

## **Ensuring Appropriate Collaboration on Significant Program Changes**

**Approved by Statewide Provost Council & Oregon Council of Presidents –  
May 2019**

### **Background**

HECC requires universities to report on complementation, collaboration, and potential competition with other Oregon public universities when they submit a proposal for a new academic program or for delivery of an existing program to a new location. HECC’s “Proposal for a New Academic Program” form, section 6, “Program Integration and Collaboration,” requests information on the following:

- 1) Closely related programs in the proposing or other Oregon colleges and universities.
- 2) Ways in which the program complements other similar programs in other Oregon institutions and other related programs at the proposing institution. Proposal should identify the potential for collaboration.
- 3) If applicable, proposal should state why the proposing program may not be collaborating with existing similar programs.
- 4) Potential impacts on other programs.

The “Proposal for Delivery of an Existing Program to a New Location” (section 1.g) requires that an institution “provide evidence of consultation with other public universities regarding non-duplication of similar programs offered in the same region, or ones that will cause undue hardship to another public university.”

Currently, these analyses are completed with varying levels of detail and rigor, and there are clear opportunities to improve the process and strengthen proposals through better communication between institutions.

### **Expectations for Consultation and Collaboration**

**Definitions:** A *proposing university* is a university bringing a new program or significant program change forward for HECC approval. An *interested university* is a university that may potentially be substantially impacted by the program the proposing university is bringing forward, either related to opportunities for collaboration or concerns about program duplication or harm.

#### **Process:**

1. Prior to fully developing a program proposal, the provost for the proposing university will discuss the proposal briefly at a Statewide Provosts Council (SPC) meeting. This will include circulating a summary document—ideally no more than two pages—on the program prior to the meeting that includes:
  - a. A brief description of the anticipated program;

- b. Program location and modality (face to face, online, and/or hybrid);
  - c. Anticipated start date;
  - d. Anticipated enrollment, at launch and goals for 5 and 10 years out;
  - e. An abbreviated description of how the program contributes to addressing statewide needs and goals and aligns with the university’s mission and strategic plan.
2. Any provost from an interested university has fifteen (15) working days to provide the names and contact information of individuals at their institution who they request the proposing university engage<sup>1</sup>. Ideally, provosts will appoint one contact person from their institution to coordinate their campus stakeholder feedback on the proposal. Provosts should be diligent in selecting contacts, keeping the numbers small and restricted to those who have significant relevant expertise. Work on the proposal by the proposing university may progress while awaiting contact information from any interested universities, up to the point of institutional approval of the program.
  3. A draft of the summary document, including a list of any interested university(s), will be provided to the HECC as early notice, and for informational purposes only, that a program is being planned at a university and will eventually require consideration by HECC commissioners, after SPC has offered its advisory vote for consideration by the commissioners. No action is needed on the part of HECC at this step. This step does not apply to hybrid programs that do not rise to the 51%/49% threshold discussed in item #4(f) below.
  4. Prior to the proposing university finalizing program approval processes, the proposing and interested universities will engage in a “good faith effort” to address any concerns and fairly evaluate any mutually beneficial collaboration opportunities. A “good faith effort” is characterized by the following:
    - a. In all discussions, the broad interests of Oregon higher education learners and utilization of state resources are paramount;
    - b. Parties bring sound evidence to the discussions, e.g., the proposing university should demonstrate how a new program will address a currently unmet statewide need, while an interested university should provide evidence of program duplication that would not serve the goal of best utilizing state resources to meet the needs of Oregon learners;
    - c. All parties recognize and seek to facilitate collaborations that are to the benefit of institutions and improve the capacity of the proposed program, and Oregon public higher education broadly, to serve statewide higher education needs;
    - d. Parties work together at a deliberate pace, and with responsiveness and follow-up. It is expected that the parties will work expeditiously to ensure, to the greatest extent practicable, that the proposing university’s program can still begin at their desired start date<sup>2</sup>;

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<sup>1</sup> In many cases, faculty and deans at a proposing institution may reach out to their counterparts at other Oregon public universities for letters of support or to discuss possible collaborations. While consultation directly among faculty and deans is valuable and encouraged, it is recognized that only letters of support or flagged areas of concern that come directly from the provost constitute the institutional perspective for a new program (i.e., a letter of support from faculty may be recognized as disciplinary support for a new program but should not be recognized as institutional support as the provost may have additional concerns regarding, for example, program duplication).

<sup>2</sup> The SPC has conducted an analysis and determined that a program can likely be approved through their statewide process in four to six weeks if there is an identified, expedited need.

- e. Prior to the proposing university submitting materials to SPC/HECC for approval, any provost who indicated a desire to collaborate or has expressed concerns about a program is provided opportunity to offer input on proposal sections pertaining to collaboration and duplication.
- f. If a program proposed as hybrid will deliver face-to-face instruction in another university's service area, the proposing university's provost will alert the relevant provost(s) in the service area about such changes and discuss possible impacts on existing face-to-face programs in the region. This applies to both undergraduate (within the major only) and graduate programs, and is regardless if this is a new program or a proposed modality change to an existing program.

Based on guidelines established by the federal Department of Education, NWCCU adheres to a 51%/49% threshold, meaning that if 51% or more of the instruction is provided in an already-approved location or modality, there is no substantive change and no additional approval by NWCCU is required. This same threshold will also be used by SPC and the HECC. In other words, if 51% or more of the face-to-face instruction required to earn the degree is proposed to be delivered in a location more than 40 miles from the site it is currently offered, then HECC would need to officially approve the proposal after receiving a recommendation from SPC.

- 5. Following this good faith effort, the provost from the interested university would:
  - a. Provide written notice that their concerns and/or requests were appropriately addressed, or
  - b. Indicate that their concerns were not addressed to their satisfaction.

If (b), the remaining members of SPC will assess whether the proposing university took adequate steps to address the concerns of the interested university. If that assessment is positive, the proposal will move forward with the support of SPC, informed by a written document provided by the proposing university on the steps taken to work with the other institution(s). If the SPC assessment is negative, the proposing university will undertake continued good faith efforts to address concerns. Any proposing university that believes other identified interested universities are not abiding by the good faith requirement to work expeditiously may bring a request to the SPC chair to have the program added to an upcoming SPC meeting. If the program is added to the SPC meeting as a discussion item only, with no vote, materials for the program do not need to be circulated according to the three week rule (discussed below in Timeline Summary, step # 7).

While SPC agrees that it is ideal to work diligently toward a unanimous vote, if full consensus is not achieved by SPC, a proposal may be approved with a simple majority of the provosts.

- 6. Nothing in this document precludes universities from presenting their individual position to the HECC.

## **Timeline Summary**

- 1. Proposing University: Submit a brief summary document to SPC (through the staff at the Oregon Council of Presidents) no later than one week prior to the meeting at which it will be discussed. This must be done prior to proposed program being fully developed. This will include the elements listed in process step #1 above.

2. Interested University(s): Inform the proposing university that they would like to further discuss/collaborate, providing contact information for university representatives, no later than 15 business days after receiving the one page summary document (i.e., the date the document was circulated to SPC). The 15 day timeline will be tracked by the proposing university. It is requested that the proposing university send a reminder to SPC a few days prior to the deadline.
3. Proposing and Interested University(s): Work together to explore areas for collaboration or address concerns.
4. Proposing University: Further develop the program, incorporating any changes stemming from the conversations in process step #3 into the proposed program.
5. Interested University(s): Provide feedback to the proposing university on the sections in the materials to SPC/HECC pertaining to collaboration and duplication.
6. Interested University(s): Provide notice to SPC on whether concerns were adequately addressed by the proposing university.
7. Proposing University: Submit program documents to SPC (through the staff at the Oregon Council of Presidents) no later than three weeks prior to the meeting at which the program will be on the agenda for a vote.
8. Proposing University: Obtain internal institutional approval for the program.

It is incumbent upon the proposing university to determine whether they move forward with approval from their board of trustees prior to a vote by SPC. If SPC finds that the proposing university did not engage in a “good faith effort,” this may necessitate further changes to the program by the proposing university in order to obtain SPC approval, prior to seeking HECC approval for the program. Depending on the extent of these changes, a proposing university may need to seek a new vote from their board.

9. Oregon Council of Presidents Staff: Submit materials to the HECC for a commission vote, working with the proposing university as needed.

## **Annual Review**

The expectations and processes articulated in this memo will be reviewed by SPC at least annually, or earlier as needed, to ensure that no changes need to be made.