

R401, Approval and Modification of Instructional Programs and Administrative Units¹

R401-1 Purpose: This policy establishes processes for approval and modification of programs and administrative units within a Utah System of Higher Education (“USHE”) institution’s role, mission, and designated service region.

R401-2 References

- 2.1** Utah Code § 53H-3-603, Changes in Curriculum
- 2.2** Utah Code § 53H-3-604, Common Course Numbering
- 2.3** Utah Code § 53H-8-210, Higher Education Strategic Reinvestment
- 2.4** Board Policy R131, Review and Approval of Centers for Compliance with Equal Opportunity Initiatives
- 2.5** Board Policy R220, Delegation of Responsibilities to the President and Board of Trustees
- 2.6** Board Policy R312, Institutional Roles and Missions and Approval of Out-of-Role Instructional Programs
- 2.7** Board Policy R315, Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers
- 2.8** Board Policy R402, Certificate and Degree Award Structures
- 2.9** Board Policy R411, Cyclical Institutional Program Reviews
- 2.10** Board Policy R470, General Education
- 2.11** Board Policy R510, Tuition
- 2.12** Board Policy R517, Course and Program Fees
- 2.13** Board Policy R701, Capital Facilities

R401-3 Definitions

- 3.1 “Administrative Unit”** means an academic department, college, or professional school. For purposes of this policy, an administrative unit does not include branch campuses, extension centers, or instructional service centers, which are covered under *Board Policy R315, Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses,*

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Instructional Service Centers, and Extension Centers or academic centers and institutes, which are covered under Board Policy R405, *Approval of Academic Centers and Institutes*. However, a campus may be home to one or more administrative units.

3.2 “Branch Campus” means a site subordinate to an institution's main campus that operates under the same governance and provides a full range of student services.

3.3 “Classification of Instructional Programs (“CIP”) Code” means the code associated with a particular program of instruction as specified by the National Center for Education Statistics (“NCES”) taxonomy of programs. This code is critical for data requests, reporting, tracking, and performance funding.

3.4 “Extension Center” means a research, continuing education, or technical education facility that is permanent and geographically separate from the institution's main campus but is under the same governance.

3.5 “General Education” means a set of essential learning outcomes, the foundational subject areas outlined in Board Policy R470, *General Education*, and the individual courses and the disciplines that comprise those subject areas. The foundational subject areas include written communications, quantitative literacy or mathematics, American Institutions, Humanities, fine arts, social sciences, life sciences, and physical sciences.

3.6 “Instructional Service Center” means a temporary or permanent site that is a joint venture between the institution and an employer or educational agency.

3.7 “Integrated Postsecondary Education Data System” (“IPEDS”) means a system of interrelated surveys conducted annually by the National Center for Education Statistics (“NCES”), the primary statistical agency of the United States Department of Education, responsible for collecting, analyzing, and publishing information on the condition of American education. IPEDS gathers information from every college, university, and technical institution participating in federal student financial aid programs.

3.8 “Peer Review Council” means a council comprised of staff in the Office of the Commissioner of Higher Education (“OCHE”), Chief Academic Officers (“CAOs”) or Chief Instructional Officers (“CIOs”) of USHE institutions, and institutional faculty and staff with the expertise to evaluate a proposed program.

3.9 “Program Awards and Credentials” (“Awards”) means awards and credentials offered at USHE institutions ranging from certificates to doctoral degrees that certify a student has completed an approved program. Utah Board of Higher Education (“Board”) Policy R402,

Certificate and Degree Award Structures, defines awards, credentials, and criteria that allow for in-role program approval by Boards of Trustees ("Trustees").

3.10 "Program of Instruction" ("Program") means a for-credit structured curriculum that leads to the knowledge and skills required for a certificate or degree and meets parameters established by institutional accreditation agencies.

3.10.1 "Academic Program" means an educational program offered by a degree-granting institution. An academic program comprises discipline-specific or interdisciplinary courses leading to an intellectual specialty, skills, and experiences necessary for meaningful employment. Academic programs lead to academic certificates or associate, bachelor's, graduate, and professional degrees as defined in Board Policy R402, *Certificate and Degree Award Structures*. Academic programs are only offered at USHE degree-granting institutions.

3.10.2 "Technical Education Program" means an undergraduate program that prepares students for employment in occupations that do not require a degree and meets the needs of Utah's employers for technically skilled workers. Technical education programs are only offered at USHE institutions that have a technical education role.

3.10.3 Within USHE, "technical education programs" and "academic programs" are also defined based on CIP-Code tables maintained by OCHE.

3.11 "Program Proposal" means a document submitted by an institution using a template maintained by OCHE that includes all statutory requirements and other criteria determined by the Utah Board of Higher Education ("Board") for approval of a new academic or technical program.

3.12 "Regional Demand" means a combination of the following:

3.12.1 Sufficient labor market demand to justify offering the program within the institution's service region, even if other programs exist in the state; or

3.12.2 Modalities that promote program affordability and student access and completion, such as face-to-face and hybrid instruction aimed at local demand.

3.13 "Student Resource or Cultural Center" means a program, office, initiative, administrative unit, sub-unit, committee, or center than an institution has established or seeks to establish to serve a specific culture, population, or group.

3.14 “Unnecessary Duplication” exists where there is:

3.14.1 Undergraduate Program: An undergraduate program that substantially duplicates the curricular content of a program defined as outside the institution's assigned role; or

3.14.2 Graduate Program

3.14.2.1 A high-cost graduate research program or specialty already existing at another institution and for which existing programs adequately meet present and projected industry demand; or

3.14.2.2 A master's degree program at a regional university for which there is no regional demand.

R401-4 Program and Administrative Unit Approval Authority

4.1 Trustee Authority to Approve Programs and Administrative Units: Based on criteria established by the Board, the Board delegates authority to Trustees to approve new programs, new administrative units, changes to existing programs, and changes to administrative units if a program or administrative unit meets the criteria listed in subsections 4.1.1-4.1.6. Board approval is required if the program or administrative unit does not meet the following criteria:

4.1.1 Is appropriate to the awards authorized within the requesting institution's mission, role, and scope of programs as outlined in Board policies *R312, Institutional Roles and Missions and Approval of Out-of-Role Instructional Programs*, and *R402, Certificate and Degree Award Structures*;

4.1.2 Is within the institution's assigned geographic service region as defined in Board Policy *R315, Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers*;

4.1.3 Meets identified workforce, community, and student needs that are not adequately met by existing programs;

4.1.4 Maximizes collaboration with other institutions of higher education to provide for efficiency in offering the program of instruction to ensure transferability and stackability of credentials;

4.1.5 Does not unnecessarily duplicate programs offered at other USHE institutions; and

4.1.6 Conforms to law and other Board policy, including Board Policy R470, *General Education*, common course numbering under Utah Code section 53H-3-604 and Board Policy R475, *Common Course Numbering*, technical education program alignment requirements, and transfer and lower-division major requirements under Board Policy R471, *Lower Division Major Requirements and Transfer of Credits*.

4.2 Branch Campuses, Extensions, and Instructional Service Centers require Board approval as outlined in Board Policy R315, *Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers*.

4.3 Board Approval for a Student Resource or Cultural Center: A student resource or cultural center shall be approved by the Board as outlined in Board Policy R131, *Review and Approval of Centers for Compliance with Equal Opportunity Initiatives*.

4.4 Budget Requests Requiring Board Approval: Neither Trustee nor Board approval of a program or an administrative unit constitutes Board approval of a special budget request necessary to fund the program, such as differential tuition or building appropriations. Special budget requests that require Board approval shall be submitted under relevant Board policies, including R510, *Tuition*; R517, *Course and Program Fees*; and R701, *Capital Facilities*.

R401-5 New Program Approval Process

5.1 Program Proposal: An institution seeking approval of a new certificate or degree program shall submit a new program proposal to OCHE. OCHE shall determine whether the program is eligible for Trustee approval under the delegated authority in subsection 4.1. If the program is not appropriate for Trustee approval, an institution may seek approval under one of the following Board policies:

5.1.1 Board Policy R312, *Institutional Roles and Missions and Approval of Out-of-Role Instructional Programs*;

5.1.2 Board Policy R315, *Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers*; or

5.1.3 Board Policy R402, *Certificate and Degree Award Structures*.

5.2 Peer Review: OCHE staff will coordinate the peer review process for new certificates and degrees. OCHE will schedule a Peer Review Council ("Council") and provide the Council with the

proposal and supporting materials to review. Both degree-granting and technical college peers may review programs as needed to evaluate transfer and program alignment considerations.

5.2.1 Peer Review Process: For academic or technical education programs, CAOs or CIOs or their staff will review the proposal and solicit feedback from appropriate departments at their institutions. Each CAO/CIO shall consolidate feedback from their institution and submit written comments or questions for a response from the proposing department in the platform provided by OCHE. Either the CAOs/CIOs or their designees shall attend a peer review meeting to ask questions of the proposing institution and to provide oral feedback, which OCHE shall summarize in writing.

5.2.2 Special Funding Support: Specialized groups will review programs for approval of special funding support, such as workforce development grants or Perkins eligibility for Career and Technical Education ("CTE") programs. Approval for special funding does not constitute approval of a program of instruction.

5.3 OCHE Assessment: OCHE shall provide an assessment for Trustees to use when determining whether to approve new programs or changes to existing programs.

5.3.1 The assessment:

5.3.1.1 Shall evaluate the proposed program structure under *Board Policy R402, Certificate and Degree Award Structures*;

5.3.1.2 May recommend a particular CIP code for a program to ensure program alignment or transferability, where appropriate; and

5.3.1.3 May assess whether the proposed program unnecessarily duplicates another program, as well as the program's potential impact on other institutions.

5.3.2 OCHE shall issue a report of its assessment to the Trustees, including the completed program proposal with supporting materials, written and oral comments from the peer review process, external reviews if applicable, and any additional information for Trustees to consider when determining whether to approve the proposed program.

5.4 Trustee Consideration: To ensure that approval of a proposed program supports USHE and state needs, Trustees will consider the system-level impact of new instructional programs and refer to the assessments and information provided by OCHE when making their approval determinations.

R401-6 Suspended, Discontinued, or Reinstated Programs or Administrative Units

6.1 Suspended Academic Programs: A suspended academic program remains on the Board's list of approved programs and may remain in the online and printed catalog at the institution's discretion until entirely discontinued.

6.2 Discontinued Programs: An institution may discontinue a program only after current students can complete the program (i.e., through a "teach out"). When an institution discontinues a program, OCHE shall remove the program from the Board's list of approved programs, and the institution shall remove the program from catalogs.

6.2.1 Institution Considerations: The institution shall consider the statewide impact of discontinuing the program and, where there is sufficient demand, identify whether the program may be viable at another USHE institution.

6.2.2 Board Discontinuance of Unnecessarily Duplicative Programs: The Board may require USHE institutions to discontinue programs that are unnecessarily duplicative of programs already offered, based on reviews conducted under Board Policy R411, *Cyclical Institutional Program Reviews*.

6.3 Student Completion in Discontinued or Suspended Programs: When a program is discontinued or suspended, an institution must provide a path for enrolled students to complete the program in a period compatible with accreditation standards. Such a path may require enrolling the students at other institutions of higher education or providing a teach-out by offering courses until no other admitted students may complete the program or for a maximum of two years after discontinuing an academic program or a maximum of six months after discontinuance of a technical education program, whichever comes first.

6.4 Reinstatement of a Previously Suspended Academic Program or Administrative Unit: If an institution plans to restart a suspended program or administrative unit, its notification to OCHE shall include a statement with the program name, either the administrative unit structure or the curricular content that is identical to the original program, and a justification for reinstating the program and provide notification to the Board as outlined in subsection 7.1. If the program's name, curricular content, or structure has changed, the institution shall submit the request as a new program or administrative unit proposal and discontinue the suspended program or administrative unit.

R401-7 Board Notification and Review

7.1 Notification of Trustee Approval: The institution shall notify OCHE in writing when Trustees approve a new program, new administrative unit, change in a program, or change in an administrative unit. Institutions shall use the notification template provided by OCHE.

7.1.1 Changes to Programs or Administrative Units: Changes to programs or administrative units include but are not limited to name changes, discontinuances and teach-outs, changes in delivery methods, changes in CIP codes, academic program restructures, academic consolidations, suspensions of an academic program, reinstatement of a previously suspended academic program, and changes to transfer articulations at degree-granting institutions.

7.2 Board Review of Trustee Approval

7.2.1 OCHE shall add Trustee approval of a new program, new administrative unit, change in a program, or change in an administrative unit to the Board meeting agenda.

7.2.2 The Board will review Trustee approval of a new program, new administrative unit, change in a program, or change to an administrative unit and may:

7.2.2.1 Require additional review to determine if the program or administrative unit is in compliance with Board policies; or

7.2.2.2 Override the Trustees approval if the approval is for a program or administrative unit that is not in compliance with Board policies.

7.2.3 If the Board overrides Trustee approval under subsection 7.2.2.2, OCHE shall notify the institution's president and Trustee Chair in writing of the Board's decision, including the reasons.

7.2.3.1 The institution may address the reasons for overriding and resubmit the program or unit for approval by following the requirements in this policy.

R401-8 Program Planning: Annually, according to a schedule and process determined by the Commissioner, each USHE institution shall submit to OCHE an institutional program plan listing all academic and technical education programs that require peer review anticipated to be proposed in the next three years (for academic programs) or in the next one year (for technical programs).

8.1 Board Review of Systemwide Program Plan: OCHE staff shall, using the institution program plans, create and maintain an annual systemwide program plan which includes anticipated programs for all USHE institutions. The systemwide program plan shall be submitted to the Board annually for review. Only programs included on a current systemwide program plan reviewed by the Board may be considered for review and approval by institutional Boards of Trustees. No requests for additional legislative appropriation to support programs may be included in institutional budget requests unless the programs are included on the current

systemwide program plan.

8.2 Mid-Cycle Updates to Program Plans: A USHE institution may submit a request to update its program plan outside of the annual update cycle following a process and guidance established by the Commissioner.

R401-9 Reinvestment Plans: Approval and modification of institutional programs and administrative units at USHE degree-granting institutions listed on the institutions' strategic reinvestment plans approved by the Board and Legislature under Utah Code section 53H-8-210(8) are not required to comply with this policy.