

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

1.0.1A **Scope and Purpose.** In accordance with Chapter 179 of the Legislative Act creating the Higher Education Commission in 1967, the 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 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 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.

1.0.2A1 **Criteria for Review.** The Commission strenuously considers the following criteria in order to maximize state resources in evaluating academic programs:

- Alignment with state master plan and institutional mission - Evidence that the proposed academic program aligns with the state's economic development, workforce development and research needs using institutional mission 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.
- Sustainable demand - Supporting documentation that employment opportunities for future graduates will exist.
- 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.
- Institutional capacity to deliver the proposed academic program - Supporting documentation that the institution can deliver the proposed program within existing and projected resources.

1.0.2A2 **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, institutions 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.

1.0.5A **Steps to Establish A New Academic Program With a Minimum of 24 Semester Credit Hours (SCH).** The process in developing a new academic program with a minimum of 24 SCH is multi-staged and includes the following essential steps:

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

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

The LON must address the criteria for review as outlined previously in Sections 1.0.2A1 and 1.0.2A2. The LON should provide clear, supporting documentation that the proposed academic program contributes to meeting the priorities/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/Chancellor signifying institutional governing board or system office support for development; timeline for development and implementation of 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.

1.0.7A

Evaluation of Letter of Notification. Evaluation of the LON will be conducted by interested parties and THEC staff. 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 calendar day public comment period may be extended to a maximum of 30 calendar days per 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 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 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.

All approved Letters of Notification are valid for two 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 years from the date a determination of support is made, the LON is no longer valid.

1.0.8A

New Academic Program Proposal (NAPP). Institutions are responsible for quality academic program development and THEC encourages the use of external consultants in development. 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 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

1.0.9A

External Judgment. External reviewers will be required to serve as expert evaluators for all proposed 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 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, 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;
- 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 years;
- not have been a candidate for employment at the institution within the last seven 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 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 will be notified of the selected reviewers, the review modality, dates of availability of THEC (if relevant) and provided 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 and THEC within 30 calendar days of the conclusion of the external reviewer's visit.

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

1.0.10A

Post-External Judgment. Within 30 calendar days of receipt of the external reviewer's report, the institution must propose to THEC solutions in keeping with best practices for all issues identified by the reviewer. 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 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.

1.0.12A

Commission Action. Proposed academic programs supported by THEC 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.

1.0.13A

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.

1.0.14A

Delegated Authority for Final Approval of New Community College Programs (Associates and Certificates) to the Tennessee Board of Regents. 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:

- (1) 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 1.0.2A1 and Sections 1.0.8A of this policy must be the basis for the TBR review and approval of new and replicated certificates and associate programs.
- (2) TBR will provide a monthly summary report to THEC of all community college program actions approved by the TBR, including community college Letters of Notification for proposed academic programs.
- (3) 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.
- (4) THEC will list all TBR-approved community college associate and certificate programs and reported changes on the THEC Academic Program Inventory.

1.0.15A

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.

1.0.16A

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.