

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

*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 Standards.*

### 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 thematic cluster of courses within the purview of the Office of Academic Affairs that support a common outcome.

1. Academic Department – “academic department” hereinafter referred to as “department”, is an organizational structure composed of one or more related disciplines. Academic Departments are governed by Administrative Procedure 4023.
2. The establishment and existence of a designated program review within the District’s integrated institutional planning system does not by default confer the focus and object of that review to be a “program” if it has not met the requirements and standards of Administrative Procedure 4021.

B. Program Initiation – is the institution or adoption of a new program as defined by Board Policy 4021 and implemented through Administrative Procedure 4021.

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

1. Substantial Modification - is an alteration to an existing program that substantially modifies the program in terms of necessary institutional resources yet to be secured or acquired, or redirects such resources in a manner that requires institutional review beyond the mission of the Curriculum Committee of the Academic Senate. Such modifications may concern, among other factors, of curriculum relevance and status, current faculty workload; physical or financial resources, academic outcomes and process; articulated coursework required for certificate, degree or transfer; or students’ ability to achieve their educational goals in a reasonable amount of time. The re-categorization of existing curriculum or proposed new curriculum might not necessarily constitute a substantial modification. A “Substantial Modification” must be proposed and meet the procedural requirements found in this Administrative Procedure.
2. Categorical Modifications – proposals that re-categorize existing programs in terms

of their instructional value, degree or certificate status, or placement within the curricular organization established by the Office of Academic Affairs, and do not substantially modify the terms or requirements of the program.

3. 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 the 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. De Facto Discontinuance: is the unofficial, improper 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: the Academic Senate will form a standing Program Viability committee. For purposes of this procedure, and unless otherwise noted, “Committee” refers to the Program Viability Committee whose membership is listed in Section IV of this procedure.

H. Proposal to Revitalize: is a proposal submitted to the Program Viability Committee to evaluate and assess the programmatic health and viability of a particular educational program.

I. Revitalization: a recommended action to remedy identified problematic areas of a program-

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

K. Short Term Staffing and Fiscal Plan – is a proposed plan to project the staffing and fiscal needs of a program from one to three years in duration.

L. Long Term Staffing and Fiscal Plan – is a proposed plan to project the staffing and fiscal needs of a program from three to five years in duration.

## II. PROPOSING PROGRAM INITIATION, MODIFICATION OR DISCONTINUANCE

Program initiation, modification, discontinuance and revitalization proposals, and De Facto discontinuance notifications, can be initiated by the Chief Instructional Officer (CIO), School Dean, Department Chair, or Academic Program Director. He/she will consult with School 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.

“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. If, after having reviewed a proposal, the Curriculum Committee deems it a substantial modification, it shall deny the proposal and refer proposing party to Administrative Procedure 4021 for consideration by the Program Viability Committee.

## III. PROPOSAL GUIDELINES

To ensure proper planning and advanced notice, the Program Viability Committee will notify the campus every spring semester of the timeline and procedural deadlines for submitting proposals during the fall semester. Program initiation, modification, discontinuance and revitalization proposals shall be submitted to the Academic Senate President no later than the eighth week of the fall semester.<sup>1</sup> Proposals received after the eighth week of the Fall semester, or during the Spring semester, will be advanced but with no intent of program implementation by the start of the next academic year. Prioritization of proposals will be determined by the Committee in accordance with its committee operating procedures.

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

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<sup>1</sup>Proposals to initiate, modify, discontinue or revitalize that are intended to take programmatic effect by the start of the next academic year, 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.

program. Special attention must also be 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. Proposals advocating the establishment of a program supported by grant funding, even in cases where the District has already obtained the grant, shall not be deemed approved, established or initiated by default. Such proposals must also meet the evidentiary scrutiny established by this administrative procedure to obtain approval.<sup>3</sup> All proposals must include a short and long-term staffing plan.

Categorical Modifications may be excused from the requirement of a full quantitative and qualitative proposal if it is determined by the committee to be unnecessary. The proposing party should solicit such a determination from the Committee Chair in advance.

#### A. Quantitative Evidence

1. The quantitative evidence may include, but is not limited to the following inquiries: *(Criteria may differ based on the nature of the proposal. Not all inquiries below will necessarily be required.)*

- a. What are the enrollment trends over the past five years and how are they favorable to the acceptance of the proposal?
- b. What is the projected demand for the program in the future, and how does that demand support acceptance of the proposal?
- c. What is, or will be, the frequency of course section offerings and/or rationale as to their reduction, if applicable?
- d. What is the term-to-term persistence of students within the existing program, or proposed program.

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<sup>2</sup> Grant funded staffing positions should 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. If a program is initiated and subsequent related hiring is grant funded, the proposal must include a plan institutionalizing the position after the grant funding ends.

<sup>3</sup> Most grant funded programs are no different than any other program proposals placing increased pressure and demand on campus services and resources having unforeseen consequences on existing disciplines and support services. The program viability committee must scrutinize campus instructional and support services to determine if they can absorb and support the grant funded program without significantly diminishing the effectiveness of existing services and detrimentally increasing workload.

- e. What are the student success and program completion rates, and how are they favorable to the acceptance of the proposal?
- f. What is the current or projected student completion rate, and how is that rate favorable to the acceptance of the proposal?
- g. Does the productivity in terms of WSCH per FTE ratios favor acceptance of the proposal? If so, how?
- h. What are, and how do, the Success rate of students passing state and national licensing exams support the proposal?
- i. What data extracted from Program Review supports this proposal? And how?
- j. Career Education Considerations:
  - i. Is there a specific industry request for this program?
  - ii. Does any data from a CE Advisory Committee support this proposal? If so, how?
  - iii. Does the Regional Labor Data support this proposal? If so, how?
- k. Will there be an adverse student impact resulting from discontinuance or proposal?
- l. Implementation timeline for resulting new courses.
- m. The proposal shall substantiate adherence to standards of equity established by the State Chancellor's Office.
- n. How does the proposed program compare to similar regional programs?
- o. How does this program meet an ongoing need not otherwise met, or capable of being met, by an existing program?

## B. 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 offerings as they relate to the academic mission of the college.
3. The effect of program initiation, modification or discontinuance on institutional outcomes.
4. Are there any impacts on student equity?
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 existence of programs in surrounding college districts.
9. The ability of programs to meet standards of external accrediting agencies, licensing boards and governing bodies.

10. The relation of the proposal to the goals and strategies of the College as outlined in the most recent Strategic and Master Plan.
11. A clear understanding of which individual, academic department and academic school will be responsible for maintaining the program.
12. The ability of campus instructional and support services to absorb and support the proposed program without significantly diminishing the effectiveness of existing services and increasing workload detrimentally.
13. If a program is initiated and subsequent related hiring is grant funded, the proposal must include a plan to sustainably institutionalize the position after the grant funding ends.

#### C. 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 Program Viability Committee authorized by Section IV of this procedure.

#### D. 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 the Chief Instructional Officer, and in accord with Section III(A)(1)(I) 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. The proposing party should provide an analysis of the study as it relates to their proposal and indicate how it supports any newly proposed curriculum.

#### E. Notifications of Possible De Facto Discontinuances

Any party listed in Section II of this procedure may notify the Academic Senate President of a possible De Facto 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 De Facto 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 De Facto discontinuance does not fall within the remaining proposal and procedural

requirements of this administrative procedure.

#### IV. FORMATION OF PROGRAM VIABILITY COMMITTEE

The Academic Senate shall establish a standing program viability committee. Upon receipt by the Academic Senate President, the Academic Senate shall forward proposals to the 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. Academic Senate President, or designee.
  - a. The President of the Academic Senate shall serve as Chair of the committee. The President may delegate this duty to another standing member of the committee.
2. A tenured or tenure-track faculty member from a transfer discipline.
3. A tenured or tenure-track faculty member from a CTE discipline.
4. CIO, or designee.
5. COCFA President, or designee.
6. AFT Part-time faculty union President, or designee.
7. A student representative appointed by the Associated Student Government.
8. A Counselor appointed by the Academic Senate President in consultation with the Counseling Chair.
9. Curriculum Committee Faculty Chair, or designee.
10. A member of the Program Review Committee.

##### B. External Experts

The Program Viability Committee reserves the right to solicit the opinion and participation of outside industry or discipline experts if deemed necessary for determining the appropriateness of any particular proposal.

##### B C. Program Viability Committee Functions

1. The Committee will use the quantitative and qualitative 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:
  - a. Determining the initial proposal's evidentiary sufficiency per Section III (A) and (B) of this procedure, to include fiscal projections related to the proposed.
  - b. Review and assess the sufficiency of the quantitative and qualitative evidence per Section IV(B) of this procedure.

- c. Exercising discretion to expand its membership to include program support staff, student services representatives, and adjunct instructors.
- d. Gathering all qualitative and quantitative evidence into a written report.
- e. Recommending to the Academic Senate one of the six potential outcomes of the proposal process to include documenting its findings by a narrative. (Listed is Section V (A) of this procedure.)
  - i. The Program Viability Committee, in conjunction with the proposing party, must develop a scheduled implementation timeline to be included with the recommendation to the full Senate.
- f. The Program Viability Committee must document any recommendations or requirements from external regulatory, governing or licensing body to which the program is subject.

2. Revitalization Standards – if the Committee deems revitalization is necessary for a particular program, an ad hoc joint committee of Faculty and Administration may be necessary to provide the institutional support required for the continued viability of the particular program. External discipline or industry experts may be utilized for this process. The Program Viability Committee’s role is merely to adopt the objective standards for revitalization; not to oversee implementation of those standards.

#### 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 Program Viability Committee will be formed for the sole purposes listed in Section VI of this procedure.

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

The Program Viability Committee may return proposals to the proposing party it deems incomplete due to the submission of insufficient benchmark evidence. In such cases, the proposal is considered “ongoing” and can be resubmitted directly to the Committee at a future date. The Committee will determine a reasonable timeline for resubmission of the revised proposal. No Committee report need be forwarded to the Academic Senate as long as the proposal is ongoing.

If the proposal is determined complete, 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>4</sup>The report shall

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<sup>4</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



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 report 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 State Chancellor's Office.

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

There are six possible recommendations the Program Viability Committee can make. A program may be recommended to be initiated, not initiated, modified, continued, continued with qualifications, or discontinued. All recommendations, with the exception of discontinuance proposals, must provide evidence of short and long term fiscal and staffing plans, as well as evidence of Administrative commitment for those plans.

##### 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

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Board of Trustees action to conclude before the end of the Spring semester.

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 to Revitalize

Based upon the aforementioned qualitative and quantitative criteria, a program that was proposed for discontinuance, or otherwise, by this process may be 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 Viability Committee.

a. Revitalization Standards – if the Committee deems revitalization is necessary for a particular program, an ad hoc joint committee of Faculty and Administration may be necessary to provide the institutional support required to support the continued viability of a particular program. External discipline or industry experts may be utilized for this process. The Program Viability Committee’s role is merely to adopt the objective standards for revitalization; not to oversee implementation of those standards.

#### 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 (C) of this procedure.

##### B. Full Academic Senate Action

The President of the Academic Senate will place all recommendations of the Program Viability Committee on the agenda of the Academic Senate. Upon adoption of recommendations of the Program

Viability Committee, the Academic Senate must 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. Only in exceptional circumstances or 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. PILOT PROGRAM STATUS

All newly initiated programs, to include substantial modifications, shall be deemed pilot programs for a period of three years. Categorical modifications will not be required to serve as pilot programs unless the Program Viability Committee deems it necessary for compelling reasons. An annual status report must be provided to the Academic Senate at the conclusion of the first, second and third year of the program's existence. The original proposing party, or individual overseeing the program, shall present the reports.<sup>5</sup>

#### 1. Staffing Requirements

a. Any adopted recommendations that include proposals requesting the hiring of full-time temporary or tenure-track faculty shall adhere to the established, regular hiring process of the Academic Staffing Committee. If program implementation is contingent upon the approval of a staffing request, said program's pilot status per Section VI of this procedure shall commence upon the date the requested position is filled.

b. The authorization to hire full time staff to support any new program may need to be restricted until the conclusion of the three-year pilot process. Any recommendation to restrict full-time staffing shall be determined and

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<sup>5</sup>The level of detail required in the reports will vary. The content of the reports shall correlate to the nature and context of the original proposal and the program content's historical existence on campus. See the italicized note under Section III(A) of this proposal. The Senate President shall forward the findings of the report to the CIO.

implemented through the regular and existing institutionalized District staffing processes.

## 2. Required Reporting Content

a. Year One Report – the report shall be an informational status update to include evidence of the program’s growth, success and challenges to date.

b. Year Two Report – the report shall quantify the original proposal’s projections that were included in the quantitative and qualitative evidentiary requests listed in Section III of this procedure. The report shall also include a substantiated projection as to the program’s likelihood for sustainable success by the end of its third year.

i. Revitalization Standards – if, having received the Year Two Report, the Academic Senate deems revitalization might be necessary for a particular piloted program, it shall refer the program back to the Program Viability Committee for consideration of an ad hoc joint committee of Faculty and Administration to provide the institutional support required to ensure the continued viability of the piloted program. External discipline or industry experts may be utilized for this process. The Program Viability Committee’s role is merely to adopt the objective standards for revitalization; not to oversee implementation of those standards.

c. Year Three Report – the report shall quantify the original proposal’s projections that were included in the quantitative and qualitative evidentiary requests listed in Section III of this procedure. The report shall also include a substantiated projection as to the program’s immediate institutional sustainability.

i. Revitalization Standards – if, having received the Year Three Report, the Academic Senate deems revitalization might be necessary and institutionally worthwhile for a particular piloted program, it shall refer the program back to the Program Viability Committee for consideration of an ad hoc joint committee of Faculty and Administration to provide the institutional support required to ensure the continued viability of the piloted program. External discipline or industry experts may be utilized for this process. The Program Viability Committee’s role is merely to adopt the objective standards for revitalization; not to oversee implementation of those standards.

4. Final Approval - upon receipt of the Year Three Report the Academic Senate will make a determination as to whether the pilot program shall be approved as permanent. Approval will be secured by a majority vote of a quorum of the Academic Senate. The

CIO must expressly concur with the Academic Senate for the outcome of the vote to be final. If the Academic Senate and CIO disagree on the outcome the parties will continue to meet until consensus is reached.

- a. Discontinuance – all pilot programs failing to receive approval for permanent status after the third and final year will be deemed strictly discontinued requiring an immediate implementation plan per Section VII of this procedure.

## VII. 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 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.

*Board Review: September 11, 2019*

*Next Review Date: Fall, 2025*