

## AP 4021 Program Viability – Initiation, Modification and Discontinuance

Reference: Education Code Section 78015(a)(1), 78016(a); Title 5, Section(s) 51022, 53203(d) (1), 55130; ASCCC “Program Discontinuance: A Faculty Perspective”; ACCJC Standard II.A.6.b.

### I. DEFINITIONS

A. Program: An organized sequence of courses, or a single course, leading to a defined objective, a degree, certificate, diploma, license, or transfer to another institution of higher education (CCR Title 5, Section 55000). (e.g. completing a program of study leading to a certificate in Computer Maintenance Technology, an AS degree in Business, or transfer). For purposes of this procedure “Program” shall also be understood to mean any academic department as well as any thematic cluster of courses within the purview of the Office of Instruction *that support a common set of outcomes*.

B. Program Initiation – is the institution or adoption of a new program *as defined by this policy*.

C. Program Modification – Program modifications shall be categorized in the following two manners:

(a) Substantial Modification - is an alteration to an existing program that substantially modifies the program in terms of current faculty workload; academic outcomes and process; student outcomes; new curriculum or current curriculum; articulated coursework required for certificate, degree or transfer; or students’ ability to achieve their educational goals in a reasonable amount of time. A “Substantial Modification” must be proposed and meet the procedural requirements found in Administrative Procedure 4021.

(b) Nominal Modifications – are *non-substantial* modifications determined to be normal customary revisions, scheduled or otherwise, that exist and are managed via the existing curriculum review process administered by the Curriculum Committee, a sub-committee of the Academic Senate. Such revisions are generally for the purpose of maintaining currency and, or legally mandated changes. This category of program modification shall be determined “nominal” in its effect and institutional impact and thus fall outside the purview and requirement of Administrative Procedure 4021. The Curriculum Committee may elect to deny a review of proposed modifications it deems “substantial” and refer proposing party to Administrative Procedure 4021 for action.

D. Program Viability Review – is the process of determining the appropriateness of a Program Initiation, Program Modification or Program Discontinuance.

E. Program Discontinuance – is the termination of an existing program, discipline, or department.

F. Defacto Discontinuance: is the unofficial discontinuance of a program in circumvention of this administrative procedure, intended or unintended, that results from the reduction of course sections within that program or from any other institutional or administrative action; thereby rendering program implementation and completion impossible or improbable.

G. Committee: When Program Viability Review is initiated, the Academic Senate will form an ad hoc Program Viability Committee whose membership is outlined in Section IV of this

procedure.

H. Intervention: is a recommended action to remedy identified program shortcomings.

I. Determination Process: refers to the sequential process of Section III through V of this Administrative Procedure.

## II. PROPOSING PROGRAM INITIATION, MODIFICATION OR DISCONTINUANCE

Program initiation, modification and discontinuance proposals, and defacto discontinuance notifications, can be initiated by the Chief Instructional Officer (CIO), Division Dean, Department Chair, or Academic Program Director. He/she will consult with Division Dean and Chair of the affected department and any other potentially affected department or faculty. He/she will provide and include data and information as specified in Section III of this procedure to demonstrate the need for program initiation, modification or discontinuance. The completed proposal is submitted to the Academic Senate President along with supporting documents.

Pursuant to BP 7215, whereby the Board of Trustees relies primarily on the advice of the Academic Senate in academic and professional matters, the Academic Senate shall have a fundamental and integral role in any discussion of program initiation, modification or discontinuance.

“Nominal Modifications” as defined in Section 4021.3(b) of Board Policy 4021 and Section I(C) of this Administrative Procedure, shall be proposed via the Curriculum Committee. The Curriculum Committee may elect to deny a review of proposed modifications it deems “substantial” and refer proposing party to Administrative Procedure 4021 for action.

## III. PROPOSAL GUIDELINES

Program initiation, modification and discontinuance proposals shall be submitted to the Academic Senate President no later than the sixth week of the fall semester.<sup>1</sup>Proposals

received after the sixth week of the Fall semester, or during the Spring semester, will be advanced only if there exists necessary and compelling reasons to do so in the judgment of the Academic Senate. Proposals submitted after the sixth week must complete the determination process in the same prescribed manner as timely proposal submissions.

The initial proposal shall include, but is not limited to, the itemized quantitative evidence listed below. Special attention must be given to the impact of program discontinuance upon those students who are currently enrolled in the program. Special attention must also be

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<sup>1</sup>Proposals to discontinue may be initiated only in the Fall semester due to the extended time requirement necessary for completion of the determination process (Sections III through V of AP 4021). The size and diversity of the Program Viability committee, coupled with the need for sufficient review and discernment of the proposal by the Academic Senate and Administration demands the process extend into the following Spring semester. Furthermore, completion of the determination process by the end of the academic year is mandated by potential changes to Senate membership and Program Viability Committee composition. Section VI, Implementation, does not need to be completed within the same academic year as the determination process.

given to the impact a program initiation or modification has on existing programs, support services, staff, curriculum committee, curriculum cycle and development, and overall college functions.<sup>2</sup> The proposal must include a scheduled implementation timeline that takes into consideration the aforementioned concerns. The emphasis on quantitative data in the initial proposal serves to establish a baseline of substantiation for advancing the proposed initiation, modification or discontinuance to the next procedural level.

#### A. Quantitative Evidence

1. The quantitative evidence may include, but is not limited to:
  - a. Enrollment trends over the past five years.
  - b. The projected demand for the program in the future.
  - c. Frequency of course section offerings and rationale as to their reduction, if applicable.
  - d. Term to term persistence of students within the program.
  - e. Student success and program completion rates.
  - f. Student completion rate.
  - g. Productivity in terms of WSCH per FTE ratios.
  - h. Success rate of students passing state and national licensing exams.
  - i. Enrollment trends over a sustained period of time
  - j. Data extracted from Program Review.
  - k. Data from a CTE Advisory Committee
  - l. Regional Labor Data
  - m. Adverse student impact resulting from discontinuance.
  - n. Implementation timeline for resulting new courses.

#### 2. Incomplete Proposals

Proposals deemed incomplete due to the submission of insufficient benchmark evidence may be returned to the proposing party by the subsequent Academic Senate Discontinuance Ad Hoc Program Viability Committee authorized by Section IV of this procedure.

#### 3. Vocational or Occupational Training Program Proposals

California Education Code Section 78015(a)(1) requires that the local governing board initiate a job market study of the labor market area for a proposed vocational or occupational training program prior to its establishment. Consequently, the initiating party of such a proposal must, prior to the submission of the proposal to the President of the Academic Senate and in accord with Section III(A)(1)(l) of this procedure, have requested and obtained the results of a relevant job market study of the labor market area to be included in their program proposal. If a relevant study has already been completed within 6 months of the program proposal, that study may be used to satisfy the Education Code requirement as well as the criteria of this procedure and thus no new labor market study is necessary.

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<sup>2</sup> Grant funded staffing positions must be presented to the Academic Staffing Committee for long term staffing considerations and planning. The intent of such is to ensure equitable planning. The concern is that commonly funded non-grant positions could be adversely affected by positions initially grant funded but subsequently requiring funding from the traditional College budget.

## B. Notifications of Possible Defacto Discontinuances

Any party listed in Section II of this procedure may notify the Academic Senate President of a possible defacto discontinuance. Upon receipt of such notification the Senate President will inform the full Senate of the notification at the next regularly scheduled meeting of the Academic Senate. The Senate President will request the CIO and any other relevant college administrators or personnel to report, within 60 days of said notification, to the full Senate on the status of the program in question. The Senate President will request those same individuals provide the full Senate annual program status updates should a defacto discontinuance remain in effect 12 months after their initial report to the Academic Senate. Future annual reports will be requested by the Senate President if the program status remains unchanged. Notification of a possible defacto discontinuance does not fall within the remaining proposal and procedural requirements of this administrative procedure.

## IV. FORMATION OF PROGRAM VIABILITY COMMITTEE

Upon receipt of the proposal by the Academic Senate President, the Academic Senate shall approve the creation of an ad hoc Program Viability Committee at its next regularly scheduled meeting. The Senate President may request the party initiating the proposal to be present at the Senate meeting when the proposal is on its published agenda.

### A. Program Viability Committee Composition

1. A tenured faculty member outside the Division of the program in question appointed by the Academic Senate President; (*this person will serve as Chair of the Committee*).
2. A tenured or tenure-track faculty member from inside the affected program; (if this is not possible, then a tenured faculty member from inside the affected department or division.)
3. Division Dean of the department that houses the program in question.
4. Academic Senate President, or designee.
5. CIO, or designee.
6. COCFA President, or designee.
7. AFT Part-time faculty union President, or designee.
8. A student representative appointed by the Associated Students Government.
9. A Counselor appointed by the Academic Senate President in consultation with Counseling Chair.
10. Curriculum Committee Faculty Chair, or designee.
11. A member of the Program Review Committee.

### B. Program Viability Committee Functions

The Committee will use the quantitative evidence contained within the initial proposal as a foundation to make a qualitative assessment as to determining the merit of initiation, modification or discontinuance. The Committee will be charged with:

1. Determining the initial proposal's evidentiary sufficiency per Section III (A) (2) of this procedure.
2. Exercising discretion to expand its membership to include program support staff, student services representatives, and adjunct instructors.
3. Gathering all qualitative and quantitative evidence into a written report.
4. Participating in all public meetings and discussions.
5. Recommending to the Academic Senate one of the three potential outcomes of the discontinuance process. (Listed in Section V (A) of this procedure.)

### C. Qualitative Evidence

Factors to be considered may include, but are not limited to:

1. Contemporary analysis of the relevance of a discipline.
2. Current college curriculum and offerings as they relate to the academic mission of the college.
3. The effect of program discontinuance on institutional outcomes.
4. The potential for a disproportionate impact on diversity.
5. The quality of the program, which should include input from program review, student evaluations, articulating universities, local businesses and/or industry, advisory committees and the community.
6. The ability of students to complete their degrees or certificates or to transfer. This includes maintaining rights of students as stipulated in the college catalog.
7. Consideration of matters of articulation as they relate to curriculum.
8. The replication of programs in surrounding college districts.
9. The ability of programs to meet standards of outside accrediting agencies, licensing boards and governing bodies.
10. The goals and strategies of the College as outlined in the most recent Strategic Plan.

The Ad Hoc Program Viability Committee must document any recommendations or requirements from external regulatory, governing or licensing body to which the program is subject.

### D. Mandated Discontinuance

A recommendation to discontinue is mandated if so ordered by an external regulatory, governing or licensing body to which the program is subject, as stated in BP 4021. If such a mandate occurs, discontinuance of the program will be said to have been approved upon proper notification to the Academic Senate. Such notification should clearly cite the governing entity and legal or administrative authority requiring discontinuance. Pursuant to the mandate, the Ad Hoc Program Viability Committee will be formed for the sole purposes listed in Section VI of this procedure.

### V. REPORT OF AD HOC PROGRAM VIABILITY COMMITTEE TO FULL ACADEMIC SENATE

The Program Viability Committee shall submit its written report to the full Academic Senate no later than the fifth week of the Spring semester of the academic year in which the proposal was submitted.<sup>3</sup>The report shall include both quantitative and qualitative evidence that support its findings. The report should assess the program's alignment with the mission, values, and goals of the institution, as well as access and equity for students. The proposal shall, in essence, create a narrative describing the rationale for the recommended approval or denial of the proposed discontinuance, initiation or modification. *The recommended rationale shall substantiate the likelihood of achieving necessary and legitimate educational and institutional goals as well as bear equivalence to relevant standards established by the*

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<sup>3</sup>The fifth week deadline is intended as a consideration of ongoing instructional planning for the next academic year as well as allowing sufficient time for Academic Senate and Board of Trustees action to conclude before the end of the Spring semester.

*State Chancellor's Office.*

#### A. Possible Recommendations of the Program Discontinuance Viability Committee

There are five possible recommendations the Program Discontinuance Viability Committee can make. A program may be recommended to be initiated, not initiated, modified, continued, to continued with qualifications, or to discontinued.

##### 1. Recommendation to Initiate

The recommendation to initiate a program shall be based upon the aforementioned qualitative and quantitative criteria and will be documented in writing by the Committee and maintained by the Academic Senate. Any such recommendation must consider and address the appropriateness of the projected time frame for implementation as well as whether such implementation will adversely affect existing college functions, services and staff.

##### 2. Recommendation to Not Initiate

The recommendation to not initiate a program must include a clearly stated rationale for arriving at such a conclusion based upon the aforementioned qualitative and quantitative criteria documented in writing by the Committee and maintained by the Academic Senate.

##### 3. Recommendation to Modify

The recommendation to modify a program shall be based upon the aforementioned qualitative and quantitative criteria and will be documented in writing by the Committee and maintained by the Academic Senate. Any such recommendation must consider and address the appropriateness of the projected time frame for implementation as well as whether such implementation will adversely affect existing college functions, services and staff.

##### 4. Recommendation to Continue

The recommendation for a program to continue shall be based upon the aforementioned qualitative and quantitative criteria and will be documented in writing by the Committee and maintained by the Academic Senate.

##### 5. Recommendation to Continue with Qualifications

Based upon the aforementioned qualitative and quantitative criteria, a program that was proposed for discontinuance by this process, maybe recommended to continue with qualifications. These qualifications must include any requirements imposed by an external regulatory, governing or licensing body to which the program is subject. A specific time line will be provided during which these interventions will occur. The expected outcomes will be specified in writing and made available to all concerned parties. All interventions and time lines will be documented in writing by the Committee and maintained by the Academic Senate. In accordance with the established time line the program will again be evaluated based upon the aforementioned qualitative and quantitative criteria by the Program Discontinuance Committee.

##### 6. Recommendation to Discontinue

The recommendation for a program to be discontinued shall be based upon the

aforementioned qualitative and quantitative evidence and will be documented in writing by the Committee and maintained by the Academic Senate.

a. Mandated Discontinuance

A recommendation to discontinue is mandated if so ordered by an external regulatory, governing or licensing body to which the program is subject, as stated in BP 4021 and substantiated under Section IV (D) of this procedure.

B. Full Academic Senate Action

The Academic Senate will consider and deliberate on the Program Viability Committee's recommended action. At the conclusion of deliberations, the Senate will hold a vote to determine which of the three six actions it will formally adopt. Upon acceptance of any proposal, the Academic Senate must consider and send forward a scheduled implementation timeline. The Academic Senate's recommendation will then be forwarded to the CEO to be submitted to the Board of Trustees for approval. Pursuant to BP 7215, "the recommendation of the Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendation not be accepted." If a recommendation is not accepted, the Board of Trustees shall promptly communicate its reasons in writing to the Academic Senate.

1. Vocational and Occupational Training Programs

California Education Code Section 78016 mandates that every vocational or occupational training program offered by a community college district shall be reviewed every two years by the governing board of the district to ensure that each program meet particular criteria. The District shall ensure compliance by conducting such ongoing reviews for all initiated programs of this type.

VI. IMPLEMENTATION OF FINAL DETERMINATION SUPPORTING DISCONTINUANCE

If a program is recommended or mandated for discontinuance, or to continue with qualifications, and is subsequently approved by the Board of Trustees, the original Ad Hoc Program Viability Committee will reconvene to propose an implementation plan for the finalized determination. The implementation plan does not require approval of the Academic Senate. The Committee will formally convey their proposed implementation plan to the CIO and Academic Senate President who will work in concert with the CEO to implement the plan in a timely manner, to its completion. The Academic Senate President will report back to the full Senate, from time to time, as to the status of implementation.

A. Discontinuance Implementation Plan

The implementation plan must include, but is not limited to:

1. A plan and time line for implementing the discontinuance or qualifications to be established.
2. A set of procedures to allow currently enrolled students to complete their programs of study in accordance with the rights of students as stipulated in the college catalog. If program completion is not viable, other equitable consideration must be accorded to students.

3. A plan for the implementation of all affected collective bargaining requirements and matters for faculty and staff.
4. Coordinating program discontinuance to be consistent with the college catalogue.

Approved by the Board of Trustees 01/22/2014