



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

### References:

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 leading to a defined objective, a degree, certificate, diploma, license, or transfer to another institution of higher education, as defined by Title 5, sec. 55000, e.g., completing a program of study leading to a certificate in Global Competencies, an AS degree in Business, or transfer. For purposes of this procedure, Program shall also include a single course leading to a defined programmatic objective, certificate, or license.

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 this administrative procedure.

- B. Program Initiation: The institution or adoption of a new Program as defined by this procedure.
- C. All newly initiated Programs shall be considered “Pilot Programs” as detailed in this administrative procedure.
- D. Program Modification: Program Modifications shall be categorized in the following three manners:
  - 1. Substantial Modification: 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 Academic Senate’s Curriculum Committee. Such Substantial Modifications may concern, among other factors, 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 Instruction, and do not substantially modify the Program's terms or requirements.
  3. Nominal Modifications: Modifications determined by the Curriculum Committee to be nominal, normal, or customary revisions, scheduled or otherwise, that exist and are managed via the existing curriculum review process administered by the Academic Senate's Curriculum Committee. 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 this administrative procedure's purview. The Curriculum Committee may elect to deny a review of proposed modifications it deems to be a Substantial Modification and refer the proposing party to this administrative procedure for action.
- E. Program Viability Review: The process of determining the appropriateness of a Program Initiation, Modification, Discontinuance, or Revitalization.
- F. Program Discontinuance: The termination of an existing Program, discipline, or Academic Department.
- G. De Facto Discontinuance: The unofficial, improper Program Discontinuance 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.
- H. Program Viability Committee (sometimes referred to hereinafter as "PV Committee"): The standing committee established by the Academic Senate in accordance with this administrative procedure to conduct Program Viability Review.
- I. Proposal to Revitalize: A proposal submitted to the PV Committee to evaluate and assess the programmatic health and viability of a particular Program.
  - J. Revitalization: A recommended action to remedy identified problematic areas of a Program.
  - K. Determination Process: The sequential process of Section III through V of this administrative procedure.

- L. Short Term Staffing and Sustainable Budgetary Plan: A proposed plan to project the staffing and fiscal needs of a Program from one to three years in duration.
- M. Long Term Staffing and Sustainable Budgetary Plan: A proposed plan to project the staffing and fiscal needs of a Program from three to five years in duration.
- N. Academic Department: As defined in Board Policy 4023.

## **II. Proposing Program Initiation, Modification, or Discontinuance**

- A. Program Initiation, Modification, Discontinuance and Revitalization proposals, and De Facto Discontinuance notifications, may be drafted by the Chief Instructional Officer (CIO), School Dean, Academic Department Chair, or Academic Program Director or Coordinator.
- B. Program Initiation, Modification, and Revitalization proposals must have a faculty sponsor that qualitatively understands and supports the proposal. Program Discontinuance proposals presented to the PV Committee by an administrator may be submitted only after the administrator has met with, and reviewed, the Program Discontinuance proposal with the chair of the department responsible for the Program (or, when applicable, the Program Coordinator) and must include a representation as to whether the department chair or Program Coordinator consulted supports or opposes the Discontinuance. The proposal shall 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 shall then be submitted to the Academic Senate President along with supporting documents.
- C. 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.
- D. Nominal Modifications shall be proposed to 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 the PV Committee for consideration of the proposal.

## **III. Proposal Guidelines**

- A. Prioritization of proposals will be determined by the PV Committee in accordance with its committee operating procedures.
- B. 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 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 District functions. 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.<sup>1</sup> Such proposals must also meet the evidentiary scrutiny established by this administrative procedure to obtain approval.<sup>2</sup> All proposals must include a Short and Long-Term Staffing and Sustainable Budgetary Plan.

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

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<sup>1</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 and sustainable 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 District 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>2</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 PV 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.

- 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 Program 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?
- 2. Qualitative Evidence - Factors to be considered may include, but are not limited to:
  - a. Contemporary analysis of the relevance of a discipline.
  - b. Current District curriculum offerings as they relate to the District's academic mission.
  - c. The effect of Program Initiation, Modification or Discontinuance on institutional outcomes.
  - d. Are there any impacts on student equity?
  - e. 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.
  - f. The ability of students to complete their degrees or certificates or to transfer. This includes maintaining rights of students as stipulated in the District catalog.
  - g. Consideration of matters of articulation as they relate to curriculum.
  - h. The existence of Programs in surrounding community college districts.
  - i. The ability of Programs to meet standards of external accrediting agencies, licensing boards and governing bodies.
  - j. The relation of the proposal to the District's goals and strategies as outlined in the most recent Strategic and Master Plan.
  - k. A clear understanding of which individual, Academic Department and academic school will be responsible for maintaining the Program.
  - l. 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.

3. 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.

#### D. Sustainable Budget Evidence

All proposals shall include a multi-year projected budgetary estimate and analysis. Such analysis shall illustrate cost and revenue predictions and shall include a written narrative indicating how the proposal will be fiscally sustainable. A budgetary analysis tool will be provided by the District's Office of Business Services.

#### E. Incomplete Proposals

The PV Committee may return proposals it deems incomplete due to insufficient supporting evidence to the proposing party.

#### F. 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 Academic Senate President and the CIO, and in accord with Section III of this administrative 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 administrative procedure and no new labor market study will be 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.

#### G. Notifications of Possible De Facto Discontinuance

Any member of the campus community may notify the Academic Senate President of a possible De Facto Discontinuance. Upon receipt of such notification, the Academic Senate President will inform the Academic Senate of the notification at the next regularly scheduled meeting. The Academic Senate President will request the CIO and any other relevant District administrators or personnel to report, within 60 days of said notification, to the Senate on the status of the Program in question. The Academic Senate President will request those same individuals provide the Senate annual Program status updates should a De Facto Discontinuance remain in effect twelve months after their initial report to the Academic Senate. The Academic Senate President will request future annual reports 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. The Academic Senate, in collaboration with the PV Committee, shall determine how to resolve purported De Facto Discontinuances.

#### **IV. PV Committee Composition and Function**

A. The PV Committee's membership shall be:

1. Faculty Chair (appointed by the Academic Senate President).
2. Two tenured or tenure-track faculty members from a transfer discipline.
3. CTE Liaison, or designee in consultation with the Academic Senate President, and one additional 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. Program Review Committee Chair, or designee.
11. Vice-President of Business Services, or designee.
12. Vice-President of Facilities, or designee.
13. Vice-President of Information Technology, or designee.

Additional faculty members may be also appointed to the PV Committee by the Academic Senate President, in consultation with the Chair of the PV Committee.

B. PV Committee Functions

1. The PV Committee will use the quantitative and qualitative evidence contained within the initial proposal as a foundation for its Program Viability Review. The PV Committee will be charged with:
  - i. Determining the initial proposal's evidentiary sufficiency in accordance with this administrative procedure, including fiscal projections related to the proposal.
  - ii. Reviewing and assessing the sufficiency of the quantitative and qualitative evidence per this administrative procedure.
  - iii. Exercising discretion to expand its membership to include Program support staff, student services representatives, and adjunct instructors.
  - iv. Gathering all qualitative and quantitative evidence into a written report.
  - v. Recommending to the Academic Senate one of the six potential outcomes of the proposal process listed in Section V of this administrative procedure, supported by a narrative that documents its findings. The PV Committee's written recommendation must also include a scheduled implementation timeline developed in conjunction with the proposing party.
  - vi. The PV 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 PV Committee deems Program Revitalization is necessary, an ad hoc joint committee of Faculty and Administration may be necessary to provide the institutional support required for the continued viability of the Program. The PV Committee's role is merely to adopt the objective standards for Revitalization; not to oversee implementation of those standards.
3. The PV Committee may solicit the opinion and participation of outside industry or discipline experts if it deems that to be necessary for determining the appropriateness of any proposal or for guidance with respect to Revitalization.

C. Mandated Program Discontinuance

A recommendation to discontinue a Program is mandated if ordered by an external regulatory, governing or licensing body to which the Program. If such a mandate occurs, Program Discontinuance will be deemed approved upon the District's proper notification of the Academic Senate. Such notification should clearly cite the governing entity and legal or administrative authority requiring Program Discontinuance. Pursuant to the mandate, the PV Committee's tasks will be solely those listed in Section VII of this administrative procedure.

**V. Report of the PV Committee to the Academic Senate**

1. The PV 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 PV Committee at a future date. The PV Committee will determine a reasonable timeline for resubmission of the revised proposal. The PV Committee is not required to report to the Academic Senate if a proposal is "ongoing."
2. If the proposal is determined complete, the PV Committee shall submit its written report to the full Academic Senate no later than the end of the spring semester of that academic year. The report shall include both quantitative and qualitative evidence that support its findings. The report should assess the Program's alignment with the District's mission, values, and goals, 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 Program Modification, 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. All reports shall include a multi-year projected budgetary estimate.
3. Possible Recommendations of the PV Committee

The PV Committee may make one of six recommendations to the Academic Senate, including that a Program be initiated, not initiated, modified, continued, continued with

qualifications, or discontinued. All recommendations, with the exception of Program Discontinuance proposals, must provide evidence of Short and Long Term Sustainable Budgetary and staffing plans, as well as evidence of administrative commitment to those plans.

A. 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 PV Committee and maintained by the Academic Senate. Any such recommendation must consider and address the appropriateness of the projected timeline for implementation as well as whether implementation will adversely affect existing District functions, services and staff.

B. Recommendation to Not Initiate

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

C. 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 PV Committee and maintained by the Academic Senate. Any such recommendation must consider and address the appropriateness of the projected timeline for implementation as well as whether such implementation will adversely affect existing District functions, services and staff.

D. 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 PV Committee and maintained by the Academic Senate.

E. Recommendation to Continue with Qualifications to Revitalize

Based upon the aforementioned qualitative and quantitative criteria, the PV Committee may recommend that a Program proposed for discontinuance, or otherwise, continue with qualifications. These qualifications must include any requirements imposed by an external regulatory, governing or licensing body to which the Program is subject. The PV Committee's written recommendations shall include a specific timeline during which these interventions will occur and the expected outcomes. The PV Committee shall make its written recommendations available to all

concerned parties. The recommendation will be maintained by the Academic Senate. In accordance with the established timeline, the Program will again be evaluated based upon the aforementioned qualitative and quantitative criteria by the PV Committee.

- i. Revitalization Standards – if the PV 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 PV Committee’s role is merely to adopt the objective standards for Revitalization; not to oversee implementation of those standards.

#### F. Recommendation to Discontinue

The PV Committee’s recommendation that a Program be discontinued shall be based upon the aforementioned qualitative and quantitative evidence and documented in writing maintained by the Academic Senate.

- i. Mandated Program Discontinuance

A recommendation to discontinue a Program is mandatory if 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 of this procedure.

#### 4. Academic Senate Action

The President of the Academic Senate will place all the PV Committee’s recommendations on the Academic Senate’s agenda. The Academic Senate must send forward a scheduled implementation timeline on adoption of PV Committee recommendations. 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.” In accordance with BP 7215, the Board of Trustees must promptly communicate, in writing, its reasons for rejecting any Academic Senate recommendation made pursuant to this administrative procedure.

#### VI. Pilot Program Status

All newly initiated Programs, including Substantial Modifications, shall be deemed Pilot Programs for a minimum period of three years. Categorical Modifications will not be required to serve as Pilot Programs unless the PV Committee deems it necessary for compelling reasons. Regular status reports shall be provided to the PV Committee by the responsible faculty member overseeing the Program, such as the chair of the academic department housing the program or a program director, throughout the duration of the

Program's pilot status. The PV Committee will provide an update of the status to the Academic Senate as soon as possible. The PV Committee will determine the appropriate timeline for all Program status reports. The original proposing party, or individual overseeing the Program, shall present the reports.<sup>3</sup>

#### A. Staffing Requirements

1. 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.
2. 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 implemented through the regular and existing institutionalized District staffing processes.

#### B. Required Reporting Content

1. Report #1 – the report shall be an informational status update to include evidence of the Program's growth, success, and challenges to date.
2. Report #2 – 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 Report #2, the Academic Senate deems Revitalization might be necessary for a particular Pilot Program, it shall refer the Pilot Program back to the PV 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 Pilot Program. External discipline or industry experts may be utilized for this process. The PV Committee's role is merely to adopt the objective standards for Revitalization; not to oversee implementation of those standards.
3. Final 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

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<sup>3</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 of this proposal. The Chair of the PV Committee shall forward the findings of the report to the CIO.

this procedure. The report shall also include a substantiated projection as to the Program's immediate institutional sustainability.

- i. Revitalization Standards – if, having received Report #3, the Academic Senate deems Revitalization might be necessary and institutionally worthwhile for a particular Pilot Program, it shall refer the Program back to the PV 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 Pilot Program. External discipline or industry experts may be utilized for this process. The PV 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 Final Report the PV Committee shall make a recommendation to the Academic Senate as to whether the Pilot Program shall be approved as permanent. The Academic Senate will subsequently approve or discontinue the Pilot Program. 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.
5. 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 administrative procedure.

## **VII. IMPLEMENTATION OF FINAL DETERMINATION SUPPORTING DISCONTINUANCE**

If a Program is recommended or mandated for discontinuance, or to continue with qualifications, and such recommendation is subsequently approved by the Board of Trustees, the PV Committee will reconvene to propose an implementation plan for the finalized determination. The implementation plan does not require approval of the Academic Senate. The PV Committee will formally convey its 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 must include, but is not limited to:
  1. A plan and timeline for implementing the Program 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 District 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 District catalogue.

**Reviewed by CPC: 9/26/2023**

**Next Review date: fall 2029**