentials, use of adjunct faculty, and faculty teaching workloads);

(II) A comprehensive cost/revenue analysis summarizing the actual costs for the program and information about how the institution intends to fund and sustain the program;

(III) Evidence indicating there is sufficient student interest and capacity to support the program, and, where applicable, sufficient capacity for students to participate in clinical or other external learning requirements, including library resources, physical facilities, and instruction equipment; and

(IV) Where applicable, a description of accreditation requirements for the new program and the institution's plans for seeking accreditation; and

D. Evidence that the proposed program is needed, including:

(I) Documentation demonstrating that the program does not unnecessarily duplicate other programs in the applicable geographic area, as described in subsection (9)(C) of this rule;

(II) A rigorous analysis demonstrating a strong and compelling workforce need for the program, which might include data from a credible source, an analysis of changing program requirements, the current and future workforce, and other needs of the state, and letters of support from local or regional businesses indicating a genuine need for the program; and

(III) A clear plan to meet the articulated workforce need, including:

(a) Aligning curriculum with specific knowledge and competencies needed to work in the field(s) or occupation(s) described in the workforce need analysis in part (II) of this subparagraph;

(b) Providing students with external learning experiences to increase the probability that they will remain in the applicable geographic area after graduation; and

(c) A plan for assessing the extent to which the new program meets that need when implemented.

3. Process.

A. Department staff will verify and post the proposal on the department's website to allow for twenty (20) days of public review and comment. Any institution, member of the profession, occupation, or specialized academic field, and any other interested individual may express an opinion to department staff regarding any new program proposal. Comments must be received within twenty (20) days of the proposal's posting on the department's website.

B. Department staff, in consultation with the external review team described in part (4)(C)2.C.(I) of this rule, will review a complete proposal and provide feedback to the proposing institution.

C. The proposing public institution will address comments and feedback received. Once all concerns are resolved, the commissioner will recommend provisional approval of the program for a period of five (5) years.

(I) Public institutions shall establish clearly defined performance goals for the new program to be achieved during the provisional implementation period. The public institution may revise its performance goals for the new program at any time during the designated implementation period with the concurrence of department staff.

(II) Public institutions must report annually to the CBHE on the number of students completing the program, financial performance of the program, job placement rates of program graduates, success on any applicable licensure exams, and the extent to which the program is meeting the needs it was designed to address.

(III) Provisional approval by the CBHE or its designee is valid for two (2) years following the first fall term after CBHE approval. If an institution has not implemented the proposal by that date, the approval will lapse and the program proposal must be resubmitted with updated information.

D. At the end of the five- (5-) year provisional approval period, the department will review the program's viability to determine whether the CBHE's provisional approval should become unconditional, remain provisional pending further review in two (2) years, or be terminated.

(I) Public institutions shall provide to department staff, in a manner prescribed by department staff, enrollment, graduation, and staffing data for the program, as well as a brief summary of program performance. If the program is performing as well as or better than the projections in the original program proposal, the department will recommend that the CBHE approve the program unconditionally.

(II) If the CBHE terminates provisional approval, the public institution shall take the necessary steps to close the program, which includes accommodating students currently enrolled in the program.

4. Timeline.

A. Proposals must be submitted to the CBHE by July 1 of each year. The CBHE, in its sole discretion, will determine which proposals to evaluate, and will announce its evaluation decision(s) in September. Final decisions to approve programs will ordinarily be made by February.

B. Comprehensive reviews will be phased in to the program approval process.

(I) In the 2017-2018 review cycle, the CBHE will consider no more than three (3) proposals, in total, to offer a degree outside an institution's CBHE-approved mission. No more than two (2) proposals may come from either public universities or public two- (2-) year institutions during this review cycle.

(II) In the 2018-2019 review cycle, the CBHE will consider no more than five (5) proposals, in total, to offer a degree outside an institution's CBHE-approved mission. No more than three (3) proposals may come from either public universities or public two- (2-) year institutions during this review cycle.

(III) If changes to statutes or licensure requirements warrant the authorization of more than one (1) institution to propose a program requiring a comprehensive review, such proposals may be considered as a single proposal for purposes of this section only.

(IV) Each individual institution's proposal will be evaluated on its own merits.

(V) After two (2) proposal cycles, the CBHE may reconvene a task force to evaluate the new framework and to recommend improvements for the CBHE's consideration.

(5) [Submission of Proposals] Off-campus and Out-of-district Degrees and Courses.

[(A) Program Review Schedule.]

1. Except as otherwise noted in this rule, proposals for degree and certificate programs must be submitted at least one hundred twenty (120) days prior to implementation and should be submitted to the Missouri Coordinating Board for Higher Education during one (1) of the following three (3) periods each year:

A. March 1 through March 31;

B. July 1 through July 31; and

C. November 1 through November 30.

2. Every effort will be made to complete the review of proposals received in each of these periods during the following one hundred twenty (120)-day cycles (which will begin on April 1, August 1 and December 1), unless unusual circumstances require more time for review of a particular program. The CBHE or its designee may permit departure from this schedule, if necessary, but the sponsoring institution shall be notified of the delay and the reasons for it. The sponsoring institution may request an expedited review of a proposed program in extenuating circumstances by informing the commissioner in writing of the reasons for the request. Pending degree programs shall not be implemented until coordinating board action has been completed.

[(B) Off-campus and Out-of-district Degrees and Courses.]

[1.](A) In addition to submitting proposals for new certificate and degree programs for on-campus offerings, an institution must submit a new program proposal if more than half the major requirements for the degree can be completed at an off-campus site for four- (4-)/- year institutions or at an out-of-district site for two- (2-)/- year

institutions. (For the purposes of this section, major requirements *[shall be considered to]* include course requirements in the specific area of concentration only; general education requirements and free electives *[shall]* **will** not be a factor in this determination.)

[2.]**(B)** All formal two-plus-two (2 + 2) curricular agreements must be submitted for review if either the sponsoring institution or the host institution is publicly supported.

(C) *[Instructional Site Defined. In the context of the previous subsection, instructional site shall be defined to include only those settings where instruction is delivered directly to students by a physically present teacher. Internship sites and the simple receipt of telecommunications transmissions shall ordinarily not constitute an instructional site. However, programs identified for delivery by such nontraditional means as telecommunications must be submitted for review, and the subsequent review shall focus on instructional delivery at the point of origin. All customary review criteria shall be applicable to programs delivered by nontraditional means.]* **Types of Off-Campus Instructional Sites Requiring CBHE Approval. The following off-campus instruction sites require CBHE approval:**

- 1. Residence centers, as defined in 6 CSR 10-6.020(1);**
- 2. Off-campus instruction as defined in 6 CSR 10-6.030(1)(C); and**
- 3. Out-of-district instruction as defined in 6 CSR 10-6.030(1)(D).**

(D) Special Procedure for Multiple-campus Institutions.

1. Multiple-campus four- (4-)[-] year institutions must submit separate program proposals for individual campuses, subject to certain exceptions for cooperative degree programs that are defined in subsequent paragraphs. For the purposes of cooperative degree programs, residence centers *[shall]* **are** not *[be regarded as]* separate campuses.

2. New program authorization for one (1) campus of a multiple-campus two- (2-)[-] year public institution may be extended to all other campuses within a district at the discretion of the sponsoring institution *[subject to the stipulation that]*, **provided** the *[coordinating board]* **sponsoring institution** *[shall be informed]* **informs the CBHE** of all academic programming available at each campus.

(E) Cooperative Intercampus Degree Program for Public Institutions.

1. A cooperative[,] intercampus degree program extends an academic program authorized by the CBHE on one (1) of an institution's campuses to one (1) or more of its other campuses (not including residence centers) under the following conditions:

A. The campus authorized to provide the program will continue to do so;

B. The program is cooperative in nature, that is, it involves the faculty and resources of each participating campus;

C. The program *[shall]* **must** be included in the institution's plan and *[shall]* be consistent with the mission statement for the receiving campus; and

D. The program *[shall]* **must** meet the accreditation guidelines of the appropriate national accrediting body, if any exists, as well as any applicable state licensure requirements.

2. Subject to the previously mentioned definition, a cooperative[,] intercampus program is distinct from the more typical new program model in which a program is developed as a new, free-standing entity on a campus.

3. The procedures and criteria for the review of *[these]* **cooperative intercampus programs** *[shall be]* **are** the following:

A. Following the endorsement by the president and the governing board of the institution, the program shall be sent to the *[board]* **CBHE** or its designee for review **at least one hundred twenty (120) days prior to the proposed implementation;**

[B. Each cooperative, intercampus program shall be shared with the CBHE staff for its review and consideration at least one hundred twenty (120) days prior to the proposed implementation;]

*[C.]***B.** It *[shall be]* **is** the institution's responsibility to document the economic development opportunity or the need the proposed program is designed to address, including specific *[manpower]* **workforce** needs at the state or regional level;

*[D.]***C.** Additional expenditures associated with the proposed program *[shall]* **will** be defined. If the resource needs cannot be satisfactorily addressed by internal reallocation or alternative delivery systems, the program *[shall]* **will** be included in the institution's next budget request for state support; and

*[E.]***D.** The *[board]* **CBHE** or its designee *[shall]* **will** review the cooperative[,] intercampus program on an expedited basis involving a period not to exceed sixty (60) days. In the event the program is not approved by the board's designee, the decision may be appealed to the *[coordinating board]* **CBHE** following established program appeal procedures.

[4. This subsection is not applicable to independent institutions.

(F) Staff Advisory Comment for Public Institutions.

1. *The first step in the approval process for free-standing new degree programs is known as the staff advisory comment (SAC) and applies to public institutions only. The SAC report enables the coordinating board staff to make preliminary judgments regarding a program proposed by a public institution prior to the preparation of an entire program proposal document and initiation of the internal approval process at the institutional level. The process also enables the sponsoring institution to anticipate and address issues that might be relevant during the full review. A favorable staff advisory comment does not guarantee final approval of the program when staff reviews the full proposal. Conversely, an unfavorable staff advisory comment does not necessarily mean that the final proposal for a program will not be approved. It will be expected, however, that staff concerns expressed in the staff advisory comment will be addressed in the final proposal.*

2. *The SAC report will emphasize those program approval criteria listed in this rule which are relatively stable in the short- to mid-term and which cannot be readily adjusted to different circumstances or perceived needs.*

A. *Mission and planning priorities of sponsoring institution.* Each proposal shall include a statement regarding the compatibility of the proposed program with an institution's mission and approved institutional plan or plan update.

B. *Need for the proposed program.* Each proposal shall address the issues of what are the societal, occupational, research and public service needs the program is intended to address as well as the anticipated student demand for the program, preliminary evidence related to market demand for program graduates and the relationship of the program to the economic development of the state, as may be appropriate.

C. *Duplication of the proposed program.* Each proposal shall comment on the issue of the extent to which any existing programs in the proposed service area already address the needs and purposes this program is designed to fulfill. Factors salient to the duplication issue include the relevance of existing programming, the availability of alternative educational delivery systems, extent of student demand, state or regional manpower requirements and access considerations.

3. To provide a frame of reference so the responses to these questions can be properly understood, it will also be necessary to submit a brief description of each program including an outline of the proposed curriculum. The structure of the proposed curriculum will not be subject to comment in this phase of the review process, and the CBHE staff will assume that the details of these descriptive materials may be subject to modification as the program development process proceeds. However, if additional planning suggests that a major shift in program emphasis would be appropriate, a new document must be submitted for a staff advisory comment.

4. All documents related to this process should be submitted in duplicate. Materials related to a staff advisory comment may be submitted at any time during the year. Every effort will be made to complete a staff advisory comment within forty-five (45) days of submission.

(G) *Proposal for a New Academic Degree Program.*

1. A proposal for a new academic degree program shall be submitted during one (1) of three (3) specified submission periods: March, July or November. All documents related to this process should be presented in triplicate in the form prescribed by CBHE staff. The board staff may request information in addition to that contained in the proposal.

2. Approval by the CBHE or its designee of new degree and certificate program proposals submitted by public institutions as well as the formal receipt of new programs from independent institutions are valid for two (2) years following the first fall term after the action. If an institution has not implemented the program by that date, the approval or receiving shall be considered to have lapsed and the program proposal must be resubmitted with updated information.

3. Any institution or interested party, that is, a representative from another institution, of the profession, occupation, or specialized academic field, or any individual who, as a potential student or employer, believes him/herself to be affected by the proposed program, may express an opinion to the coordinating board or its designee regarding the evaluation or recommendation of any new degree program proposal. This may also occur when an institution or individual wishes to comment on a degree program submitted by another institution. In addition, a formal appeal of a program action may be initiated as provided elsewhere in this rule.

4. *Proposal for a new AS transfer degree program.*

A. The AS degree is a specialized degree which is intended for transfer into a preprofessional program and is substantively different from the AAS degree. The AAS degree is not intended as a transfer degree into a four (4)-year program and contains courses that are not primarily designed for transfer. Students seeking to transfer this degree will have their transcripts evaluated on a course by course basis.

B. The AS degree should result from careful planning and should constitute an articulation agreement between specific institutions.

C. The primary intent of the AS degree is to provide an alternative to the AA degree in those limited instances when the model general education program included in the AA degree cannot accommodate the demands of a preprofessional program. The AS degree shall be used only in exceptional circumstances when no other remedy is available.

D. The AS degree is to be developed through consultation between sending and receiving institutions on a program-by-program basis. Proposed AS degree programs may be submitted at any time of the year and will be reviewed using a modified program review process. The emphasis of this review will be on the justification for establishing an exception to the prescribed thirty-nine (39)-hour general education core requirement and the resource implications of the proposed agreement for the sending institution. Submission of a staff advisory comment request is not required for proposed programs of this type.

(6) *Program Changes.* Changes in programs must be submitted to the coordinating board for both informational and review purposes. After considering these changes, the board or its designee may determine that the change in program should be submitted instead as a new program proposal. Program changes should be reported using appropriate forms provided by the CBHE. Program changes that should be submitted include the following:

(A) *Program Title Change* All revisions or changes in a program name or its nomenclature shall be reported to the CBHE title or nomenclature revision that includes substantive curriculum changes may be deemed tantamount to a new program and be referred back to the institution for resubmission as a new program;

(B) *Combination Programs.*

1. This category is narrowly defined to include only those programs that result from a mechanical combination of two (2) previously existing programs. Substantive curricular changes shall ordinarily be limited to the elimination of duplicated requirements.

2. The development of interdisciplinary programs and area study programs that utilize the resources of several existing programs shall be handled through the new program approval process.

(C) *Single Semester Certificates.* A single semester certificate may be added or deleted simply by using a Notice of Changes in Programs form provided by the CBHE. The establishment of a longer program, however, shall be pursued through the procedures established in this rule;

(D) *One (1)-year Certificate Programs.*

1. A one (1)-year certificate program developed from an approved associate degree program shall be reported as a program change provided that the program is directly related to the approved associate degree program and consists predominantly of courses included in the associate degree program.

2. A one (1)-year certificate not associated with an approved parent degree program must be submitted as a new program;

(E) *Option Addition.*

1. The addition of a specialized course of study as a component of an umbrella degree program may be submitted as an option addition program change subject to the limitation that the CBHE or its designee shall make a determination regarding the potential for unnecessary or inappropriate duplication of existing programs. Only in those instances in which duplication is not a problem may the proposed option be implemented.

2. The following general guidelines are used to distinguish a permissible option addition from a proposed new degree program:

A. At the conceptual level an option or emphasis area functions as a component of an umbrella degree program. As such, an option in a specialized topic shall consist of a core area of study in the major plus selected topical courses in the specialty. Typically, the core area of study shall constitute a preponderance of the requirements in the major area of study as measured in the number of required courses or credit hours, but no specific percentage distribution requirement has been established;

B. A proposed option or emphasis area shall be a logical component or extension of the umbrella degree program. One (1) measure of this compatibility—but certainly not the only one—would be the consonance of the proposed addition with the federal CIP taxonomy. For instance, using physics as an example, optics would be an appropriate option (emphasis area) while astrophysics would ordinarily not be acceptable as it is typically viewed as a branch of astronomy rather than physics; and

C. The number of new courses required to implement a new option or emphasis area can also be a relevant consideration. Four (4), five (5) or more new courses in a proposed new option would tend to raise questions about resource commitments and suggest that a new program has been developed;

(F) *Inactive Status for Existing Programs.*

1. Programs placed on inactive status will essentially be suspended for a specified period not to exceed five (5) years. Students in the program at the time this status is adopted shall be permitted to conclude their course of study if they have no more than two (2) years of course work remaining, but no new students may be admitted to the program. Programs designated as inactive will be so noted on institutional program inventories.

2. At the conclusion of the designated inactive period—not to exceed five (5) years—the institution must review the program's status and may either delete it or reactivate it.

3. In the event the institution chooses to reactivate the program, the institution shall provide the coordinating board satisfactory evidence that the resources necessary for the program are available and must establish performance goals for the program that are also acceptable to the coordinating board; and

(G) *Deletion and Consolidation of Programs.* Institutions must submit standard program change information whenever a program or option is deleted. This same provision applies whenever two (2) or more programs or options are to be consolidated into one (1) or more new offerings.]

[(7)](6) Use of Consultants.

(A) In addition to evaluating written proposals, the board or its designee, in some circumstances, may use the services of consultants. It is anticipated that this procedure will be used [infrequently] **primarily for comprehensive reviews.**

(B) These consultants [shall] **must** be individuals who are mutually acceptable to the board and to the **public** institution whose program is under consideration. Both the commissioner and the **public** institution may recommend consultants, but the ultimate selection of the consultant [shall] **must** be agreeable to both.

(C) Services of consultants will be paid for by the **public** institution whose program is pending.

(D) Consultants may be used in the following circumstances:

1. At the request of either the commissioner or the **public** institution pending an unfavorable recommendation by [the coordinating board] **department** staff;

2. For some health-related professions or high technology programs whenever clinical facilities, laboratory facilities, equipment, or other aspects of the program need professional evaluation; or

3. In instances in which a judgment is difficult to make without the evaluation of professionally qualified external consultants.

[(8)](7) Programs Reviewed Jointly by the Coordinating Board for Higher Education and the Department of Elementary and Secondary Education.

(A) A[n] **public** institution requesting financial reimbursement for a new program from vocational/technical funds administered by the Department of Elementary and Secondary Education must submit at the same time [two (2) copies] **a copy** of the proposal in the CBHE's format to the Division of Career and Adult Education of the Department of Elementary and Secondary Education in accordance with the instructions of that office. [Because independent institutions are not eligible for reimbursement under this program, this section does not apply to independent institutions.]

(B) The coordinating board and the Department of Elementary and Secondary Education concur on the following procedures and understandings for effecting cooperation between the two (2) agencies in the exercise of their

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respective responsibilities regarding the development of vocational/technical programs in Missouri colleges and universities:

1. The responsibilities of the Department of Elementary and Secondary Education to approve courses of instruction for vocational/technical financial reimbursement and of the *[coordinating board]* **CBHE** to approve new degree and certificate programs are independent responsibilities and are not contingent one upon the other. However, as a general policy the Department of Elementary and Secondary Education will not approve financial reimbursement requests which are components of degree or certificate programs not approved by the coordinating board;

[2. In order to avoid duplication of effort by institutions, the Department of Elementary and Secondary Education will employ the coordinating board's proposal format for submission of new program proposals as its instrument for fiscal reimbursement requests;]

[3.]2. [Coordinating Board for Higher Education] CBHE staff will notify Department of Elementary and Secondary Education staff of the development of any vocational/technical program, and members of both staffs will confer on all vocational/technical degree and certificate programs submitted to the coordinating board; and

[4.]3. The Division of Career and Adult Education of the Department of Elementary and Secondary Education will receive notification of the commissioner's actions on all vocational/technical program proposals.

[(9)](8) Appeal Procedure. In the event of an appeal of a program review action for *[either]* a public *[or independent]* institution, the following procedures *[shall be followed]* **apply**:

(A) Any of the following parties may initiate an appeal of a program action decision:

1. The **public** institution submitting the original proposal;

2. Any Missouri higher education institution that believes its interests are adversely affected by the program decision; or

3. Any member of the *[Coordinating Board for Higher Education]* **CBHE**, in the event the original decision was made by the board's designee;

(B) An appeal originating with a higher education institution must be signed by the chief executive officer of the institution;

(C) A letter of intent to appeal must be received by the commissioner *[of higher education]* within thirty (30) days of receipt of the official notice of the program decision. If the appeal is initiated by a party other than the **public** institution that proposed the program, a copy of the intent to appeal letter and all other subsequent documentation must be sent to the sponsoring institution;

(D) The new program may not be implemented while an appeal is pending;

(E) Within fourteen (14) days after a letter of intent to appeal has been submitted, the appealing party must submit its full rationale in support of the appeal to the commissioner and to any affected institutions. This rationale should summarize the appellant's justification for a review of the program decision and should include any relevant supporting evidence;

(F) This rationale and the responses of the commissioner and any affected institutions will be placed on the agenda of the next meeting of the *[Coordinating Board for Higher Education]* **CBHE**, provided that the next meeting is scheduled at least fourteen (14) days after receipt of the rationale. If *[this criterion is not satisfied]* **the rationale is received less than fourteen (14) days before the next meeting**, the request for an appeal will be heard by the *[board]* **CBHE** at its next regularly scheduled meeting;

(G) *[If a majority of the Coordinating Board for Higher Education agrees that an appeal initiated by an institution should be heard, the matter will be referred to the CBHE committee on academic and library affairs]* **The CBHE chair will refer the matter to a relevant committee of the CBHE.** A public meeting of the committee will be scheduled at which time testimony will be presented by all interested parties, and the committee *[shall]* **will** make its determination;

(H) In those instances when a member of the *[coordinating board]* **CBHE** has initiated a review of a decision by the board's designee, the chair~~man~~ of the board *[shall]* **will** receive copies of all relevant documents. Provided that a majority of the board agrees that an appeal should be heard, the board may decide either to refer the matter to *[the]* **a relevant committee [on academic and library affairs or to hear the appeal itself] of the CBHE.** If the matter is heard by the committee, the same procedures *[shall]* **will** apply as if the appeal were initiated by an institution. If the matter is heard directly by the board, the chair~~man~~ of the board *[shall]* **will** establish the appropriate procedural guidelines; **and**

(I) All decisions of the body hearing the appeal, whether the full *[coordinating board]* **CBHE** or its committee *[on academic and library affairs, shall]* **will** be final; **and**].

[(J) This section on appeal procedures is intended to be applicable to both public and independent institutions, but no provision of this section shall supersede the general principle that decisions or recommendations by the Coordinating Board for Higher Education or the commissioner of higher education regarding programs submitted by independent institutions shall be recommendatory only.]

[(10)](9) General Review Criteria for New Degree and Certificate Programs.

(A) Mission and Planning Priorities.

1. The proposed new program must be consistent with the institutional mission, as well as the principal planning priorities of the **public** institution, as set forth in the **public** institution's approved plan or plan update *[in the case of public institutions or the institutional mission statement in the case of independent institutions]*.

2. The *[coordinating board shall]* **CBHE will** determine if proposed programs are consistent with a public institution's plan or plan update as approved by the *[coordinating board]* **CBHE.** Except in unusual circumstances, only those proposed new programs submitted by a public institution that are consistent with the institution's mission

statement and, when appropriate, anticipated in its approved institutional plan, *[shall]* **will** be eligible for approval and implementation.

(B) Need for the Proposed Program.

1. *[There]* **Public institutions** shall *[be a]* clearly demonstrate*[d]* and *[well-]*document*[ed]* demand and/or need for the program in terms of meeting present and future needs of the locale and the state, although it is recognized that for program approval purposes state needs are a part of broader national needs. Three (3) kinds of needs may be identified—

A. Societal needs;

B. Occupational needs relative to upgrading vocational/technical skills or meeting labor market requirements; and

C. Student needs for a program.

2. Some programs may be desirable on the basis of their cultural contribution or social value or potential to serve student interests independent of labor market or demand considerations. However, in these instances the societal and student need for the program must be clearly demonstrated by the **public** institution submitting the proposal.

3. **Public** *[I]*institutions proposing new programs *[must present data projecting employment and student demands and availability of openings in the labor market to]* **at the routine level must certify that employment and student demands exist, are backed by compelling data, and will** be served by the new program. The kinds of information and data *[submitted]* **used** will vary somewhat with the type of program proposed but may include the following: personnel and employment projections prepared by the Bureau of Labor Statistics and the Missouri Occupational Information Coordinating Committee (MOICC) as well as professional and trade associations; surveys of potential employers, including numbers of anticipated vacancies and training requirements; and surveys of potential student interest.

4. Adequate data *[shall be provided to]* **should** support projections for the number of students who are expected to enter the program. Program enrollment *[shall]* **should** be sufficient to ensure a quality educational experience *[as well as an]* **and make** efficient *[utilization]* **use** of resources.

5. As an additional indicator of need, the **public** institution shall *[clearly detail]* **explain** how program success will be defined and measured, particularly if that definition includes measures in addition to the conferral of a degree or certificate.

6. Determination of need for a new program will be based in part upon an assessment of the function to be served by the program and the availability of alternative sources of education in a given service area. Availability of spaces in the same or similar programs in all institutions in the state offering postsecondary programs will be taken into account, as will possibilities for interinstitutional arrangements, including contracting as provided by statute.

(C) Duplication of the Proposed Program.

1. A **public institution's** proposed program shall not be unnecessarily duplicative of *[those of]* other Missouri institutions' **programs**. Ordinarily, proposed programs in basic liberal arts and sciences at the baccalaureate level would not be considered unnecessarily duplicative, provided sufficient student demand can be demonstrated. Unnecessary duplication is a more specific concern in graduate, technical, and professional programs which meet special labor market needs.

[2. The questions of how a proposed program meets an institution's local and state service area needs and how it articulates with appropriate baccalaureate or graduate programs shall also be addressed (In this context it is understood that some programs, for example, the AAS, are designed to be terminal in character and are not ordinarily expected to articulate with more advanced programs.)]

[3.]2. [Factors salient to the duplication issue include,] **Unnecessary or inappropriate duplication will be determined by assessing the following factors** in descending order of priority*[,]*: the relevance of existing programming; the availability of alternative educational delivery systems; the extent of student demand; state or regional work force demand; and access considerations such as geographic availability, student population served, and cost of instruction.

3. No public institution other than the University of Missouri and its campuses may offer a Ph.D. or professional practice doctorate (a.k.a. "first-professional degree") without CBHE approval pursuant to subsection (4)(C) of this rule.

A. All first-professional degree programs are closely regulated by recognized professional and specialized accrediting agencies. Some first-professional degrees require a prior degree, but this is not true of all. First-professional degrees include the following:

(I) Chiropractic (D.C. or D.C.M.)

(II) Dentistry (D.D.S. or D.M.D.)

(III) Law (L.L.B., J.D.)

(IV) Medicine (M.D.)

(V) Optometry (O.D.)

(VI) Osteopathic Medicine (D.O.)

(VII) Pharmacy (Pharm.D.)

(VIII) Podiatry (D.P.M., D.P., or Pod.D.)

(IX) Theology (M.Div., M.H.L., B.D., or Ordination)

(X) Veterinary Medicine (D.V.M.)

B. The Ph.D. in any discipline is generally recognized as a research degree, typically requiring completion of original research or evidence of artistic accomplishment. Ph.D. programs require unique faculty, student/faculty ratios, assigned teaching loads, and infrastructure and financial support.

[4. Determination of need for a new program will be based in part upon an assessment of the function to be served by the program and the availability of alternative sources of education in a given service area. Availability

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of spaces in the same or similar programs in all institutions in the state offering postsecondary programs will be taken into account, as will possibilities for interinstitutional arrangements, including contracting as provided by statute.]

(D) Program Structure.

1. Existing programs can be strengthened and enriched when appropriate new courses and certificate or degree programs are added to the curriculum. A proposed program should be based on existing strengths of the **public** institution rather than be composed entirely of new courses. Off-campus degree programs must be based on existing on-campus degree programs.

A. Normally, graduate programs should be built upon strong baccalaureate programs which can support advanced study through basic library holdings, faculty resources, and appropriate research facilities and funds. It is, however, recognized that some graduate programs in universities and medical schools do not require supporting undergraduate baccalaureate majors in that field.

B. New **public** institutions in the process of being established may also be considered exceptions to this general expectation, but special procedures have been established in this rule to accommodate the developing institution.

2. There *[shall]* **will** be a carefully planned and systematic program of study for the proposed program which is clear and comprehensive. The structure of a new program *[shall]* **must** take into account, and be demonstrably consistent with, program objectives and intended student learning outcomes.

A. The linkage between program requirements and anticipated learning outcomes shall be delineated. Required courses in the major *[shall]* **must** not be excessive and should be consistent with customary expectations for the type of degree proposed.

B. The curriculum of the proposed program *[shall]* **must** reflect the requirements of any accrediting or certifying body if the **public** institution elects to apply for accreditation or certification. (This statement is not intended to imply that specialized accreditation should be an institutional goal.)

C. **Unless necessary for accreditation or licensure, new baccalaureate degrees should consist of no more than one hundred twenty (120) semester credit hours and new associate degrees should consist of no more than sixty (60) semester credit hours.**

3. Innovative programs of study shall also contain an orderly and identifiable sequence of education experiences that lead to a recognizable goal.

A. The awarding of credit for any experiential learning, credit by examination, off-campus courses, etc., shall be consistent with both established institutional and *[coordinating board]* **CBHE** policies. The requirements for off-campus programs *[shall]* **must** be fully comparable to those for similar on-campus programs. If these requirements are not the case for the proposed program, the rationale for the difference must be clearly explained.

B. The policies and procedures for granting experiential credit and/or credit by examination (including the maximum number of such credit hours which are applicable to a specific degree program and the minimum scores which are acceptable) *[shall]* **must** be clearly specified in written guidelines available to the student. The maximum number of experiential credit hours applicable to a specific degree program *[shall]* **must** be the same for students enrolled at off-campus locations as for students enrolled on-campus.

4. In general, courses offered for credit off-campus *[shall]* **must** be part of the regular catalogue offerings of the **public** institution and *[shall]* **must** be applicable to programs in the same manner as courses taken on-campus. Special courses developed solely for off-campus teaching *[shall]* **must** be limited and *[shall be]* consistent with the mission of the **public** institution. The standards for awarding credit to students enrolled at off-campus locations *[shall]* **must** be the same as the standards applied to students enrolled on campus.

5. Each **public** institution's policy concerning residency for academic study purposes (as distinct from fee level) *[shall]* **must** be stated clearly regarding the number of credit hours applicable to a degree program which must be earned in-residence on its campus and *[shall]* **must** explicitly define in-residence.

(E) Faculty Resources. Faculty resources *[shall]* **must** be appropriate for the program, given the sponsoring **public** institution's mission and the character of the program to be developed.

1. The minimum educational attainment of the faculty *[shall]* **must** be the appropriate degree and/or occupational or other equivalent experiences commensurate with the degree level of the proposed program. While the doctorate, in most instances, is the appropriate terminal degree for baccalaureate and graduate programs, the Master of Fine Arts (MFA) or a similar degree is often considered a terminal degree. If accreditation is a desired goal of the program, the number of terminal degree holders *[shall]* **must** meet the minimum requirements of the appropriate accrediting association.

2. Adjunct faculty are an important and necessary component of some programs, particularly those programs that require a high degree of vocational/technical competence. However, programs *[shall]* **must** involve credentialed full-time faculty in teaching, program development and student services. If a program will involve more than fifty percent (50%) adjunct faculty, the rationale for the use of adjunct faculty *[shall]* **must** be documented and approved by the coordinating board or its designee.

3. Adjunct faculty, when utilized, *[shall]* **must** possess the same or equivalent qualifications as the regular faculty of the **public** institution and *[shall]* be approved by the academic unit through which the credit is offered. The responsibilities of adjunct faculty *[shall]* **will** be specified in such a manner that their involvement in program development and academic advising is assured, or that these activities are provided by other appropriate means.

4. Expected faculty workloads *[shall]* **must** be appropriate and consistent with good educational practice and expressed in student credit hours per full-time equivalent faculty member in the administrative unit that will support the proposed program. This information, of course, must be evaluated in the context of the sponsoring institution's mission, the mission of the proposed program, and the character of the discipline from which the proposed program is an outgrowth.

(F) Library Resources.

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1. Qualitative and quantitative factors of library resources *[shall]* **must** be appropriate for the proposed program, given the sponsoring **public** institution's mission and the character of the program to be developed. Books, periodicals, microfilms, microfiche, monographs, and other collections *[shall]* **must** be sufficient in number, quality, and currency to serve the program. Adequacy of the library personnel and of facilities to service the proposed program in terms of students and faculty will be considered. While some technical programs may not demand the same type or extent of holdings and services conventional arts and science programs do, these factors must be adequate.

2. Access to interlibrary loans and to libraries at other institutions or in other cities *[shall]* **will** be indicated. Interlibrary loans and reciprocal loan privileges at local libraries may constitute valuable resources for the program. However, within this framework, adequate library material *[shall]* **must** be available at the **public** institution which proposes the program. If the program is to be taught off-campus, access to adequate library resources *[shall]* **must** be provided.

(G) Physical Facilities and Instructional Equipment. **The public institution shall provide** *[P]* physical facilities and instructional equipment *[shall be]* adequate to support the program~~.~~ *[and [S]space/s shall be provided]* for classrooms and for staff and faculty offices. Laboratories for studies in the technologies and sciences *[shall]* **must** be designed to provide maximum utilization of facilities, materials, and equipment, **which may include**~~.~~ *[Some courses require laboratory facilities.]* specialized equipment such as computer terminals and audiovisual aids, or other special resources. The **public** institution offering these courses off-campus *[shall]* **must** assure that appropriate support requirements are met.

(H) Administration and Evaluation.

1. Administration of the proposed programs *[shall]* **should** not be unduly cumbersome or costly~~.~~ *[and [I]ideally, [the program should] fit into the public institution's current administrative structure [of the institution].* If administrative changes are required, they *[shall]* **should** be consistent with the organization of the **public** institution as a whole and necessitate a minimum of additional expense in terms of personnel and office space.

2. Proposals for jointly sponsored programs *[shall]* **should** include *[provisions for]* adequate plans for cooperative administration.

3. Each **public** institution shall set forth not only the administrative organization but also the instructional supervision and evaluation procedures for the program. These procedures *[shall]* **must** include evaluation of courses and faculty by students, administrators, and departmental personnel. Curriculum review procedures established by each **public** institution for its program offerings *[shall]* **must** include standards and guidelines for the assessment of student outcomes as defined for the program and consistent with the institutional mission.

[4. The institution shall establish clearly defined performance goals for the new program to be achieved during a stipulated implementation period. The institution may revise its performance goals for the new program at any time during the designated implementation period with the concurrence of the CBHE staff.]

5. The institution shall define a review process with the concurrence of coordinating board staff to assess the program's development. In the event a new program fails to develop satisfactorily in the allotted period as determined by the commissioner, the status of the new program shall be evaluated. As a result of this review, approval may be continued with or without further stipulations, or program authorization may be withdrawn.]

[6.]4. In the event that program authorization is withdrawn or approval is denied, if the sponsoring public institution chooses to continue the new program rather than terminate it, the resources associated with the program [shall] will be withdrawn from the public institution's funding base for the purpose of developing future state appropriation requests[—].

[7. Paragraphs(10)(H)4.—6. of this rule are not applicable to independent institutions.]

(I) Finances.

1. Suitable financing for initiating proposed programs must be available. Programs should be financed with fees from students new to the institution, funds that have been reallocated from institutional sources or grants, contracts or sources other than normal state appropriations for higher education.

2. In those circumstances for which one- (1-)[-] time or limited duration funds are an integral component of the financing arrangements for a new program, the institution must also define a transition plan for the period when the one- (1-)[-] time or limited duration funds cease to be available.

3. The proposed program may require phasing-out of some existing program(s) to reallocate institutional resources for new programs that are a logical outgrowth of existing **public** institutional strengths and consistent with the approved **public** institutional plan or plan update.

4. Ordinarily, approval will be extended only for those programs that meet these requirements unless the sponsoring **public** institution specifically requests additional state funds for program implementation. In this event, approval *[shall]* **will** be conditional on actual receipt of these funds through the legislative process.

[5. This subsection on finances is not applicable to independent institutions.]

AUTHORITY: sections 173.005(2)[, RSMo (1986)] and 173.030, RSMo [(Supp. 1988)] 2016. Original rule filed Feb. 13, 1979, effective June 18, 1979. Rescinded and readopted: Filed July 18, 1989, effective Oct. 15, 1989. Amended: Filed Dec. 20, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may submit a statement in support of or in opposition to this proposed amendment to the attention of Academic Affairs, Missouri Department of Higher Education, PO Box 1469, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

