TENNESSEE HIGHER EDUCATION COMMISSION

MEETING DATE: July 28, 2022

SUBJECT: Academic Policy A1.0 – New Academic Programs: Approval Process

ITEM TYPE: Action

ACTION RECOMMENDATION: Approval

BACKGROUND

THEC staff have reviewed Academic Policy A1.0 – New Academic Programs: Approval Process and recommend the following changes as represented in attachments A and B. The proposed changes were created with input from Chief Academic Officers from the University of Tennessee System, Tennessee Board of Regents, and locally governed Tennessee public universities. The policy was also reviewed by members of the Tennessee Accreditation Network to incorporate changes to support alignment with SACSCOC policies and procedures where possible. Below is a summary of major changes listed by section number and heading.

Section 1.0.1A – Purpose
- Update reference from Public Chapter to Tennessee Code Annotated language.
- Removal of statutory language of other THEC responsibilities to focus exclusively on new academic program approval.

Section 1.0.2A&B – New Academic Programs Subject to Approval
- Inclusion of new academic programs scope to define the academic programs that are subject to the policy.
- Addition of definition and process for joint degree academic programs.

Section 1.0.3A1 – Criteria for Review
- Inclusion of the feasibility study in the Criteria for Review section. This language was originally in the Letter of Notification (LON) section.
- Update of the program costs/revenues section to focus on new costs and revenues.

Section 1.0.4A – Steps to Establish a New Academic Program
- Reference to approval of certificates was removed based on THEC's statutory duties related to new program approval.
- Changes to the multi-step process to require institutional governing board approval at the beginning of the process and not require a second approval before inclusion on Commission agenda to provide a more flexible process for approval.
- Consolidation of the overall multi-step new academic program approval process from seven (7) steps to five (5) steps by consolidating the LON with the evaluation of the LON and merging the external judgment and post-external judgment to external review.

Section 1.0.6A – Letter of Notification (LON)
- Requirements for specific sections of the LON were removed from the policy but will be included in the LON checklist.

Section 1.0.6C – Letter of Notification (LON) Expiration
- Adds a provision for campuses to request an exception in extenuating circumstances.
- Establishes an expiration for LONs that have been submitted but not approved.

Section 1.0.7A – New Academic Program Proposal (NAPP)
- Similar to Section 1.0.6A, removal of specific requirements for the NAPP in this policy which will be delineated in the associated checklist.

Section 1.0.8B – Post-External Review
- Removal of language that allows THEC staff to decide to support, not support, or defer support of an academic program, because these are actions taken by the Commission not staff. Instead, the revised language states that THEC staff will determine if all of the requirements of the process have been met prior to inclusion on the Commission agenda.

Section 1.0.9B – Advertisement of New Academic Program
- This language was moved out of Section 1.0.9A and given its own section.

Section 1.0.9C – Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action
- Language was added regarding SACSCOC approval or denial of new academic programs.

Section 1.0.10A – Approval of New Tennessee Board of Regents (TBR) Community College Programs
- Language related to delegation of approval for new degree programs was removed from the policy and replaced with an updated process for the Commission's review and approval of new degree programs at TBR.

Section 1.0.11A – Post-Approval Monitoring
- This section was moved and revised to incorporate the new TBR process as defined in Section 1.0.10A.

Provided below are Attachment A (Redlined Version of Proposed Changes) and Attachment B (Clean Version of Proposed Changes) for the A1.0 – New Academic Programs: Approval Process policy.

Attachment A: Redlined Version of Proposed Changes

Section Title: Academic Policies
Policy Title: New Academic Programs: Approval Process
Policy Number: A 1.0

1.0.1A   ~~SCOPE AND~~ **PURPOSE.** Pursuant to Tennessee Code Annotated §49-7-
                       202(q)(2)(A)~~In accordance with Chapter 179 of the Legislative Act creating the
                       Higher Education Commission in 1967~~, the Tennessee Higher Education
                       Commission has the statutory responsibility to review and approve new
                       academic programs ~~, off-campus extensions of existing academic programs,
                       new academic units (divisions, colleges, schools, and departments) and new
                       instructional locations~~ for public institutions of higher education in the State
                       of Tennessee. These responsibilities shall be exercised so as to:

                       - promote academic quality;
                       - maximize cost effectiveness and efficiency to ensure ~~that~~ the benefits
                         to the state outweigh the costs and that existing programs are
                         adequately supported;
                       - fulfill student demand, employer need, ~~and~~ societal~~l~~, and economic
                         requirements;
                       - avoid unnecessary duplication and ensure that proposed academic
                         programs cannot be delivered more efficiently through collaboration
                         or alternative arrangements; and
                       - encourage cooperation among all institutions, both public and
                         private.

                       These expectations for program quality and viability are underscored by
                       Tennessee Code Annotated §49-7-202(d)(4)(A)-(C) ~~as amended~~. This statute
                       directs public higher education to:

                       - address the state's economic development, workforce development
                         and research needs;
                       - ensure increased degree production within the state's capacity to
                         support higher education; and
                       - use institutional mission differentiation to realize statewide
                         efficiencies through institutional collaboration and minimized
                         redundancy in degree offerings, instructional locations, and
                         competitive research.

1.0.2A   **NEW ACADEMIC PROGRAMS SUBJECT TO APPROVAL.** Programs subject to
                       approval, per this policy, are associate degree programs, baccalaureate
                       degree programs, master's degree programs, and doctoral degree programs.

1.0.2B   **Joint Degree Academic Programs.** For purposes of this policy, a joint degree academic program is whereby two (2) or more institutions grant a single academic award for completion of an academic program.

For new joint programs that involve the development of a new academic program, a Memorandum of Understanding that clearly outlines program responsibilities and fiscal arrangements among participating institutions must be developed and approved concurrently with the program proposal at each institution.

If any partner institution does not currently offer the academic program for the joint degree, the joint degree program must undergo the new academic program approval process as outlined in this policy.

If two (2) or more institutions create a joint degree program with academic programs that have already been approved at each institution, then the new joint degree program does not need to undergo the new academic program process and would be subject to the Academic Policy A 1.1 – Academic Program Modifications.

1.0.3~~2~~A1   **Criteria for Review.** T~~he Commission strenuously~~HEC staff considers~~s~~ the following criteria in order to maximize state resources in evaluating academic programs:

- Alignment with the state master plan for higher education and institutional mission – ~~Evidence~~An institution must provide evidence that the proposed academic program aligns with the state's master plan for higher education and ~~economic development, workforce development and research needs using~~ institutional mission, with a focus on leveraging differentiation to realize statewide efficiency of degree offerings, instructional locations, and competitive research.

  ~~Need - Supporting documentation of program need that justifies institutional allocation/reallocation of state resources.~~

- Feasibility – An institution must provide documentation that demonstrates the need for the new academic program including student interest, local and regional demand, industry support, and workforce need.

- Institutional capacity to deliver the proposed academic program –

Supporting documentation must be included that confirms ~~that the~~an institution can deliver the proposed program within existing and projected resources. ~~.~~

- Program costs/revenues -~~-~~ ~~Supporting documentation that program costs will be met from internal reallocation or from other sources such as grants and gifts. Institutional commitment should be consistent with the centrality and level of priority as described in the academic program proposal and estimated on THEC Financial Projection Form.~~An institution must provide documentation of all new anticipated costs and revenues associated with the academic program.

  ~~Institutional capacity to deliver the proposed academic program – Supporting documentation that the institution can deliver the proposed program within existing and projected resources.~~

1.0.3~~2~~A2   **No Unnecessary Duplication.** The THEC Academic Program Inventory provides the initial indication of apparent duplication or undue proliferation of programs in the state. When other similarly titled existing programs may serve the same potential student population, an institution~~s~~ seeking to develop potentially duplicative programs should consult THEC with evidence to demonstrate that a newly proposed academic program is:

- in accord with the institution's distinct mission as approved by the Commission;
- sufficiently different from all related existing programs in the geographical region– in quality and/or rigor, costs of degree completion, student success and completion rates, etc.; and
- ~~more~~ cost effective or otherwise in the best interests of the State to initiate a new academic program rather than meet the demand through other arrangements (e.g., collaborative means with other institutions, distance education technologies, and consortia).

~~**1.0.3A**   **Schedule.** The Commission will normally consider proposals for new academic programs at each regularly scheduled Commission meeting.~~

~~**1.0.4A**   **Action.** Commission action on a given academic program must follow approval by the institutional governing board and may take one of four actions:~~

- approval
- disapproval
- conditional approval
- deferral

Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.

1.0.45A **Steps to Establish aA New Academic Program With a Minimum of 24 Semester Credit Hours (SCH).** The process in developing a new academic program is with a minimum of 24 SCH is multi-staged and includes the following essential steps:

(1) Institutional Governing Board Approval
(1)
(1)(2) Letter of Notification (LON)
(2) Evaluation of LON
(3) New Academic Program Proposal (NAPP)
(4) External JudgmentReview
(4)
(5) Post-External Judgment
(6) Institutional Governing Board Action
(7)(5) Commission Action

1.0.56A **Institutional Governing Board Approval.** Prior to submitting a letter of notification to THEC, an institution must have received institutional governing board approval of the proposed program. At the time of LON submission, the institution must provide documentation of governing board approval of the proposed program.

1.0.6.A **Letter of Notification (LON).** Upon consideration by an institution to develop a new academic program with a minimum of 24 SCHand institutional governing board approval and notification to the institutional governing board, the an institution may submit a LON to THEC.

The LON must address the criteria for review as outlined previously in Sections 1.0.32A1 and 1.0.32A2. The LON should provide clear, supporting documentation that the proposed academic program contributes to meeting the priorities and /goals of the institution's academic or master plan;, why the institution needs the academic program;, and why the state needs graduates from that particular academic program. The submission of the LON must also include a letter of support from the President or /Chancellor signifying institutional governing board or system office

support for development ~~; timeline for development and implementation~~ of the proposed academic program~~; and THEC Financial Projection Form~~. ~~Evidence of internal funding reallocation and other sources such as grants and gifts should be provided. Grants and gifts that are pending are not considered as evidence of funding. THEC will approve no special start-up funding.~~

~~The LON submission must include a feasibility study that addresses the following criteria:~~

- ~~Student Interest – Normally, student interest is addressed in the following ways: a survey of potentially interested students, a report of informational meetings held to gauge interest, and/or enrollment data for related academic programs at the institution.~~

- ~~Local and Regional Need/Demand – Postsecondary institutions bear a responsibility for preparing students to meet the State's workforce needs. Workforce demand projections serve as one indication of the need for a proposed academic program. The need for the number of persons trained in any given field and the number of job openings in that field must remain in reasonable balance.~~

- ~~Employer Need/Demand – Normally, employer need/demand is addressed in the form of anticipated openings in an appropriate service area (may be local, regional or national), in relation to existing production of graduates for that area. Evidence may include the results of a needs assessment, employer surveys, current labor market analyses, future workforce projections, and letters from regional employers claiming need for larger applicant pool. Where appropriate, evidence should also demonstrate societal need and employers' preference for graduates of a proposed academic program over persons having alternative existing credentials and employers' valuing of the proposed credential.~~

- ~~Future Sustainable Need/Demand – Supporting documentation of sufficient employer demand/need for the proposed academic program should cover a reasonable period into the future beyond the anticipated date of graduation of the first program graduates.~~

1.0.6B | ~~**1.0.7A**~~ **Evaluation of Letter of Notification (LON)**. The LON will be posted on the THEC website for a fifteen (~~15 calendar~~15)-calendar day period for comment by interested parties. Evaluation of the LON will be conducted by ~~interested parties and~~ THEC staff and will include consideration of any public comments. ~~The LON will be posted on the THEC website for a 15 calendar day period for comment by interested parties. At the close of the 15 calendar~~

day comment period, THEC will review all comments and documents in order to identify issues relative to criteria identified in Sections 1.0.2A1 and 1.0.2A2. The 15 calendarfifteen (15)-calendar day public comment period may be extended to a maximum of thirty (30)-calendar days per at the discretion of THEC staff.

THEC staff has the authority to request additional information for the proposed program including, but not limited to, an external, independent feasibility study.

Based on the assessment of the LON both internally, and in relation to external comments, THEC staff will make one of the following determinations and notify the institution within thirty (30)-calendar days after the close of the public comment period:

- to support;,
- not to support;, or,
- to defer a decision based on revision of the LON.

Furthermore, the THEC Executive Director has the authority to refer action on the LON to the Commission for determination if deemed appropriate and/or at the request of the Chairman of the Commission.

1.0.6C   **Letter of Notification (LON) Expiration.** All approved Letters of NotificationLONs are valid for two (2) years from the date a determination of support is made and will be posted on the THEC website. If the Commission has not approved the academic program for implementation within two (2) years from the date a determination of support is made, the LON is no longer valid. An institution can request an extension in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

LONs that have been submitted, but not approved, are valid for up to two (2) years based on the original submission date. An institution can request an exception in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

1.0.78A   **New Academic Program Proposal (NAPP).** Institutions are responsible for quality academic program development and THEC encourages the use of external consultants in development of new programs. The NAPP is to be submitted in entirety to THEC at the time the campus seeks to request an external review and should complement the LON by addressing criteria such as curriculum, academic standards, assessment, and needed resources.Evidence of internal funding reallocation and other sources such as grants and gifts should be provided. Grants and gifts that are pending

are not considered as evidence of funding. THEC will approve no special start-up funding. the following criteria explained further in the NAPP checklist located on the THEC website:

- Curriculum
- Academic Standards
- Program Enrollment and Graduates
- Equity
- Administrative Structure
- Faculty Resources
- Library and Information Technology Resources
- Support Resources
- Facilities and Equipment
- Marketing and Recruitment
- Assessment/Evaluation
- Accreditation
- Funding

1.0.98A   **External JudgmentReview.** External reviewers will be required to serve as expert evaluators for all proposed new academic programs. External reviewers will not normally be required for certificate programs, but there may be exceptions in cases of large cost or marked departure from existing programs. For doctoral programs, two (2) external reviewers will be required to evaluate the proposed academic program.

THEC will select reviewers from the proposed institutional external reviewer list. Individuals used in the development stage as external consultants may not serve as external reviewers. In keeping with the SACSCOC's *Ethical Obligations of Evaluators* policy statement for the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), external reviewers should ideally:

- be a subject matter expert in the proposed field;
- be a tenured faculty member with associate or higher academic rank, teaching and a record of research experience;
- have no prior relationship with either the institution or close personal or familial relationship with the potential faculty involved in the proposed academic program;
- not be employed within the state of Tennessee;
- not have been a consultant or a board member at the institution within the last ten (10) years;
- not have been a candidate for employment at the institution within the last seven (7) years;
- not be a graduate of the institution; and

- not have any other relationship that could serve as an impediment to rendering an impartial, objective professional judgment regarding the merits of the proposed academic program.

In the event no external reviewers proposed by the institution are available or acceptable, THEC staff reserves the right to approve an exception or propose alternative external reviewers and may opt, when appropriate, to authorize a paper review of the proposed academic program rather than a visit to the campus by the external reviewer.

The institution or ~~governing board~~system office will be notified of the selected reviewers, the review modality, dates of availability of THEC ~~(if relevant)~~staff, and provide~~d~~ a list of questions for the external reviewer to address during the course of the review.~~–~~ Institutions may add additional questions to the THEC review questions.

The external reviewer must provide a written report in response to the questions concurrently to the institution/~~governing board~~system office and THEC staff within thirty (30)~~–~~ calendar days of the conclusion of the ~~external reviewer's~~site visit.

The institution will be responsible for inviting the external reviewer~~(s)~~, all scheduling, expenses and contracting with the external reviewer~~s~~. THEC will provide a summary of the required agenda sessions for the ~~external reviewer's~~site visit.

1.0.8B ~~1.0.10A~~   **Post-External ~~Judgment~~Review.** ~~–~~ Within thirty (30)~~–~~ calendar days of receipt of the external reviewer's report, ~~the~~ an institution must propose to THEC solutions in keeping with best practices for all issues identified by the reviewer and submit an updated NAPP. THEC staff will review the updated NAPP to determine if the institution~~–~~ has satisfied all of the requirements of the multi-step approval process. Once all requirements have been satisfied, THEC staff will put the proposed academic program on the next Commission agenda and notify the institution.~~Based upon the proposed revisions, THEC may opt to take one of three determinations:~~

~~Support - The institution may seek approval from its institutional governing board and subsequently request to be placed on the Commission quarterly meeting for approval.~~

~~Not Support - The rationale not to support will be provided in writing to the institution within 15 calendar days. The institution may appeal the determination by responding to all identified issues within 15~~

calendar days of receiving notification of THEC's determination for denying support. THEC will make a final determination within 15 calendar days of the receipt of any institutional appeal and notify the institution whether the proposed changes are sufficient for a support determination. If the institution does not respond within 15 calendar days, the determination not to support the proposed academic program for implementation is final.

Defer Support - The rationale to defer support will be provided in writing to the institution within 15 calendar days of receipt of the institution's response to the external report. The institution may choose to submit a revision of the proposed academic program within 60 calendar days and seek further external review or rescind the proposed academic program.

1.0.11A **Institutional Governing Board Action.** Upon determination by THEC that a proposed academic program

The institution must provide documentation of board approval to THEC and submit a request to the Executive Director that the proposed academic program be placed on the Commission agenda at the earliest possible scheduled meeting.will be supported for approval by the Commission, the institutional governing board must act to determine if it will support the approval of the proposed academic program. The institution must provide documentation of board approval to THEC and submit a request to the Executive Director that the proposed academic program be placed on the Commission agenda at the earliest possible scheduled meeting.

1.0.9~~12~~A **Commission Action.** Proposed academic programs supported by THEC staff and approved by the institutional governing board will be presented to the Commission for action at the earliest possible scheduled meeting.

Programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing and will only be accepted after a determination of support has been made following post-external judgment as described in paragraph 1.0.10A above. Requests for special consideration must be approved by the Executive Director. Students may not be admitted to any program prior to final approval by the Commission.

1.0.3A **Schedule**. The Commission will normally consider proposals for new academic programs at each regularly scheduled Commission meeting.

1.0.4A Action. ~~Commission action on a given academic program~~ ~~must follow approval by the institutional governing board and~~ may take one of four actions:

- approval
- disapproval
- conditional approval
- deferral

Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.

1.0.9B   **Advertisement of New Academic Program.** New academic programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing after a determination of support has been made following post-external review. Requests for special consideration must be approved by the THEC Executive Director. Students may not apply or be admitted to any program prior to final approval by the Commission.

1.0.9C   **Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action.** If a new program requires SACSCOC approval, the institution must notify the THEC Chief Academic Officer in writing within ninety (90) days of receipt of the approval or denial from SACSCOC.

If SACSCOC denies approval for the new academic program, the institution must notify the THEC Chief Academic Officer that it will appeal the SACSCOC decision or withdraw the program within ninety (90) days from SACSCOC's denial.

1.0.13A   **Post-Approval Monitoring.** ~~Performance of new academic programs, based on goals established in documentation submitted at the time of approval, will be evaluated by THEC annually. Post-approval monitoring is initiated when a new program receives approval by the Commission or the Tennessee Board of Regents. The monitoring period will be three years for pre-baccalaureate programs, five years for baccalaureate and Master's programs, and seven years for doctoral programs. Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding – a statewide supplemental funding incentive to encourage continuous improvement of programs. THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the~~

Commission will review post-approval reports on academic programs that are currently being monitored. If an academic program is deemed deficient, the Commission may recommend to the President/Chancellor that the program be terminated. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

1.0.1~~0~~4A   **~~Delegated Authority for Final~~ Approval of New Tennessee Board of Regents (TBR) Community College Programs ~~(Associate Degrees~~ ~~s and Certificates) to the Tennessee Board of Regents.~~ ~~.~~ New TBR community college associate degree programs are subject to** ~~Tennessee Code Annotated §49-8-101 as amended directs that "the board of regents, in consultation with the Tennessee Higher Education Commission, shall establish a comprehensive statewide community college system of coordinated programs and services to be known as the Tennessee community college system."   Notwithstanding anything in this policy to the contrary, THEC in accord with this statute and toward the establishment of the unified and comprehensive community college system, delegates authority to the Tennessee Board of Regents (TBR) for final approval of new community college associate degrees and certificates. THEC delegates final approval authority to TBR for the replication of a certificate or associate program approved for one community college (after August 1, 2011) at other TBR community colleges. TBR final approval is subject to the following conditions:~~

~~T~~the criteria for review and accountability ~~(especially justification of need and documented sufficiency of resources and faculty to support the program)~~ set forth in Section 1.0.~~3~~2A1 ~~ and Sections 1.0.8A~~ of this policy. These guidelines ~~which~~ must be the basis ~~the~~for TBR staff review and governing board approval ~~ and~~ must be the basis for the ~~TBR~~ TBR review ~~and approval and~~and approval of new and replicated certificates and associate programs. ~~TBR will conduct the initial review of all new academic degree programs subject to this policy, which shall be followed by approval of their governing board.~~

~~ associate degreeat TBR community colleges thatTBR~~

After final approval by TBR of a new associate degree program, TBR must submit a written request for the program to be included on the next Commission agenda for approval. The request must include documentation of governing board approval~~a formal request from the TBR Chancellor to the THEC Executive Director must be submitted requesting inclusion on the agenda for the next Commission meeting~~and all new academic program approval materials. Prior to inclusion on the Commission agenda, THEC staff will review new program approval materials to ensure completeness and

alignment with Section 1.0.3A1 of this policy. Those new degree programs that are submitted with complete documentation and are confirmed to be in alignment with Section 1.0.3A1 will be included on the next Commission meeting agenda.

While nNew certificates and replicated associate degree programs at TBR community colleges are not subject to ~~the new academic approval process,~~this policy, they~~but~~ are subject to academic program inventory notification as outlined in Section 1.0.10B and post-approval monitoring requirements as outlined in Section 1.0.11A.

Academic program replication is defined as the addition of an associate degree program at a TBR community college that has already been approved and is active at one (1) or more TBR community colleges.

1.0.10B   **TBR Academic Program Inventory Notification.** TBR will provide a monthly summary report to THEC of all community college program actions approved by ~~the~~ TBR, including those programs not subject to this policy.~~, including community college lLetters of nNotification for proposed academic programs.~~

~~TBR will provide academic program proposals and financial projection forms for all TBR approved associate and certificate programs as baseline data for THEC Post-Approval Monitoring.~~

THEC will list all ~~TBR~~approved community college ~~associate~~ and certificate programs and reported changes on the THEC Academic Program Inventory.

1.0.11A   **Post-Approval Monitoring.** Post-approval monitoring is an annual process by which academic programs are evaluated and is initiated when a new program receives approval by the Commission or is reported through TBR academic program inventory notification. Performance of academic programs, based on goals established in program approval documentation, will be evaluated by THEC annually. The monitoring period will be three (3) years for pre-baccalaureate programs, five (5) years for baccalaureate and master's programs, and seven (7) years for doctoral programs. While the program is in post-approval monitoring, any changes that would affect the academic program inventory related to the approved program will need to be submitted in writing to THEC staff for consideration.

THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the Commission will review post-approval monitoring reports on academic programs that are currently being monitored, including information on those programs not meeting program benchmarks.

Additionally, pursuant to Tennessee Code Annotated ~~Tenn. Code Ann.~~ §-49-7-202(q)(1)(B),~~If~~ the Commission may recommend to the President/Chancellor that a program be terminated ~~an academic program~~ if it is deemed unnecessarily duplicative~~, the Commission may recommend to the President/Chancellor that the program be terminated~~. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding, ~~–~~ which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

1.0.1C5A   ~~**THEC Authority for Post-Approval Monitoring of All Community College Programs.** THEC expressly does not delegate to the TBR the authority for the post-approval review of community college associate and certificate programs set forth in Section 1.0.12 of this policy. All TBR community college programs listed on the THEC Academic Program Inventory will be subject to the following THEC monitoring and evaluation:~~

- ~~Community college associate degree programs and certificates are subject to THEC annual reporting through post-approval monitoring of programs for the first three years after implementation and annual productivity evaluations of programs in operation more than three years.~~

- ~~Community colleges will participate in all components of the THEC Quality Assurance Funding program (QAF), and associate and certificate programs will be evaluated according to QAF program review standards.~~

1.0.116A   ~~Policy will be reviewed every five years unless changes in the evaluation process are warranted.~~

Sources:~~–~~ THEC Meetings: April 22, 1988; January 29, 1997; November 14, 2002; January 27, 2011; July 28, 2011; January 29, 2015; January 26, 2017; ~~and~~ January 25, 2019; and July 28, 2022.~~.~~

Attachment B: Clean Version of Proposed Changes

Section Title: Academic Policies
Policy Title: New Academic Programs: Approval Process
Policy Number: A 1.0

1.0.1A   **PURPOSE.** Pursuant to Tennessee Code Annotated §49-7-202(q)(2)(A), the Tennessee Higher Education Commission has the statutory responsibility to review and approve new academic programs for public institutions of higher education in the State of Tennessee. These responsibilities shall be exercised so as to:

- promote academic quality;
- maximize cost effectiveness and efficiency to ensure the benefits to the state outweigh the costs and that existing programs are adequately supported;
- fulfill student demand, employer need, societal, and economic requirements;
- avoid unnecessary duplication and ensure that proposed academic programs cannot be delivered more efficiently through collaboration or alternative arrangements; and
- encourage cooperation among all institutions, both public and private.

These expectations for program quality and viability are underscored by Tennessee Code Annotated §49-7-202(d)(4)(A)-(C). This statute directs public higher education to:
- address the state's economic development, workforce development and research needs;
- ensure increased degree production within the state's capacity to support higher education; and
- use institutional mission differentiation to realize statewide efficiencies through institutional collaboration and minimized redundancy in degree offerings, instructional locations, and competitive research.

1.0.2A   **NEW ACADEMIC PROGRAMS SUBJECT TO APPROVAL.** Programs subject to approval, per this policy, are associate degree programs, baccalaureate degree programs, master's degree programs, and doctoral degree programs.

1.0.2B   **Joint Degree Academic Programs.** For purposes of this policy, a joint degree academic program is whereby two (2) or more institutions grant a single academic award for completion of an academic program.

For new joint programs that involve the development of a new academic program, a Memorandum of Understanding that clearly outlines program responsibilities and fiscal arrangements among participating institutions must be developed and approved concurrently with the program proposal at each institution.

If any partner institution does not currently offer the academic program for the joint degree, the joint degree program must undergo the new academic program approval process as outlined in this policy.

If two (2) or more institutions create a joint degree program with academic programs that have already been approved at each institution, then the new joint degree program does not need to undergo the new academic program process and would be subject to the Academic Policy A 1.1 – Academic Program Modifications.

1.0.3A1   **Criteria for Review.** THEC staff consider the following criteria in order to maximize state resources in evaluating academic programs:

- Alignment with the state master plan for higher education and institutional mission – An institution must provide evidence that the proposed academic program aligns with the state's master plan for higher education and institutional mission, with a focus on leveraging differentiation to realize statewide efficiency of degree offerings, instructional locations, and competitive research.

- Feasibility – An institution must provide documentation that demonstrates the need for the new academic program including student interest, local and regional demand, industry support, and workforce need.

- Institutional capacity to deliver the proposed academic program – Supporting documentation must be included that confirms an institution can deliver the proposed program within existing and projected resources.

- Program costs/revenues – An institution must provide documentation of all new anticipated costs and revenues associated with the academic program.

1.0.3A2   **No Unnecessary Duplication.** The THEC Academic Program Inventory provides the initial indication of apparent duplication or undue proliferation

of programs in the state. When other similarly titled existing programs may serve the same potential student population, an institution seeking to develop potentially duplicative programs should consult THEC with evidence to demonstrate that a newly proposed academic program is:

- in accord with the institution's distinct mission as approved by the Commission;
- sufficiently different from all related existing programs in the geographical region in quality and/or rigor, costs of degree completion, student success and completion rates, etc.; and
- more cost effective or otherwise in the best interests of the State to initiate a new academic program rather than meet the demand through other arrangements (e.g., collaborative means with other institutions, distance education technologies, and consortia).

1.0.4A   **Steps to Establish a New Academic Program.** The process in developing a new academic program is multi-staged and includes the following essential steps:
  (1) Institutional Governing Board Approval
  (2) Letter of Notification (LON)
  (3) New Academic Program Proposal (NAPP)
  (4) External Review
  (5) Commission Action

1.0.5A   **Institutional Governing Board Approval.** Prior to submitting a letter of notification to THEC, an institution must have received institutional governing board approval of the proposed program. At the time of LON submission, the institution must provide documentation of governing board approval of the proposed program.

1.0.6.A   **Letter of Notification (LON).** Upon consideration by an institution to develop a new academic program and institutional governing board approval, an institution may submit a LON to THEC.

The LON must address the criteria for review as outlined previously in Sections 1.0.3A1 and 1.0.3A2. The LON should provide clear, supporting documentation that the proposed academic program contributes to meeting the priorities and goals of the institution's academic or master plan; why the institution needs the academic program; and why the state needs graduates from that particular academic program. The submission of the LON must also include a letter from the President or Chancellor signifying support for development of the proposed academic program.

1.0.6B   **Evaluation of Letter of Notification (LON)**. The LON will be posted on the THEC website for a fifteen (15)-calendar day period for comment by interested parties. Evaluation of the LON will be conducted by THEC staff and will include consideration of any public comments. The fifteen (15)-calendar day public comment period may be extended to a maximum of thirty (30)-calendar days at the discretion of THEC staff.

THEC staff has the authority to request additional information for the proposed program including, but not limited to, an external, independent feasibility study.

Based on the assessment of the LON both internally, and in relation to external comments, THEC staff will make one of the following determinations and notify the institution within thirty (30)-calendar days after the close of the public comment period:
- to support;
- not to support; or,
- to defer a decision based on revision of the LON.

Furthermore, the THEC Executive Director has the authority to refer action on the LON to the Commission for determination if deemed appropriate and/or at the request of the Chairman of the Commission.

1.0.6C   **Letter of Notification (LON) Expiration.** All approved LONs are valid for two (2) years from the date a determination of support is made. If the Commission has not approved the academic program for implementation within two (2) years from the date a determination of support is made, the LON is no longer valid. An institution can request an extension in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

LONs that have been submitted, but not approved, are valid for up to two (2) years based on the original submission date. An institution can request an exception in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

1.0.7A   **New Academic Program Proposal (NAPP).** Institutions are responsible for quality academic program development and THEC encourages the use of external consultants in development of new programs. The NAPP is to be submitted in entirety to THEC at the time the campus seeks to request an external review and should complement the LON by addressing criteria such as curriculum, academic standards, assessment, and needed resources.

1.0.8A   **External Review.** External reviewers will be required to serve as expert evaluators for all proposed new academic programs. For doctoral programs, two (2) external reviewers will be required to evaluate the proposed academic program.

THEC will select reviewers from the proposed institutional external reviewer list. Individuals used in the development stage as external consultants may not serve as external reviewers. In keeping with the *Ethical Obligations of Evaluators* policy statement for the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), external reviewers should ideally:
- be a subject matter expert in the proposed field;
- be a tenured faculty member with associate or higher academic rank, teaching and a record of research experience;
- have no prior relationship with either the institution or close personal or familial relationship with the potential faculty involved in the proposed academic program;
- not be employed within the state of Tennessee;
- not have been a consultant or a board member at the institution within the last ten (10) years;
- not have been a candidate for employment at the institution within the last seven (7) years;
- not be a graduate of the institution; and
- not have any other relationship that could serve as an impediment to rendering an impartial, objective professional judgment regarding the merits of the proposed academic program.

In the event no external reviewers proposed by the institution are available or acceptable, THEC staff reserve the right to approve an exception or propose alternative external reviewers and may opt, when appropriate, to authorize a paper review of the proposed academic program rather than a visit to the campus by the external reviewer.

The institution or system office will be notified of the selected reviewers, the review modality, dates of availability of THEC staff, and provide a list of questions for the external reviewer to address during the course of the review. Institutions may add additional questions to the THEC review questions.

The external reviewer must provide a written report in response to the questions concurrently to the institution/system office and THEC staff within thirty (30)-calendar days of the conclusion of the site visit.

The institution will be responsible for inviting the external reviewer, all scheduling, expenses and contracting with the external reviewer. THEC will provide a summary of the required agenda sessions for the site visit.

1.0.8B   **Post-External Review.** Within thirty (30)-calendar days of receipt of the external reviewer's report, an institution must propose to THEC solutions in keeping with best practices for all issues identified by the reviewer and submit an updated NAPP. THEC staff will review the updated NAPP to determine if the institution has satisfied all of the requirements of the multi-step approval process. Once all requirements have been satisfied, THEC staff will put the proposed academic program on the next Commission agenda and notify the institution.

1.0.9A   **Commission Action.** Proposed academic programs supported by THEC staff and approved by the institutional governing board will be presented to the Commission for action at the earliest possible scheduled meeting.

Commission action on a given academic program may take one of four actions:
- approval
- disapproval
- conditional approval
- deferral

Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.

1.0.9B   **Advertisement of New Academic Program.** New academic programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing after a determination of support has been made following post-external review. Requests for special consideration must be approved by the THEC Executive Director. Students may not apply or be admitted to any program prior to final approval by the Commission.

1.0.9C   **Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action.** If a new program requires SACSCOC approval, the institution must notify the THEC Chief Academic Officer in writing within ninety (90) days of receipt of the approval or denial from SACSCOC.

If SACSCOC denies approval for the new academic program, the institution must notify the THEC Chief Academic Officer that it will appeal the SACSCOC decision or withdraw the program within ninety (90) days from SACSCOC's denial.

1.0.10A   **Approval of New Tennessee Board of Regents (TBR) Community College Programs.** New TBR community college associate degree programs are subject to the criteria for review and accountability set forth in Section 1.0.3A1 of this policy. These guidelines must be the basis for TBR staff review and governing board approval.

After final approval by TBR of a new associate degree program, TBR must submit a written request for the program to be included on the next Commission agenda for approval. The request must include documentation of governing board approval and all new academic program approval materials. Prior to inclusion on the Commission agenda, THEC staff will review new program approval materials to ensure completeness and alignment with Section 1.0.3A1 of this policy. Those new degree programs that are submitted with complete documentation and are confirmed to be in alignment with Section 1.0.3A1 will be included on the next Commission meeting agenda.

While new certificates and replicated associate degree programs at TBR community colleges are not subject to this policy, they are subject to academic program inventory notification as outlined in Section 1.0.10B and post-approval monitoring requirements as outlined in Section 1.0.11A.

Academic program replication is defined as the addition of an associate degree program at a TBR community college that has already been approved and is active at one (1) or more TBR community colleges.

1.0.10B   **TBR Academic Program Inventory Notification.** TBR will provide a monthly summary report to THEC of all community college program actions approved by TBR, including those programs not subject to this policy. THEC will list all approved community college and certificate programs and reported changes on the THEC Academic Program Inventory.

1.0.11A   **Post-Approval Monitoring.** Post-approval monitoring is an annual process by which academic programs are evaluated and is initiated when a new program receives approval by the Commission or is reported through TBR academic program inventory notification. Performance of academic programs, based on goals established in program approval documentation,

will be evaluated by THEC annually. The monitoring period will be three (3) years for pre-baccalaureate programs, five (5) years for baccalaureate and master's programs, and seven (7) years for doctoral programs. While the program is in post-approval monitoring, any changes that would affect the academic program inventory related to the approved program will need to be submitted in writing to THEC staff for consideration.

THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the Commission will review post-approval monitoring reports on academic programs that are currently being monitored, including information on those programs not meeting program benchmarks. Additionally, pursuant to Tennessee Code Annotated §49-7-202(q)(1)(B), the Commission may recommend to the President/Chancellor that a program be terminated if it is deemed unnecessarily duplicative. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding, which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

Sources: THEC Meetings: April 22, 1988; January 29, 1997; November 14, 2002; January 27, 2011; July 28, 2011; January 29, 2015; January 26, 2017; January 25, 2019; and July 28, 2022.