

DISCUSSION DRAFT

Statewide Program Approval Issues
IUC Provosts Meeting
Revised: September 7, 2005

I. Introduction

There appears to be confusion in some quarters over what kinds of degree programs must be approved by the Regents and in what situations. This discussion draft, which is incomplete in some parts and very much still in development in all, is designed to begin that discussion. After a conversation with the IUC Provosts on May 26, the staff intends to complete the document, then circulate widely for comment. If appropriate, a committee will be formed to assist in drafting the final version.

Program Approval: Legal and Philosophical Foundations

1. Regents Rules
 - Both the law, and the rules created by the Regents under the law, make clear that both public and independent institutions must secure approval for all new degree programs. Relevant rules include:
 - Rule 3333-1-04: Approval of New Associates Degrees
 - Rule 3333-1-05: Approval of New Degrees and New Degree Programs other than Graduate Degrees and Associate Degrees
 - Rule 3333-1-07:** Approval of New Graduate Degrees
 - Rule 3333-1-08: Standards for Issuing Certificates of Authorization (Independent Institutions)
2. Reasons for the Rules
 - Need to assure that public resources are being used in the most efficient and effective manner
 - Ample evidence of value added in state level review; many programs strengthened, some rejected
 - Clear standards for in-state necessary if to have enforceable standards for out-of-state institutions—an increasingly important issue.

Relations with Out of State Institutions

All out of state institutions offering degree programs *or* credit courses or non-credit workshops for which there is the potential of credit, in Ohio are required to have authorization from the Ohio Board of Regents. Institutions without a physical presence in the state are exempt from regulation (the interstate commerce clause), but the Regents consider that the term “physical presence” includes more than just a place where courses are offered. It also includes any relationship with an in-state “agent.” An agent performs tasks such as the following:

- recruitment;
- providing a site for testing, tutoring, -or similar arrangements; and
- assisting or serving as liaison/supervisor for internships, practicums, etc. (especially, those connected with student teaching and initial licensure programs of any kind)

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If an Ohio college or university, public or private, is approached about a relationship of the kind described above, it should notify, in writing, the out of state institution of the need for authorization and provide a copy of the notification to the Regents.

Ohio has a rigorous set of standards for both in-state and out-of-state institutions. Circumventing these lowers standards and is unfair to in-state institutions.

II. New Baccalaureate Degree Programs (New degree, new degree program, majors and specializations/concentrations)

New degrees and new degree programs at the baccalaureate level are guided by policies and procedures outlined in Rule 3333-1-05, of the Ohio Administrative Code, with the Ohio Board of Regents authority under Section 3333.04 of the Ohio Revised Code. Rule 3333-1-05 defines new degrees and new degree programs as follows:

A “new degree” means any new recognition or award for completion of a prescribed course of study in an institution of higher education evidenced by a diploma or certificate and designed customarily as Bachelor’s degrees or professional degrees such as Doctor of Medicine, Doctor of Dental Surgery, and Doctor of Jurisprudence.”

A “new degree program” means any prescribed course of study in an institution of higher education designated as a major, and/or area of specialization or concentration leading to a recognized degree which was not in effect as of September 20, 1963, and which has not previously been approved by the Ohio Board of Regents.

A. Definition of: Major Program, Specialization, Concentration

The Regents require approval of all new degree programs—whether described as majors, concentrations or areas of specialization. An academic major is that proportion of a degree, usually 35—40 hours (sometimes more, especially if prerequisites are counted) of a 120 semester hour baccalaureate that comprises the specialized area of study. Majors are usually listed on the diploma. For simplicity, this document will use only the term “major” for this component of a degree program (recognizing that campuses may continue to employ their own designations). The box on this page explains how the terms major, specialization, and concentration have sometimes come to be confused and used interchangeably.

Major vs. Specialization or Concentration

The example of the education major describes the usual way in which these terms have become confused. A university may say that it has an education major and underneath that have concentrations or specializations in areas such as elementary, secondary, physical, etc. In the Regents view, and typically also that of students and faculty, these sub-programs are discretely identifiable academic programs in the same sense that genetics, microbiology, and biochemistry are majors within the larger category of biological sciences.

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The need to define an academic major is surprising to the Regents staff. Recently, we have had individuals assert that Regents approval extends only to the degree level—e.g. to the B.S or B.A. By clear implication, this leads to the absurd idea that approval for a B.S. in Accounting would also cover everything up to and including Zoology, or that Mechanical Engineering would also cover Electrical Engineering. Accepting such an interpretation would make a mockery of the whole idea of program approval.

It is understood that, owing to factors such as new knowledge and changes in practice, some courses within a major will change over time; such changes do not require Regents action unless they affect half or more of the major program at one time

B. Definition of a Track

Some campuses appropriately use the term “track” to describe a suite of courses (typically 3-4, around 9-16 semester hours) that are intended to provide additional focus to a major. To add to the confusion, some campuses use “concentration” or “specialization” rather than “track for these sub-majors;” we will use only “track” here—again, campuses are free to use their own terminology.

These defined sub-components, in our experience, are not listed on the diploma but may be listed on a transcript. If they comprise less than half of the major, they do not require Regents approval.

C. Changes in Degree Title

From time to time, institutions may wish to make changes in the title of an existing degree programs. Such changes must be registered with the Regents, something that can be accomplished with a letter that describes the reason for the change and also evidence that the program has not substantially changed (fifty percent or more from a previously approved program). In the case of independent institutions, the Regents must amend Certificates of Authorization when such changes occur and re-file those certificates with the Secretary of State’s office.

III. Degrees at University Branches (Other than Associate)

A. Defining Offering at a Branch

A degree is considered to be offered at a branch if the majority of the major program coursework is offered there (as opposed to the main campus or via distance learning). There are two ways in which this can be done:

- Permanent authority
- Site and time specific authority

B. Criteria for Considering New Programs at Branches

In considering both permanent and site and time specific proposals at branches, the Regents will as always be mindful of need and efficiency as well

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as quality. Ohio is an undereducated state, and there is often little to be gained by using public resources to mount new programs that will compete with already established efforts in the same area.

C. Branch Campus Baccalaureate Degrees: What is Currently Approved

The only university branches authorized for permanent offering of baccalaureate degrees are the Ohio State branches, and only for Education

There are a handful of authorizations for site and time-specific offering of baccalaureates at branches.

1. Balancing Issues of Access with Academic Governance and the Creation of New Universities

The Regents are committed to providing access to academic programs for Ohioans, particularly for those whose opportunity to pursue higher education might be limited by location. At the same time, adding permanent baccalaureate authority to a university branch campus is something that the Regents will not take lightly, given that it is in effect creating a new public university in a state that is constantly criticized for having too many. Permanent authority, which means that faculty and facilities are in place at the branch (in contrast to site and time specific offerings from the main campus), involves a significant commitment of resources and a much greater level of inflexibility in the face of changes in enrollment. Finally, the small scale means that the probability of inefficiency is much greater.

In the past, at least one university has proposed offering an entire baccalaureate major on a branch, using almost exclusively branch campus faculty and related resources, and argued that this would not be a violation of Regents' rules since the degree authority and diploma came from the main campus. The Regents rejected this rather transparent attempt to evade the rules and will continue to do so. The Regents have encouraged the development of technical baccalaureates on regional campuses, with the same degree approval processes in place as for any other baccalaureate degree. Some regional campuses are offering technical baccalaureates and have been given site/time specific approval to address specific community needs using primarily regional campus faculty as appropriate to the field/discipline in question.

2. Site and Time Specific Using Main Campus Resources is the Preferred Approach

The Regents are very much open to site and time specific offerings (including non-technical) that use primarily main campus resources, with the caveat that these are subject to review and approval. One kind of approval that has been granted is for a university to rotate programs across its branches—a practice long used by Ohio University at the Master's level. This approach is appropriate

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given that there is not sufficient enrollment to support permanent offerings in smaller communities.

3. Securing Approval of Baccalaureate Programs at Branches

The Regents will make every effort to expedite the review of baccalaureate programs proposed for site and time-specific offering at branch campuses (as noted below, RACGS has an expedited process for masters programs). Reviews of proposals to secure permanent authority will necessarily involve a full new program process, one that looks in depth at the issue of need and cost to the public.

D. Branch Campus Master's Degrees: What is Currently Approved

Several universities offer a portion of previously approved master's degree programs at one or more of their branch campuses. In no case, however, should the portion of any graduate program delivered at a branch campus exceed 50% of the total program requirements, as determined by the ratio of branch credit hours to required total program credit hours, unless explicit site- and time-specific authorization has been secured through the normal RACGS review process. Where a university offers a portion of a main campus graduate program at a branch campus on a continuing basis, it is assumed that all participating faculty members are members of the main campus graduate faculty; that is to say, they possess the terminal degree and contribute to the knowledge base of the discipline they teach through ongoing scholarship as exemplified by creative activities and/or publication in refereed outlets. It is the responsibility of each university offering master's degree courses on a branch campus to insure that only fully qualified faculty are allowed to teach graduate courses.

There are a handful of authorizations for site- and time-specific offering of entire master's degree programs at branch campuses—all proposals for such programs must be reviewed by RACGS before being considered by the Regents.

The only university branches authorized for permanent offering of entire master's degree programs are the Ohio State University branches, and only for Education.

E. Branch Campus Doctoral Degrees: What is Currently Approved

No doctoral programs are approved to be offered at branch campuses, nor does it seem probable that such approval would ever be granted. Accordingly, branch campuses should not, and do not, offer any doctoral level courses.

F. The Idea of "3+1" Baccalaureate Degree Programs

Regents staff have been told that some campuses are describing a community college/ university degree relationship as a "3+1." If true, this would be a major departure from existing policy and would require Regents' approval.

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IV. Off-Campus Programs for Public and Independent Institutions

In the last ten years, the Regents staff have changed their approach to enforcement of off-campus rules. The early view, richly documented in many staff reviews, was that a significant proportion of both public and independent college and university off-campus offerings were poorly conceived and implemented. That has changed, and our experience is that nearly all Ohio institutions provide an experience equivalent to the on-campus one at their off-campus sites.

The staff has also moved to redefine off-campus in light of greater experience and quality control.

A. Definition of Off-Campus

- A radius of 30 miles has traditionally been used, though this may extended to a reasonable driving distance in terms of time from the main campus. Thus, within 30 miles, no approval is required.

1. Site and time specific nature of approvals

- Site and time specific approval is specified in the law and is the approach encouraged by the Regents. Permanent approval will require far more rigorous scrutiny.

2. Conflicts with other institutions

- Necessarily an issue with state supported institutions

V. Distance Learning

- Distance learning is not currently regulated for in-state institutions. There is no plan to change at the moment, but the authority is there. Current program proposals that include distance learning components are expected to meet the same standards as for classroom instruction. Out of state institutions with a physical presence in Ohio must secure approval for all programs, on-site and on-line, available to Ohio residents.