

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 300 Department or Agency: Alabama Commission on Higher Education

Rule No. 300-2-1-.06

Rule Title: Reasonable Extensions and Alterations of Existing Units and Programs of Instruction

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

 NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

 YES

Is there another, less restrictive method of regulation available that could adequately protect the public?

 NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

 NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

 NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

 YES

Does the proposed rule have an economic impact?

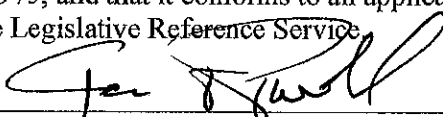
 NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer


James E. Purcell, Ed.D. Executive Director

Date: October 5, 2017

APA-2

Alabama Commission on Higher Education

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education (Commission)

RULE NO. & TITLE: 300 – 2 – 1 - .06 Reasonable Extensions and Alterations of Existing
Units and Programs of Instruction

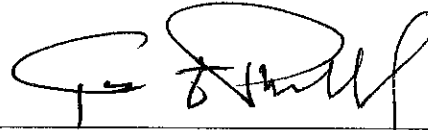
INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To change the current voting requirements on
Reasonable Extensions and Alterations of Existing Units and Programs of Instruction

TIME, PLACE, MANNER OF PRESENTING VIEWS: Persons wishing to present views on these
amended rules may contact Tim Vick, Director of Operations and Fiscal Services, Alabama
Commission on Higher Education, P.O. Box 302000, Montgomery, Alabama 36130-2000,
Telephone 334-353-9153 between 8 a.m. and 5 p.m. each day up to and including
December 6, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 6, 2017

CONTACT PERSON AT AGENCY: Timothy W. Vick

A handwritten signature in black ink, appearing to read "James E. Purcell", is written over a horizontal line.

James E. Purcell, Ed.D.
Executive Director

300-2-1-.06 Reasonable Extensions And Alterations Of Existing Units And Programs Of Instructions.

(1) A reasonable extension or alteration of an existing unit or program of instruction is a modification which does not change the essential character, integrity, or objectives of the unit or program. Such modifications do not create new units or programs of instruction. Reasonable extensions and alterations of existing programs are defined as substantive or non-substantive. Substantive changes that are determined by the staff not to be "reasonable" extensions or alterations will be submitted to the Commission for action, either as an extension or alteration or as a new program of instruction. Those considered to be "reasonable" require notification to require Commission approval while non-substantive changes may be presented to the Commission by information item prior to implementation. (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Non-Substantive Extensions/Alterations of Existing Units or Programs of Instruction: The following extensions and alterations of existing units and programs of instruction are considered non-substantive and do not require Commission approval. However, before any of these changes may be implemented, they must be presented to the Commission as information items. If supporting documentation verifies that any conditions and requirements are met, the changes will be recognized by the Commission by information item. The Commission staff may request additional information if necessary. It is recommended that institutions consult the Commission staff prior to submitting the proposal if there is a question regarding whether the proposed extension or alteration is substantive or non-substantive.

(a) Changes in award nomenclature at the same level for programs listed in the Commission's Academic Program Inventory, with the exceptions listed below, provided that no changes in program requirements, content, and objectives are made, and provided the new nomenclature replaces the current designation. Prior to implementation, the institution must present an information item which provides sufficient evidence that the proposed nomenclature is more appropriate than the current designation.

1. For purposes of this policy, the Certificate and Diploma (45-90 qh) in the two-year colleges are considered to be at the same level, but the AAT and AAS are not considered to be the same level, because the Commission on Colleges of the Southern Association Colleges and Schools does not recognize the AAT degree. Since the Commission reviews only "long-term" certificates or diplomas in the two-year colleges, any reference to certificates and diplomas is limited to awards of 45-90 qh unless otherwise specified.

~~2. All changes in award nomenclature at the doctoral level require Commission approval as substantive changes. (Code of Alabama, Chapter 5, Paragraph 16-5-8(c); revision of Operational Definitions adopted 6/21/91; revision of Operational Definitions adopted 6/19/92.)~~

(b) Upgrades from Diploma and Certificate to Associate in Applied Technology (AAT) in technical colleges, if documentation is provided that:

1. The AAT is limited to the technology and service programs requiring the highest levels of skills as jointly determined by the staffs of the Commission and the ADPE Alabama Community College System (ACCS).
2. The total credit hours in general education requirements are no less than that required by the Southern Association of Colleges and Schools (SACS) Commission on Colleges' standards for associate degrees.
3. The programs are no more than eight quarters in length.
4. All courses are on regular collegiate credit hour basis. (Commission policy adopted 8/8/86.)

(c) Upgrades from AAT to AAS in technical colleges, if documentation is provided that:

1. The technical college achieves Commission on College (COC) accreditation from SACS; or the technical college achieves candidacy status for COC accreditation. In the case of candidacy status, if accreditation is not achieved within four years of the date of candidacy status, the award of completion reverts back to the AAT unless documentation can be provided that the COC has granted additional time to the institution to receive accreditation.

2. Written documentation of the following is submitted to the Commission staff from ADPE the Alabama Community College System:

- (i) Date of achievement of candidacy status with COC or COC accreditation.
- (ii) Documentation that the technical college faculty teaching the basic core of general education courses in communication, social sciences, science and math, and fine arts meet the COC requirement of holding at least a master's degree and having completed at least 18 graduate semester hours in the field taught. (Commission policy adopted 6/19/92.)

(d) Upgrades from Diploma and Certificate to AAS in community colleges, if documentation is provided that the following conditions are met:

1. The institution must have a Diploma or Certificate listed in the Commission's Academic Program Inventory at the proposed CIP Code with the proposed program title.

2. The CIP Code and title of the upgraded program must remain the same as for the Diploma or Certificate.

3. The total credit hours in general education requirements must be no less than that required by SACS for associate degrees.

4. The program must be no more than 114 quarter hours in length.

5. The two-year institution must have achieved COC accreditation or candidacy status from SACS (copy of letter from SACS must be provided.) Note: In the case of institutional consolidation, no upgrades from Diploma or Certificate to AAS or from AAT to AAS will be accepted by information item until the institutional consolidation of the institution has been approved by the Commission and documentation is provided by ADPE the Alabama Community College System from SACS that the educational institution resulting from the consolidation has COC accreditation or candidacy status. Administrative consolidation of institutions, as defined by the Commission, does not provide a basis for changing or upgrading awards. (Commission policy adopted 6/24/94.)

(e) Changes in program titles or CIP codes if documentation is provided that no changes are made in program requirements, content, and objectives, and provided the new title or code replaces an earlier designation. Program title changes or CIP code changes should only be made when the proposed title or code more adequately reflects the nature and content of the program. The burden of demonstrating this is upon the institution. (Revision of Operational Definitions adopted 6/21/91.)

(f) New Educational Specialist (Ed.S.) degree programs if documentation is provided that they are implemented in conjunction with State Board of Education approved sixth-year (AA) teacher certification programs. (Commission Resolution, 8/25/84.)

(g) Non-degree programs of senior institutions including prebaccalaureate, postbaccalaureate, and postmasters certificates. Note: These certificates are not listed in the Commission's Academic Program Inventory. (New Postbaccalaureate Certificate Programs of Senior Institutions exempted by Commission resolution, 7/8/83.)

(h) Short-term certificate programs (44 quarter hours or less) in community, junior, and technical colleges designed for completion in less than one academic year (3 quarters) of full-time study or the equivalent. Note: These certificates are not listed in the Commission's Academic Program Inventory. (Commission action on 5/20/88).

(i) Dual degree programs sponsored by two different institutions or two departments, schools, or colleges within an institution, leading to the awarding of two separate degrees. Dual degrees are not discretely identified in the Commission's Academic Program Inventory. This definition assumes the existence of two degree offerings prior to an agreement for a dual offering. (Commission action 5/20/88).

(j) Administrative changes at the Department level, such as establishing a new department, combining two or more departments into a single department, or dividing a department into two or more departments. If the administrative change creates a more prominent unit of instruction such as a division or school, Commission approval as a new unit is required. (Code of Alabama, Chapter 5, Paragraph 16-5-1; revision of Operational Definitions adopted 6/21/91).

(k) New Units of Instruction, Research or Service which do not offer courses or other activities for academic credit. (Code of Alabama, Chapter 5, Paragraph 16-5-8; revision of Operational Definitions adopted 6/21/91).

(1) New Teacher Certification Programs. However, if a certification program involves the addition of a new degree program which will be added to the Commission's Academic Program Inventory and identified in the institution's catalog or other publications, Commission review and approval as a new academic program is required. (For example, if the institution is adding a teacher certification in English under an existing degree program in Secondary Education, Commission approval is not required. However, if a separate degree is to be offered in English Education, per se, then approval is required). (Commission Resolution, 1/14/83 and revisions to Operational Definitions adopted 6/21/91).

(m) Designation of a program in the Commission's Academic Program Inventory as inactive or reinstatement of an inactive program to active status. While a program is on inactive status, no students will be admitted. If an inactive program has not been reinstated within five years, it will be removed from the Commission's Academic Program Inventory. Once the five-year time limit has expired, the institution will have to submit a new program proposal, following established timetables and procedures for review, to have a program reinstated to the Commission's Academic Program Inventory. To reinstate an inactive program to active status within five years of the date it was formally recognized as inactive by the Commission, the institution must submit documentation that the program has adequate resources and student demand to be placed on active status. After June 6, 1997, only viable programs, as determined by the Alabama Commission on Higher Education, may be placed on inactive status.

(n) Termination of a program in the Commission's Academic Program Inventory. Once the Commission formally recognizes the termination of a program in the Inventory, the institution must submit a new program proposal, following established timetables and procedures, to offer the program again.

(3) Substantive Extensions/Alterations of Existing Programs or Other Units of Instruction: ~~A substantive change must be approved by the Commission as a reasonable extension/alteration of an existing program. All proposed extensions and alterations of existing programs and curricula not specifically defined as non-substantive in the section above must be presented to the Commission for approval as substantive changes. Substantive changes that are determined by the staff not to be "reasonable"~~

extensions or alterations will be submitted to the Commission for action, either as an extension or alteration or as a new program of instruction. Those considered to be "reasonable" require notification to the Commission by information item. In more detail, if Any proposed extension or alteration determined by the Commission staff to be a new program or unit must follow established review guidelines and procedures for reviewing new programs and units. If less than one-third of the major of the proposed extension/alteration is in common with the major of the existing program(s), the change automatically will be considered a new program. The criteria used for evaluating the reasonableness of a substantive extension or an alteration include:

- (a) The scope or effect of the proposed extension or alteration;
 - 1. How many of the major courses to be offered by the proposed extension/alteration are offered in the existing program?
 - 2. How will the proposed extension/alteration impact other public institutions?
 - 3. Will the proposed extension/alteration move the program listing to a new two-digit CIP category in the Commission's academic program inventory?
- (b) The impact of the proposed change on the existing program or unit;
 - 1. What will be the budgetary impact of the proposed extension/alteration?
 - 2. What changes in faculty and staff will be required to implement the proposed extension/alteration?
- (c) The rationale for the proposed change.
 - 1. Is justification for proposed extension/alteration based on academic principles and/or market demand?
 - 2. What evidence can be presented that this proposed change will benefit students? Reference need or demand studies if available.
 - 3. How will the resulting program be improved as a result of this proposed change?
 - 4. Substantive extensions/alterations of existing programs and units of instruction include, but are not limited to:
 - (a) Approval of New Options/Tracks/Specializations/ Concentrations As the Result of Program Mergers and Consolidations or New Course Sequences
 - (1) Option must be in a field closely related to the major (usually 28 sh or 42 qh or more)

(2) Generally, an option must be less than half of the total credits needed for the major (two-year), upper-division major (baccalaureate) or graduate program. (Note: The Commission's definition of minor is 18 sh or 27 qh generally. An option generally would require fewer hours than a minor except in cases where the major is greater than 34 sh or 52 qh).

(3) Generally, the resulting program must have a common core (excluding the general education core) for all majors regardless of which option selected, which is at least 50% of the major. Exceptions to this guideline will be considered if the institution can present convincing rationale that the 50% should be reduced.

(b) Approval of Mergers of Two or More Programs into an Existing Program in the Commission's Academic Program Inventory.

(1) Merged program(s) and existing program must have at least two-thirds of their courses in common.

(2) If merged program(s) becomes an option in the existing program, all conditions under 4a above must be met.

(3) Research-based graduate degrees (thesis and dissertation option) are different in kind from course work-based undergraduate and graduate degrees in that didactic work is chosen to provide specific background for the proposed research. For research-based graduate programs, the merged and existing programs must share a recognized academic relationship and must have the same minimum requirements for credit hours in terms of didactic and thesis/dissertation work.

(c) Approval of Consolidation of Two or More Programs into a New Program CIP Code and Title in the Commission's Academic Program Inventory.

(1) Existing program(s) and consolidated program must have at least two-thirds of their courses in common.

(2) If existing program(s) becomes an option in the consolidated program, all conditions under 4a above must be met.

(3) For research-based graduate programs, see Section 4b.3.

~~(d) Changes in degree nomenclature at the doctoral level.~~

Author: William O. Blow Statutory Authority: Code of Ala. 1975, §§16-5-1, et seq., and in implementation of Act 96-557. History: Filed April 10, 1989. Amended: Filed July 27, 1990; September 4, 1991; August 4, 1992. Amended: Filed March 12, 1996; effective April 16, 1996. Amended: Filed August 4, 1997; effective September 8, 1997. Amended: Filed: October 5, 2017; effective