

ALABAMA COMMISSION ON HIGHER EDUCATION  
PLANNING AND COORDINATION  
ADMINISTRATIVE CODE

CHAPTER 300-2-1  
PROGRAM REVIEW

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300-2-1-.01 Definitions Recognized By The Commission. Unless the context clearly indicates otherwise, the definitions recognized by the Commission are as follows throughout these rules:

(a) Commission: The Alabama Commission on Higher Education created by Alabama Code Sections 16-5-1, et. seq.

(b) Unit of Instruction: An organizational structure which offers instructional courses or other activities for academic credit. This definition pertains to institutions, branches, and campuses as well as colleges, schools, divisions, departments, institutes, and centers within institutions which offer courses or other activities for academic credit.

1. Existing Unit of Instruction: A unit of instruction in place prior to August 19, 1994. Official documentation must be available to support the existence of a unit of instruction.

2. Proposed New Unit of Instruction: A unit of instruction not in place prior to August 19, 1994. Several new units which offer academic credit are subject to Commission approval, including a new institution (including one formed by consolidation), branch, campus, school, college, division, or institute.

(c) Unit of Research: An organizational structure for those activities intended to produce one or more research outcomes, including the creation of new knowledge, the organization of knowledge, and the application of knowledge. Might include such entities as research divisions, bureaus, institutes, centers, and experiment stations.

(d) Unit of Public Service: An organizational structure established to make available to the public the various unique resources and capabilities of an institution for the specific purpose of responding to local, regional, or statewide needs or problems. (From Operational Definitions adopted by the Commission on 5/20/88 and 8/19/94; and revisions adopted by the Commission on 6/21/91 and 8/19/94; Code of Ala. 1975, Chapter 5, Paragraphs 16-5-1; 16-5-8).

(e) Higher Education/Postsecondary Education Institutions: Institutions which provide formal programs of instruction with curricula designed primarily for students who have completed the requirements for a high school diploma or its equivalent. This includes academic, occupational, professional, and continuing professional education programs. (From Operational Definitions adopted by the Commission on 8/19/94.)

(f) Public Institutions of Higher Education: Those public educational institutions in Alabama which have been authorized by the Legislature or by the Constitution to provide formal education including vocational, technical, collegiate, professional, or any other form of education, above the secondary school level (Code of Ala. 1975, 16-5-1). These institutions are controlled and operated by publicly elected or appointed officials and derive their primary support from public funds. (From Operational Definitions adopted by the Commission on 8/19/94.)

(g) Private Institutions of Higher Education: An institution of higher education which is controlled by an individual or agency other than the state, a subdivision of the state, or the federal government and is usually supported primarily by other than public funds and operated by other than publicly elected or appointed officials. (From Operational Definitions adopted by the Commission on 8/19/94.)

1. Private Nonprofit Institution: A private institution in which the individual(s) or agency of control receives no compensation other than wages, rent, or other expenses for the assumption of risk. These include both independent not-for-profit institutions and those affiliated with a religious organization. (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Private For-Profit (Profit-Making) Institution: A private institution in which the individual(s) or agency of control receives compensation other than wages, rent, or other expenses for the assumption of risk. (From Operational Definitions adopted by the Commission on 8/19/94.)

(h) College or University System: Two or more separately accredited colleges or universities under the governance of a single board and under the control or supervision of a single executive head. (From Operational Definitions adopted by the Commission on 8/19/94.)

(i) Multicampus Institution: A single institution which operates on two or more administratively equal campuses. (From Operational Definitions adopted by the Commission on 8/19/94.)

(j) University: An institution of higher education usually composed of several schools and colleges. The institution normally confers undergraduate degrees, primarily

the baccalaureate. It also may confer graduate degrees, such as masters, doctorates, and specialist in education, as well as one or more first professional degrees in fields such as law and medicine. (From Operational Definitions adopted by the Commission on 8/19/94.)

(k) Upper Division College or University: An institution of higher education which does not enroll freshmen or sophomores and offers courses and programs only at the junior, senior, and possibly graduate level. The institution normally confers the baccalaureate degree and, in some instances, graduate degrees. Students matriculated in formal programs of study transfer the lower division (freshman-sophomore) component from other institutions. (From Operational Definitions adopted by the Commission on 8/19/94.)

(l) Community College: A lower division institution which offers university parallel transfer programs which culminate in the award of Associate in Arts or Associate in Science degrees as well as "career" or "applied" programs to prepare students for occupational, technical, or paraprofessional employment. The applied programs, varying in length, culminate in certificates, diplomas, or Associate in Applied Science degrees. Considerable emphasis is placed on developmental/ remedial studies and continuing education. (From Operational Definitions adopted by the Commission on 8/19/94.)

(m) Junior College: A lower division institution similar in role and mission to the Community College. The main distinction is in the scope of the curriculum, i.e. the junior college is generally less comprehensive than the community college in its "applied" programs and is primarily a transfer institution designed to offer the first two years of a baccalaureate degree. (From Operational Definitions adopted by the Commission on 8/19/94.)

(n) Technical College: A lower division institution which offers occupational programs in trade and industrial, technical and applied science fields. These programs culminate in certificates, diplomas, and associate degrees. Technical Colleges accredited by the Commission on Occupational Education Institutions (COEI) may grant the Associate in Applied Technology degree (AAT), while those accredited by the Commission on Colleges (COC) may grant the Associate in Applied Science (AAS) degree. The technical college may not offer the transfer AA and AS degrees. (From Operational Definitions adopted by the Commission 8/19/94.)

(o) Branch: A degree-granting division of an institution located in a geographical setting separate from the sponsoring institution's main campus or central administration and authorized for a stated purpose in relation to the sponsoring institution and the area served. The branch offers all requirements for completing degree programs in two or more fields of study as classified by the CIP taxonomy at the six-digit level. A branch provides the necessary administrative services, student services, financial resources, library, and physical facilities to provide adequate support for degree programs offered. (Definition was adopted by the Commission on 8/24/79; revision adopted 8/19/94.)

(p) Campus: The grounds and buildings of an institution of higher education. (From Operation Definitions adopted by the Commission on 8/19/94.)

1. Main Campus: The physical boundaries of the campus where the institution's principal administrative offices are located. (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Branch Campus: The physical boundaries of the location of an institution branch. (From Operational Definitions adopted by the Commission on 8/19/94.)

(q) Off-campus Site: The specific location where one or more courses are offered for academic credit away from the sponsoring institution's main campus. (From Operational Definitions adopted by the Commission on 8/19/94.)

(r) Off-campus Facility: The actual physical plant in which instruction is conducted at an off-campus site. (From Operational Definitions adopted by the Commission on 8/19/94.)

(s) College: An instructional unit within a university which usually includes several academic divisions and/or departments and is usually administered by a dean. Often, though not always, a college is a more prominent or inclusive unit than a school. As used here, the term "college" does not pertain to separate institutions known as colleges, such as junior college, community college, technical college, or Athens State College. (From Operational Definitions adopted by the Commission on 8/19/94.)

(t) School: An instructional unit within an institution of higher education which usually encompasses a professional discipline such as medicine, engineering, education, etc. and which often includes several academic divisions and/or departments. A school is usually under the administration of a dean or director. Often, though not always, a school is less inclusive than a college. (From Operational Definitions adopted by the Commission on 8/19/94.)

(u) Division: An instructional unit which usually includes two or more academic departments representing allied fields of study. (For example, a Division of Natural Sciences might include departments of biology, chemistry, physics and geology). Usually, but not always, a division is a more prominent entity than a department. (Some institutions identify the department as the more inclusive unit. In such cases, the department might include several divisions.) (From Operational Definitions adopted by the Commission on 8/19/94.)

(v) Department: An instructional unit encompassing a discrete branch of study; usually located within a division and/or a school or college. The department is usually a less inclusive unit than a division, although this is not always the case. (From Operational Definitions adopted by the Commission on 8/19/94.)

(w) Center: A place, area, or concentration of resources marked significantly by an indicated activity, pursuit or interest. A center may involve instruction, research or service or some combination of the three. It may or may not offer courses or other activities for academic credit. (From Operational Definitions adopted by the Commission on 8/19/94.)

(x) Institute: An association of persons or organizations that collectively constitute a technical or professional authority in a field of work, study, research, or service. An institute may or may not offer courses or other activities for academic credit. Sometimes the term is used interchangeably with a center or an entire special purpose institution. (From Operational Definitions adopted by the Commission on 8/19/94.)

(y) Bureau: A specialized administrative unit of an institution that usually serves as a clearing house or intermediary for exchanging information, making contacts or coordinating related activities. (From Operational Definitions adopted by the Commission on 8/19/94.)

(z) Program of Instruction: An organized set of courses and related activities for which, upon satisfactory completion, some degree, diploma, or certificate is awarded. This does not include areas of specialization or concentration within a program. If an institution wishes to give such options discrete program identify, they must first be reviewed and approved by the Commission. Options within programs will not be separately identified in the Commission's Academic Program Inventory, and the institution may not identify such options as degree programs in its catalog or other publications.

1. Existing Program of Instructions: A program which is currently identified in the Commission's Academic Program Inventory.

2. New Program of Instruction: A program which has not been approved by the Commission and added to its Academic Program Inventory. (From Operational Definitions adopted by the Commission on 5/20/88 and 8/19/94; and revisions adopted by the Commission on 6/21/91; Code of Ala. 1975, Chapter 5, Paragraphs 16-5-1; 16-5-8).

(aa) Cooperative Program of Instruction: A program which is under the sponsorship of a single institution (identified as the primary institution) but which contains elements of resource sharing agreed upon by one or more other institutions (the secondary institution(s)). The administrative control of such a program and commitment for maintaining the resources necessary to support it are the responsibility of the primary institution. The degree is granted under the seal of the primary institution and the program will be identified in the Commission's Academic Program Inventory for that institution only. The program is so structured that should the elements contributed by the secondary institution(s) be discontinued, the basic strength of the program will not be damaged seriously and the institution administering the program will be able to continue to do so with few or no additional resources. (From Operational Definitions adopted by the Commission on 5/20/88 and revised on 6/21/91 and 8/19/94.)

(bb) Joint Program: A program which is mutually sponsored by two or more institutions leading to a single degree which is conferred by both or all participating institutions. A joint degree program is unique and distinguishable from any program offered independently at any one of the institutions. A

joint degree program exhibits the following specific characteristics:

1. The program is planned, implemented, and monitored by a joint committee comprised of representatives from all participating institutions and is managed by an academic administrator or by co-academic administrators jointly appointed by and responsible to both or all participating institutions.

2. The program has a common faculty who hold joint appointments at all participating institutions.

3. The program has common entrance requirements, curriculum, and degree requirements agreed upon by all participating institutions.

4. For joint graduate programs, common qualifying examinations should be given and jointly graded by the participating institutions.

5. The program is based on carefully prescribed and explicitly stated procedures for sharing resources at participating institutions.

6. The program leads to a single degree granted under the seals of all participating institutions. If a joint program is to be offered by two or more institutions which are within the same system but are under a single executive head, explicit procedures must be developed and stated that will assure equal administrative oversight of the program.

7. The joint program is so designed that its viability is dependent upon the shared resources of the participating institutions. In the event one or more of the participating institutions cannot meet its commitments and responsibilities, the program would be terminated. (From Operational Definitions adopted by the Commission on 5/20/88 and revised on 8/19/94.)

(cc) Shared Program: A program of instruction that is mutually sponsored by two or more institutions and leads to a single degree or other award of completion which is jointly conferred by all participating institutions. A shared program is very similar to a joint program. However, the withdrawal of one or more participating institutions from a shared program does not automatically preclude the continuation of the program by the remaining participants or the reversion to independent

program status by institutions which offered independent programs prior to entering the shared program agreement. The purpose of a shared program is to allow institutions to pool their resources in order to offer a collaborative program of greater depth, breadth, academic quality, productivity, and economy than would generally be possible through independent single programs. It is also expected that shared programs will help reduce program duplication. Guidelines for shared programs are listed below.

1. An institution may participate in a shared program only at a degree level currently recognized within its Commission approved Instructional Role Matrix.

2. At least one of the participating institutions must have an independent program in the same area and at the same level in operation at the time the shared program is proposed.

3. No institution may offer a separate independent program in the same area and at the same level while participating in a shared program.

4. Should one or more participating institutions withdraw from the shared program, it may be continued if at least two institutions remain. This would constitute an alteration of an existing program and would require Commission approval as such.

5. Should the shared program be discontinued, participating institutions which previously had independent programs may revert back to independent program status subject to program alteration approval by the Commission.

6. The shared program is treated as a single program for viability purposes.

7. Proposals for shared programs must include documentation that necessary approval has been received from all relevant accrediting agencies. Similar documentation must be presented if the program is altered in any way or when an institution wishes to revert to independent program status.

8. The program is planned, implemented, and monitored by a joint committee comprised of representatives from all participating institutions and is managed by an academic

administrator or by co-academic administrators jointly appointed by and responsible to all participating institutions.

9. The program has a common faculty who hold joint appointments at all participating institutions.

10. The program has common entrance requirements, curriculum, and degree requirements agreed upon by all participating institutions.

11. For shared graduate programs, common qualifying examinations should be given and jointly graded by the participating institutions.

12. The program is based on carefully prescribed and explicitly stated procedures for sharing resources at participating institutions.

13. The program leads to a single degree granted under the seals of all participating institutions. If a shared program is to be offered by two or more institutions which are within the same system but are under a single executive head, explicit procedures must be developed and stated that will assure equal administrative oversight of the program. (From Operational Definitions adopted by the Commission on April 24, 1998.)

(dd) Reasonable Extension or Alteration of a Unit or Program of Instruction: Modification of an existing unit or program of instruction which does not change its essential character, integrity, or objectives. Such modifications do not create new units or programs of instruction. Program changes may include reasonable extensions such as the addition of a new area of specialization (concentration, option, emphasis, focus, track), or reasonable alterations such as a change in degree nomenclature at the same degree level (except doctoral), or a change in program title or CIP code, provided these modifications are within the Commission guidelines. Provisions for reasonable extensions or alterations of units or programs of instruction do not relate to the addition of off-campus sites or adding any new unit or program. (From Operation Definitions adopted by the Commission on 8/19/94. See 300-2-1-.01(d)1 for the Commission's requirements.)

(ee) Major: That part of a degree program which consists of a specified group of courses in a particular discipline or field. While practices vary among institutions, a

baccalaureate program major usually consists of 28 semester hours (42 quarter hours) or more. (From Operational Definitions adopted by the Commission on 8/19/94.)

(ff) Minor: That part of a degree program which consists of a specified group of courses in a particular discipline or field usually constituting a minimum of 18 semester hours (27 quarter hours). (From Operational Definitions adopted by the Commission on 8/19/94.)

(gg) Specialization, Concentration, Option, Focus, Track, Emphasis: Synonymous terms that represent a specified group of courses within a program of instruction. (From Operational Definitions adopted by the Commission on 8/19/94.)

(hh) Degree: An award conferred by a college, university or other higher/postsecondary education institution as official recognition for the successful completion of a prescribed program of studies. (From Operational Definitions adopted by the Commission on 8/19/94.)

1. Associate's Degree: An undergraduate award granted on completion of an educational program that is lower than the baccalaureate and that requires at least two but less than four academic years of full-time equivalent college work. (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Bachelor's Degree: An undergraduate award that normally requires the completion of at least four but not more than five academic years of full-time equivalent college work. Also includes accelerated bachelor's degrees which are completed in three calendar years. (From Operational Definitions adopted by the Commission on 8/19/94.)

3. Master's Degree: A graduate level award that requires the completion of a program of study at least the full-time equivalent of one but usually not more than two academic years of work beyond the bachelor's degree. In professional fields, it is sometimes an advanced professional degree earned after the first-professional degree. (From Operational Definitions adopted by the Commission on 8/19/94.)

4. Educational Specialist's Degree (Ed.S): A graduate level award that requires completion of an organized program of study consisting of the full-time equivalent of one academic year of work beyond the master's degree, but does not

meet the requirements of academic degrees at the doctoral level. (From Operational Definitions adopted by the Commission on 8/19/94.)

5. First-Professional Degree: An award that requires completion of a program that meets all the following criteria: completion of the academic requirements to begin practice in the profession; at least two years of college work prior to entering the program; and a total of at least six academic years of college work to complete the degree program, including prior required college work plus the length of the professional program itself. Among the degrees included are the following: Dentistry (D.D.S. or D.M.D.), Law (J.D.), Medicine (M.D.), Optometry (O.D.) and Veterinary Medicine (D.V.M.). (From Operational Definitions adopted by the Commission on 8/19/94.)

6. Doctoral Degree: An earned graduate level academic award carrying the title of doctor, such as the Doctor of Philosophy (Ph.D.), Doctor of Education (Ed.D.), Doctor of Science (Sc.D.) and Doctor of Public Health (D.P.H.). Does not include first-professional degrees such as M.D., D.M.D., or J.D. or "honorary" degrees such as the LL.D., D.H.L., D.D., or Litt.D. (From Operational Definitions adopted by the Commission on 8/19/94.)

(ii) Diploma: A formal award certifying the successful completion of a prescribed postsecondary education program. In Alabama, the diploma, which ranges from 48 to 90 quarter hours, is only awarded by the community and technical colleges. (From Operational Definitions adopted by the Commission on 8/19/94.)

(jj) Certificate: A formal award certifying the satisfactory completion of a prescribed program of study. The certificate is less than a degree, and its curriculum in many instances is related to the student's employment or professional advancement. In the two-year college system of Alabama, a Certificate requires a minimum of 15-quarter hours and a maximum of 90-quarter hours. (From Operational Definitions adopted by the Commission on 8/19/94.)

(kk) Credit: Recognition of attendance and performance in an instructional activity (course or program) that can be applied by a recipient toward the requirements for a degree, diploma, certificate, or other formal award. (From Operational Definitions adopted by the Commission on 8/19/94.)

(ll) Credit Hour: A unit of measure representing the time and activity required for one hour of credit. Usually, this involves the equivalent of 50 minutes of instruction each week for a semester, trimester, or quarter. (From Operational Definitions adopted by the Commission on 8/19/94.)

(mm) Contact Hour: A unit of measure that represents a minimum of 50 minutes of scheduled instruction given to students. Also referred to as clock hour. (From Operational Definitions adopted by the Commission on 8/19/94.)

(nn) Academic Year: The period of an institution's regular session, generally extending from September to June, usually divided as semesters, trimesters, quarters or the 4-1-4 plan. These designations are sometimes referred to as "terms." (From Operational Definitions adopted by the Commission on 8/19/94.)

1. Quarter: The quarter calendar consists of three quarters of about 10-12 weeks each. There may be an additional summer quarter. (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Semester: The semester calendar consists of two semesters of about 16-18 weeks each. There may be an additional summer session. (From Operational Definitions adopted by the Commission on 8/19/94.)

3. Trimester: The trimester calendar is composed of three terms of about 15 weeks each. (From Operational Definitions adopted by the Commission on 8/19/94.)

4. 4-1-4 Plan: The 4-1-4 calendar is composed of four courses taken for four months, one course taken for one month, and four courses taken for four months. There may be an additional summer session. (From Operational Definitions adopted by the Commission on 8/19/94.)

(oo) Faculty: Persons whose specific assignments customarily are made for the purpose of conducting instruction, research, or public service as a principal activity (or activities), and who hold academic rank titles of professor, associate professor, assistant professor, instructor, lecturer, or the equivalent of any of these academic ranks. If their principal activity is instructional, faculty may include deans, directors, or the equivalent, as well as associate or assistant

deans and departmental or division heads. (From Operational Definitions adopted by the Commission on 8/19/94.)

1. Full-time Faculty: Faculty employed full-time by a single institution (as defined by the institution). (From Operational Definitions adopted by the Commission on 8/19/94.)

2. Part-time Faculty: Faculty employed less than full-time (as defined by the institution). (From Operational Definitions adopted by the Commission on 8/19/94.)

3. Adjunct Faculty: A faculty position where one has an occasional or temporary affiliation with an institution in performing a duty or service in an auxiliary capacity (as defined by the institution). (From Operational Definitions adopted by the Commission on 8/19/94.)

(pp) Merger: One institution relinquishes its assets and degree granting authority and is dissolved into another with the second institution remaining as the sole surviving entity. Might involve the closure of a campus or one institution becoming a branch of the other. (From Operational Definitions adopted by the Commission on 8/19/94.)

(qq) Administrative Consolidation: Two or more institutions are placed under a single executive head without program interchange. All involved institutions maintain separate functional identities. This does not constitute a multicampus institution, but rather two or more separate institutions operating under a single executive head. (From Operational Definitions adopted by the Commission on 8/19/94.)

(rr) Institutional Consolidation: Two or more institutions join to form a distinctly new unit, often with a new name. This results in a single multicampus institution operating under one chief executive officer and under one regional accreditation designation. Often involves program relocation or exchange. (From Operational Definitions adopted by the Commission on 8/19/94.)

(ss) Consortium: A formal federation or association of two or more separate institutions for one or more specific purposes, usually involving a statement of mutual obligations and resource-sharing. (From Operational Definitions adopted by the Commission on 8/19/94.)

(tt) Alphabetical index of definitions recognized by the Commission with reference to location in Chapter 300-2-1.

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 Unit of Instruction, 300-2-1-.01(b); 300-2-1-.06(2) (k)  
 Unit of Public Service, 300-2-1-.01(d); 300-2-1-.06(2) (k)  
 Unit of Research, 300-2-1-.01(c); 300-2-1-.06(2) (k)  
 Units or Programs of Instruction (Courses) (Non-Alabama  
 Institutions), 300-2-1-.02(3) (a)  
 University, 300-2-1-.01(j)  
 University or College System, 300-2-1-.01(h)  
 Upper Division College or University, 300-2-1-.01(k)  
 Withdrawal of a Proposed Program, 300-2-1-.04(7)

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et. seq.

**History: New Rule:** Filed June 12, 1995; effective July 17, 1995. (This rule is based on definitions included in the Alabama Code, Section 16-5-1, and operational definitions adopted by the Commission on 8/24/79, 5/20/88, and 8/19/94; and revised on 3/30/90, 6/21/91, 6/19/92, and 8/19/94.) **Amended:** Filed March 12, 1996; effective April 16, 1996. **Amended:** Filed August 4, 1998; effective September 8, 1998.

**300-2-1-.02 Review And Approval Or Disapproval Of Proposed Postsecondary Course Offerings In Alabama By Non-Alabama Institutions Seeking State Authorization.**

(1) **Purpose.** Per the Code of Ala. 1975, Section 16-5-10(14). It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for the review and approval or disapproval of all proposed postsecondary credit courses or program of instruction offered in the State of Alabama by non-Alabama institutions of higher education. The Code of Ala., 1975, Section 16-5-10(10) authorizes the Commission to make rules and regulations for its meetings, procedures and execution of the powers and duties delegated to it by this article. These institutions must also be licensed to do business in Alabama by the Alabama Community College System.

(2) **Definitions.** For purposes of this rule, the following definitions apply:

(a) Programs of Instruction (Courses): Any course or sequence of courses for which credit toward any postsecondary degree, certificate, or diploma is to be awarded.

(b) System: The Alabama Community College System.

(c) Exempt Institutions: Those postsecondary institutions that are granted a certificate of exemption from licensure by the Alabama Community College System and for which the System has waived formal licensure application and review.

(d) Faculty: A faculty member who has a contract for formal teaching responsibilities with the proposing institution.

(e) Main Campus: The physical boundaries of the location of an institution's principal administrative offices. In the case of an institution eligible for Title IV funds, the campus designated by the U.S. Department of Education's Office of Postsecondary Education identification number (OPEID).

(f) Non-Alabama Institutions: A postsecondary educational institution, public or private, profit or nonprofit, whose main campus or headquarters is located outside the State of Alabama.

(g) Unaccredited Institution: An institution not accredited by an agency recognized by the United States Department of Education or Council on Higher Education Accreditation.

(3) **Procedures for Program Approval of an Unaccredited Institution.** As a prerequisite to program approval, an unaccredited institution requesting to offer degree programs in Alabama must undergo an external review of its programs of study, which may include an onsite Commission staff review and will include a review by an outside consultant(s) chosen by the Commission. The unaccredited institution will underwrite all costs related to the external review. The review process for unaccredited institutions shall not exceed six months following receipt of the required data and information forms from the applying institution. These forms/applications can be found on the Commission's website at [www.ache.edu](http://www.ache.edu).

(4) **Exemptions from programmatic review.** The following are exempt from programmatic review by the Commission, but are not exempt from the licensure process conducted by the Alabama Community College System under the provisions stated in

Alabama Private School Licensure Law, found in the Code of Ala. 1975, §§16-46-1, et seq. If an institution wishes to claim an exemption from Commission program review, proper documentation must be provided to the Commission. The Commission will then determine based on the following Commission guidelines if programs/institutions are exempt from review. The Commission will then inform the Alabama Community College System concerning the disposition of these applications.

(a) Institutions exempt under the Alabama Private School License Law. Those non-Alabama institutions that are granted a certificate of exemption from licensure by the System and for which the System has waived formal licensure application and review are not required to apply for Commission review and approval of courses or programs of instruction. This includes programs proposed by institutions that are members of the National Council of State Authorization and Reciprocity Agreements (NC-SARA) or any approved successor organization wishing to establish a physical presence in Alabama (includes internships and clinical rotations).

(b) Programs submitted by institutions that are accredited by a regional, national or specialized/programmatic accrediting body recognized by the United States Department of Education, a list of which can be found on the United States Department of Education's website under the Database of Accreditation of Postsecondary Institutions and Programs. Documentation concerning accreditation is required.

(c) Non-degree programs or non-credit courses.

(d) Programs offered by institutions that were originally incorporated as an Alabama institution that are now owned by institutions and corporations headquartered in other states. These institutions must have been in continuous operation in Alabama since their inception, with no more than a one-year interruption of operations due to a change in ownership. Legal documentation of Alabama origin must be submitted to the Commission.

(e) Once a program has been approved by the Commission to be offered at an Alabama location, it does not have to be reviewed again as long as the location of the program (facility, not city) does not change. Should a program change physical location, it must be approved again.

(5) **Commission Review Criteria.** The Commission shall establish review criteria designed to evaluate the academic quality of proposed courses or programs of instruction. In general, program proposals must meet standards used by the Commission proposals for new off-campus offerings by in-state public institutions and in doing so be in full compliance with the Southern Association of Colleges and Schools Commission on Colleges (SACS COS) guidelines or those of other regional, national or specialized/programmatic accrediting bodies recognized by the United States Department of Education. Since the use of state appropriated funds is not involved, the question of unnecessary duplication is not an issue when proposals of non-Alabama institutions are reviewed.

(6) **Site visits.** The Commission reserves the right to conduct a site visit to the proposed location for an evaluation of a course or program of instruction before or subsequent to concluding its review of a pending application. There is no charge to the institution for mileage or per diem payments to staff employees of the Commission for such visits. However, in the event that the Commission appoints other education or external specialists as on-site visit consultants, the institution will pay the consultants a consulting fee determined by the Commission, as well as expenses.

(7) **Timeline for Review for non-exempt programs.**

(a) New programs or previously approved programs being relocated to new facilities will be reviewed in a four-year cycle to coincide with the license renewal cycle established by the System for the institution.

1. If new programs are to be implemented at an existing site or previously approved programs are to be moved to a new facility in the midst of a licensure review cycle, the institution will notify the Commission of those changes by letter and the review will take place at the time of the next licensure renewal with the System.

(b) In the absence of unavoidable delays, the Commission will report its approval or disapproval of proposed courses or program(s) of instruction to the System and to the applying institution within sixty (60) working days following receipt of the required data and information forms from the applying institution. These forms/applications can be found on the Commission's website at [www.ache.edu](http://www.ache.edu).

(8) **Fees.** By statute, the Commission is authorized to promulgate a schedule of programmatic fees, commensurate with the cost of Commission activities related to the programmatic review, not to exceed fifteen thousand dollars (\$15,000). At this time, the Commission will not assess a fee for its programmatic reviews, but retains the right to do so in the future, upon six months' notice, should circumstances warrant.

(9) **Appeals.** Any person or institution aggrieved by the action of the Commission in its administration of this rule may, by written petition filed with the Commission within thirty (30) days after notice of the aggrieving action, request a rehearing by the Commission. The Commission shall schedule the requested rehearing to be held no less than twenty (20) nor more than thirty (30) days after receipt of the petition. The aggrieved party may present written and oral evidence supporting its petition and may be represented by counsel, if desired. The decision of the Commission following the rehearing shall be final.

**Author:** James E. Purcell

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History:** Filed December 10, 1985. Rule 300-2-1-.02 was formerly referenced as Chapter 300-2-1; it has been repealed and reinserted as a rule within this chapter. The rule title remains unchanged from its previous chapter title. The contents are also unchanged except for slight format changes and the addition and deletion of certain definitions: Filed April 10, 1989. **Amended:** Filed August 21, 1996; effective September 25, 1996. **Amended:** Filed January 6, 2003; effective February 10, 2003. **Amended:** Filed May 6, 2004; effective June 10, 2004. **Amended:** Filed February 8, 2010; effective March 15, 2010. **Amended:** Filed November 5, 2013; effective December 10, 2013. **Amended:** Filed May 9, 2016; effective June 23, 2016. **Amended:** Filed December 11, 2018; effective January 25, 2019.

**300-2-1-.03 Evaluation And Review Of New Instructional Program Proposals Of Public Postsecondary Institutions.**

(1) **Purpose:** The purpose of reviewing new program proposals of public postsecondary institutions is to insure that such proposals meet the criteria established by the Alabama Commission on Higher Education.

(2) **Commission Responsibility:** It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for reviewing and taking action on all new instructional program proposals for Alabama's public postsecondary institutions.

(3) **Preparation of Proposals:** Program proposals will be prepared by the institutions according to the Commission's Procedures for the Review of New Programs of Instruction adopted in May 1989, as amended.

(4) **Submission of Proposals:** Program proposals may be submitted to the Commission at any time. Two signed copies of the proposal must be submitted to the Commission staff with a transmittal letter signed by the institution's chief executive officer.

(5) **Procedures for the Evaluation and Review of New Two-Year College Programs of Instruction:** In the case of proposals from community, junior, and technical colleges, evaluation and review of new program proposals will occur in conjunction with the Alabama Department of Postsecondary Education (ADPE).

(a) Review of "Intent to Submit a Program Application (ISPA)": The institution proposing the program will submit an ISPA to ADPE. ADPE will acknowledge receipt of the ISPA and advise the college as to the adequacy of the information. ADPE will send the eligible ISPA to the Commission. The ADPE staff and the Commission staff will conduct joint preliminary review of the ISPA. Following the joint review, ADPE will advise the proposing college that the program is or is not eligible for further consideration.

(b) Review of Program Applications: If it is determined that the program is eligible for further consideration, the college may submit a program application (proposal) to ADPE. ADPE will conduct an independent preliminary review of the program application. This review will determine whether the program is denied, whether additional information is required, or whether the program is eligible for further consideration. ADPE will send the eligible program application to the Commission staff for review of need and duplication factors. Following review by the Commission staff, ADPE and the Commission staff will conduct a joint preliminary review of the application. Should additional information or

program modifications be deemed necessary, ADPE will provide such for consideration.

(c) Completion of Staff Recommendation and Commission Action on the Program: Following the joint preliminary review, ADPE will formally request Commission approval of the program. Completion of the Commission staff recommendation and Commission action on the program will occur within ninety days after receipt of the formal request. Commission staff recommendations will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program is based upon agreement of ADPE and the Alabama State Board of Education to discontinue the program if the expected outcomes are not reached within the established time frame.

(d) Review of Programs Designed to Meet the Needs of Business and Industry: The purpose of these procedures is to expedite the review of new programs designed to meet the immediate needs of business and industry.

1. For such programs, the statement of "Intent to Submit a Program Application" (ISPA) is not necessary. The proposing college will submit a program application to ADPE, providing evidence of the immediate need of a specific business or industry which can be met only through the development and implementation of the proposed instructional program. ADPE will acknowledge receipt.

2. ADPE will conduct an immediate review of the application. This review will determine whether the program is denied, whether additional information is required, or whether the program is eligible for further consideration.

3. ADPE will send the eligible program application to the Commission for review of need and duplication factors.

4. Following receipt of the application by the Commission, ADPE staff and the Commission staff will conduct a joint preliminary review of the proposal. Should additional information or program modifications be deemed necessary, ADPE will provide such for consideration.

5. Following the joint preliminary review, ADPE will formally request Commission approval of the program. Completion of the Commission staff recommendation and Commission action on the program will occur within sixty days after receipt of the formal request.

(e) **Provision for Reconsideration of Programs Disapproved by the Commission:** Upon the request of the institution, ADPE may request a second review of the program six months after the program has been disapproved by the Commission on the basis of substantial additional information bearing on previous concerns and issues. If the Commission disapproves a second time, and ADPE does not agree with the Commission's rationale, ADPE may present the program application to the Alabama State Board of Education. The State Board of Education may then request a second reconsideration by the Commission.

(6) **Procedures for the Evaluation and Review of New Baccalaureate Programs of Instruction:** The evaluation and review is conducted with the participation of the University Chief Academic Officers.

(a) **Submission and Review of the "Notification of Intent to Submit a Proposal" (NISP):** The institution planning to submit a program proposal will submit a NISP to the Commission at least two months prior to submission of the program proposal. The NISP will also be sent by the institution to each university chief academic officer. Comments on the NISP by the chief academic officers will be sent to the Commission within three weeks of the receipt of the NISP. Within four weeks of receipt of the NISP, Commission staff and representatives of the proposing institution will meet to discuss institutional comments on the NISP and the program objectives in relation to the needs of the state; to consider any program duplication and explore possible means of collaboration; and to evaluate the centrality of the program to the institution's mission and role.

(b) **Submission and Review of the Program Proposal:** The program proposal may be submitted to the Commission at any time beyond two months of the NISP submission. The proposing institution will send a copy of the proposal to each university chief academic officer. Peer review of the proposal with specific questions and recommendations will be completed within one month of the proposal submission. Representatives of the proposing institution and Commission staff members will meet to review questions and recommendations derived from the peer review and to reach agreement on any necessary proposal changes.

(c) **Staff Recommendation and Commission Action on the Proposed Program:** Completion of the staff recommendation and action by the Commission will occur within two months of the

peer review. The staff recommendation will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame.

(7) **Procedures for the Evaluation and Review of New Graduate Programs of Instruction:** The evaluation and review of new graduate programs is conducted with the participation of the Alabama Council of Graduate Deans (ACGD).

(a) **Submission and Review of the "Notification of Intent to Submit a Proposal" (NISP):** The institution proposing the program will submit a NISP to the Commission at least two months prior to submission of the program proposal. The NISP will also be sent by the institution to each member of the ACGD. Institutional comments on the NISP will be sent to the Commission within three weeks of the receipt of the NISP. Within four weeks of receipt of the NISP, Commission staff and representatives of the proposing institution will meet to discuss institutional comments on the NISP and the program objectives in relation to the needs of the state; to consider any program duplication and explore possible means of collaboration; and to evaluate the centrality of the program to institution's mission and role.

(b) **Submission and Review of the Program Proposal:** The program proposal may be submitted to the Commission at any time beyond two months of the NISP submission.

1. The proposing institution will send a copy of the proposal to each member of the Alabama Council of Graduate Deans (ACGD). Within three weeks of receipt, the ACGD will evaluate the proposal and seek campus input on criteria for new programs and to provide questions and recommendations to strengthen the proposal if it is approved.

2. The Chair of the Alabama Council of Graduate Deans will summarize questions and will list any recommendations. This summary will be sent to the Executive Board of the ACGD for feedback and approval. The Chair will forward the approved questions and recommendations to the proposing institution for response.

3. Responses from the proposing institution will be sent to the Chair of the Alabama Council of Graduate Deans

within 2 weeks of receiving the ACGD's approved questions and recommendations.

4. Within one week of receipt of the proposing institution's responses, the Chair of the Alabama Council of Graduate Deans will send the ACGD members the institutional responses to questions and recommendations. Each graduate dean will vote to approve each recommendation and the overall proposal. Each member will indicate if institutional presentation before the ACGD is needed. A majority vote is needed to require an institutional presentation.

5. The Chair of the Alabama Council of Graduate Deans will send the final version of the questions and recommendations to the ACGD members within one week. Prior to the Commission's second meeting with the proposers, the Chair of the ACGD will inform the Commission of the vote (considered as a "preliminary vote" if there will be an institutional presentation) and reports whether or not the ACGD requires an institutional presentation. There will be a presentation at a regular ACGD meeting if the proposers request it and/or the ACGD requires it. There will not be an institutional presentation if the proposers do not request it and the ACGD indicates it is not needed.

6. Within two weeks of peer review, a second meeting of the representatives of the proposing institution and Commission staff members will be held. The purpose of the meeting is to review questions and recommendations derived from the peer review and to reach agreement on any necessary proposal changes.

(c) Staff Recommendation and Commission Action on the Proposed Program: Completion of the staff recommendation and action by the Commission will occur within two months of the peer review. The staff recommendation will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame. The evaluation of program outcomes will entail one or more brief progress reports to the Commission.

(8) **Possible Commission Actions on New Program Proposals:** The Commission may take one of three actions on proposed programs: disapproval, approval, or deferral.

(9) **Program Implementation:** If approval is given by the Commission, the institution may implement the program at any time.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History:** Filed December 10, 1985. **Amended:** Filed April 10, 1989; August 18, 1989; December 5, 1990. **Amended:** Filed March 12, 1996; effective April 16, 1996. **Repealed and**

**New Rule:** Filed November 5, 1999; effective December 10, 1999.

**300-2-1-.04 Operational Policy On The Approval, Disapproval, Deferral, And Withdrawal Of New Programs Of Instruction.**

(1) The purpose of the operational policy on the approval, disapproval, deferral, and withdrawal of new programs of instruction is to ensure that all such programs are subject to a fair and consistent evaluation and determination.

(2) It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for approving, disapproving, deferring, and withdrawing new programs of instruction.

(3) **Approval:** The approval of a new program of instruction shall require the concurrence of a majority (7) of all the members of the Commission.

(4) **Disapproval:** A program that receives a negative recommendation by a majority vote of Commission members present may be reconsidered after one year at the request of the institution, provided substantive changes indicate the need for reconsideration.

(5) **Disapproval:** A program that receives a favorable vote of a majority of the members present but which falls short of receiving a favorable vote by a majority of the members of the Commission may be reconsidered at the next regularly scheduled meeting at the request of the institution provided substantive changes indicate the need for reconsideration.

(6) **Deferral:** Should the Commission (by majority vote of members present) defer action on a proposed program, it will specify the future meeting at which the program will be reconsidered, being mindful of the ten-month deadline for program action. If the ten-month limitation has been reached or

will be reached before the next scheduled meeting of the Commission, action will not be deferred; however, if the Commission decides that special consideration is warranted, such a program may be disapproved by a majority of members present with the provision that the program can be reconsidered at a specified meeting scheduled prior to the one-year restriction on resubmission of disapproved programs. Deferral is a Commission, not an institutional prerogative.

(7) Withdrawal: Should an institution withdraw a proposed program from Commission consideration, it may be resubmitted at any time; however, the time which has expired prior to the withdrawal will not count toward the ten-month deadline on Commission program action. The Commission will have ten months beginning at the time the program is resubmitted to take action on the program.

(8) Post-implementation conditions on enrollment, graduation rates, and the efficacy of the assessment system will be placed on the approval of new academic programs.

(a) Programs with program-specific accreditation will be required to report steps to be taken to obtain accreditation in the proposal/application, and the accreditation status as a post-implementation condition of approval. Programs which require licensure will be required to report steps to be taken to optimize exam pass rates in the proposal/application, and the licensure pass rate as a post-implementation condition of approval.

(b) The unemployment/continuing education rate post-implementation reporting will be considered as informational/ notification only, and will not be a consequential consideration in evaluating attaining/meeting post-implementation.

(9) The window will be 30 months (2 ½ years) from the time of Commission approval to implementation, before Commission approval will expire.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History:** Filed April 10, 1989. **Amended:** Filed March 12, 1996; effective April 16, 1996. **Amended:** Filed March 13, 2018; effective April 27, 2018.

**300-2-1-.05 Review Of Off-Campus Instruction Offered By Public Postsecondary Institutions.**

(1) Purpose: The purpose of reviewing and approving or disapproving off-campus offerings of public postsecondary institutions is to insure that such offerings meet the criteria and standards established by the Alabama Commission on Higher Education.

(2) Commission Responsibility: It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for reviewing new or existing off-campus sites of public postsecondary institutions in Alabama, except for exempt sites delineated by the Commission's statute. (See the definition for Exempt Sites listed below at 4.)

(3) Definitions: For purposes of this rule, the following definitions apply:

(a) Off-Campus Site: the specific location where one or more courses are offered for academic credit geographically distant from the sponsoring institution's main campus.

(b) Off-Campus Facility: the actual physical plant in which instruction is conducted at an off-campus site.

(c) Branch: a degree-granting division of an institution located in a geographical setting separate from the sponsoring institution's main campus or central administration and authorized for a stated purpose in relation to the sponsoring institution and the area served. The branch offers all requirements for completing degree programs in two or more fields of study as classified by the CIP taxonomy at the 6 digit level. A branch provides the necessary administrative services, student services, financial resources, library, and physical facilities to provide adequate support for degree programs offered.

(d) Branch Campus: the physical boundaries of the location of an institution branch.

(e) Off-Campus Instruction: a course or program taken by a student or students at a location other than a Commission-recognized main or branch campus of the sponsoring institution. The Commission's policy on off-campus instruction applies to traditional instructional settings, i.e. face-to-face

classroom instruction that occurs at a location away from the Commission-recognized main or branch campus of the institution. (Adapted from a Georgia Board of Regents definition; approved by the Commission on March 2, 2007.)

(f) Off-Campus Course: a course provided to any group of students for academic credit at a particular off-campus site in an organized classroom setting.

(g) Off-Campus Program: a program of instruction offered in its entirety at an off-campus site. A program of instruction is defined by the Commission as an organized set of courses and related activities for which, upon satisfactory completion, some degree, diploma or certificate is awarded.

(h) Service Areas: (See attached service area tables.) For the purposes of off-campus instruction, service areas for the two-year colleges are those determined by the State Board of Education. Service areas for senior institutions are determined by the Commission, using the following considerations:

1. Proximity of the off-campus site to the sponsoring institution
2. Relationship of the off-campus site to the sponsoring institution based on student source reports that are produced using data from the Alabama Statewide Student Database; and
3. The mission of the institution.

(4) Exempt Sites: The following sites are exempt from Commission approval.

(a) Statutory Exemptions (Code of Ala.1975, 16-5-8 as amended):

1. Sites at which the Fall 1978 registrations exceeded 500 class enrollments.
2. University sites which were operated prior to 1960.
3. Sites located on military reservations.

4. Business and industry sites where only their employees are enrolled in the off-campus courses.

(b) Additional exemptions approved by the Commission:

1. Off-campus prison sites where courses are taught exclusively for inmates and prison employees.

2. Courses offered on an individual study basis.

3. Study abroad.

4. High school sites where courses are taught exclusively to high school students enrolled in early admission, accelerated, or dual enrollment/dual credit programs.

5. Two-year college sites located within their respective State Board of Education approved service areas.

6. University sites located within their respective service areas.

(c) The following stipulations apply to exemptions 4, 5, and 6 above.

1. Information items will be provided to the Commission for any new sites, i.e. sites which previously have not been recognized by the Commission either by formal approval or by information item.

2. Since there are instances in which two-year colleges and universities are located within overlapping areas, care must be taken to avoid the unnecessary duplication of lower division courses. For this reason, a university shall not offer lower division courses in the home county of a two-year institution main campus which offers similar courses without the written consent of the two-year institution, while a two-year institution shall not offer courses in the home county of a university main campus which offers similar courses without the written consent of the university. This stipulation does not apply to situations in which a university and a two-year college are located in the same county. In these situations, each institution may offer courses within the shared area, but they should work together to avoid the unnecessary duplication of course offering.

3. A university shall not offer courses in the service area of another university which offers similar courses without the written consent of the resident university.

4. All universities which are located in the same county or which share service areas may offer courses within the shared area, but they should work together and in conjunction with the Commission to avoid the unnecessary duplication of course offerings.

5. It is desirable in most instances to have the closest qualified institution respond to off-campus credit course needs. [Based on a Georgia Board of Regents policy]

(5) Sites Subject to Regular Review: All sites which are not covered by one or more of the exemption categories above are subject to regular review and approval by the Commission. For these sites, the following regulations apply.

(a) New off-campus site proposals must be received by the Commission at least eight weeks in advance of the Commission meeting in which they will be considered.

(b) A list of courses from which each term's schedule will be developed will be submitted with each new site proposal.

(c) No off-campus site may be located nearer than 25 miles to a main campus of another institution which offers similar courses without the written consent of that institution. (d) Once an off-campus site is approved it does not require approval in subsequent years, but annual reports are required.

(6) Compliance with Accreditation Guidelines and Criteria: All sites, exempt and non-exempt, must be in full compliance with the Southern Association of Colleges and Schools/Commission on Colleges (SACS/COC) guidelines and criteria pertaining to curriculum, faculty, administration, equipment, learning resources and student services. Council on Occupational Education (COE) guidelines will apply to institutions accredited by that agency.

(7) Annual Follow-up Report Requirement: Regardless of exemption status, institutions will submit an annual follow-up report for each off-campus site by July 1 each year. The Department of Postsecondary Education may submit a comprehensive follow-up report for the entire system. The

Commission must be notified if a site is discontinued so that annual reports will not be expected.

(8)            **Limitation on Course Lists:** Extensive course lists of upper division and graduate level courses that may constitute a program in any discipline will not be accepted. Should an institution desire to offer an extensive course list in a discipline, a proposal for an off-campus program should be submitted for Commission review and approval.

(9)            **Public Review of Off-Campus Course Proposals:** All proposals for off-campus courses will be subject to a twenty-day public comment period prior to action or acceptance by the Commission. Proposals must be submitted electronically by the institutions and will be posted to the Commission website for public review and comment. At the end of the twenty-day period, the Commission staff will compile the comments and send them to the applicant institution for response.

(10)           **Compliance Monitoring Authority:** The Commission retains the authority to monitor compliance with the guidelines. If infractions are found, they will be referred to the appropriate governing board for corrective action.

(11)           **Funding of Off-Campus Instruction:** Off-campus instruction should be self-supporting; i.e. costs should be covered by tuition, fees, and extramural support. The Commission will not include credit hours and enrollment generated by off-campus instruction in its formula calculations in developing institutional budget recommendations.

(12)           **Review and Approval of Off-Campus Programs:** In addition to all criteria stated for the approval of off-campus courses, the following additional criteria shall apply to the approval of off-campus instructional programs (approved by the Commission on March 2, 2007):

(a)            **Location of Programs:** Complete degree programs may only be offered at Commission approved sites. Distance from the offering institution to the proposed off-campus sites will be a primary consideration in the delivery of off-campus programs, unless it can be demonstrated that the proposed program is the only one of its kind.

(b)            **Relationship to the Commission's Academic Program Inventory:** All programs to be offered off-campus must be listed

in the Commission's Academic Program Inventory for the proposing institution.

(c) Strength of the Existing On-Campus Program: Only programs which are academically strong and productive on the main campus should be offered off-campus. Information related to the main campus program must be provided. This includes:

1. Headcount enrollment data for the preceding five academic years,
2. Completion rates for the preceding five academic years as reported to the National Center for Educational Statistics through the Integrated Postsecondary Education Data System (IPEDS), and
3. Current accreditation status, if programmatic accreditation is available.
4. If graduates of the program are required to pass a certification or licensure examination, the institution must provide documentation related to the performance of its graduates on such an examination.
5. The institution must also include data related to the placement rates of graduates of the program.
6. Exceptions to this rule may be considered, based on (d), (e), and (f) following.

(d) Adequate Student Demand: The institution must provide documentation of strong student demand, along with graduation projections for the first five years of operation at the proposed site. Post-implementation conditions on enrollment, graduation rates and job placement similar to those placed on the approval of new academic programs will be placed on the approval of off-campus programs. If a program is to be offered on a limited one-time basis, this must be stated. In such cases, student demand, enrollment projections, and graduation projections will be applied accordingly.

(e) Need for the Program: The institution must provide documentation that there is significant unmet need (employer demand) which cannot be met by the campus-based program or by other similar programs in the State.

(f) Effect on the Existing On-Campus Program: In supporting documentation, the institution must explain potential effects of the proposed off-campus program on the resources available to and the quality of the program on the main campus. The institution must also provide documentation that the Southern Association of Colleges and Schools and any professional accreditation agencies, if applicable, have been notified of the institution's intent to offer the proposed program off-campus. Documentation must be provided that required clearances have been received from the appropriate accreditation agencies.

(g) Clinical Sites: If the proposed program requires a clinical component (example: allied health programs), signed clinical agreements with appropriate agencies sufficient in number to accommodate the projected enrollment in the program must be provided. These agreements must indicate the total number of clinical slots that will be available at each clinical site.

(h) Admission and Program Completion Requirements: Admission and program completion requirements for a proposed off-campus program must be the same as the requirements on the main campus.

(i) Public Review of Off-Campus Program Proposals: All proposals for off-campus programs will be subject to a twenty-day public comment period prior to action or acceptance by the Commission. Proposals must be submitted electronically by the institutions and will be posted to the Commission website for public review and comment. At the end of the twenty-day period, the Commission staff will compile the comments and send them to the applicant institution for response.

(j) Compliance Monitoring of Off-Campus Programs: If an institution is found to be offering an off-campus program without the approval of the Commission, the Commission staff will notify the institution in writing regarding the violation and may conduct an on-site visit to confirm the non-compliance with Commission policy, if necessary. Following this review, the Commission will take appropriate action concerning the violation.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History: New Rule.** Filed on 7/11/95 to replace a repealed rule, "Review of Off-Campus Offerings of Postsecondary Institutions," which had the same rule number. Effective:

August 31, 1995. This rule is based on policy adopted by the Commission on 6/22/79 and revised on 6/19/92 and 2/11/94. Extensive addition and revision adopted by the Commission on 6/30/95 necessitated the repeal of the former rule and the adoption of the current rule. **Amended:** Filed June 4, 1997; effective July 9, 1997. **Amended:** Filed April 6, 1998; effective May 11, 1998. **Repealed and New Rule:** Filed December 5, 2000; effective January 9, 2001. **Amended:** Filed May 7, 2007; effective June 11, 2007.

**300-2-1-.06 Reasonable Extensions And Alterations Of Existing Units And Programs Of Instructions.**

(1) A reasonable extension or alteration of an existing unit or program of instruction is a modification which does not change the essential character, integrity, or objectives of the unit or program. Such modifications do not create new units or programs of instruction. Reasonable extensions and alterations of existing programs are defined as substantive or non-substantive. Substantive changes that are determined by the staff not to be "reasonable" extensions or alterations will be submitted to the Commission for action, either as an extension or alteration or as a new program of instruction. Those considered to be "reasonable" require notification to the Commission by information item prior to implementation. (From Operational Definitions adopted by the Commission on 8/19/94.)

(2) Non-Substantive Extensions/Alterations of Existing Units or Programs of Instruction: The following extensions and alterations of existing units and programs of instruction are considered non-substantive and do not require Commission approval. However, before any of these changes may be implemented, they must be presented to the Commission as information items. If supporting documentation verifies that any conditions and requirements are met, the changes will be recognized by the Commission by information item. The Commission staff may request additional information if necessary. It is recommended that institutions consult the Commission staff prior to submitting the proposal if there is a question regarding whether the proposed extension or alteration is substantive or non-substantive.

(a) Changes in award nomenclature at the same level for programs listed in the Commission's Academic Program

Inventory, with the exceptions listed below, provided that no changes in program requirements, content, and objectives are made, and provided the new nomenclature replaces the current designation. Prior to implementation, the institution must present an information item which provides sufficient evidence that the proposed nomenclature is more appropriate than the current designation.

1. For purposes of this policy, the Certificate and Diploma (45-90 qh) in the two-year colleges are considered to be at the same level, but the AAT and AAS are not considered to be the same level, because the Commission on Colleges of the Southern Association Colleges and Schools does not recognize the AAT degree. Since the Commission reviews only "long-term" certificates or diplomas in the two-year colleges, any reference to certificates and diplomas is limited to awards of 45-90 qh unless otherwise specified.

(b) Upgrades from Diploma and Certificate to Associate in Applied Technology (AAT) in technical colleges, if documentation is provided that:

1. The AAT is limited to the technology and service programs requiring the highest levels of skills as jointly determined by the staffs of the Commission and the Alabama Community College System (ACCS).

2. The total credit hours in general education requirements are no less than that required by the Southern Association of Colleges and Schools (SACS) Commission on Colleges' standards for associate degrees.

3. The programs are no more than eight quarters in length.

4. All courses are on regular collegiate credit hour basis. (Commission policy adopted 8/8/86.)

(c) Upgrades from AAT to AAS in technical colleges, if documentation is provided that:

1. The technical college achieves Commission on College (COC) accreditation from SACS; or the technical college achieves candidacy status for COC accreditation. In the case of candidacy status, if accreditation is not achieved within four years of the date of candidacy status, the award of completion reverts back to the AAT unless documentation can be provided

that the COC has granted additional time to the institution to receive accreditation.

2. Written documentation of the following is submitted to the Commission staff from the Alabama Community College System:

(i) Date of achievement of candidacy status with COC or COC accreditation.

(ii) Documentation that the technical college faculty teaching the basic core of general education courses in communication, social sciences, science and math, and fine arts meet the COC requirement of holding at least a master's degree and having completed at least 18 graduate semester hours in the field taught. (Commission policy adopted 6/19/92.)

(d) Upgrades from Diploma and Certificate to AAS in community colleges, if documentation is provided that the following conditions are met:

1. The institution must have a Diploma or Certificate listed in the Commission's Academic Program Inventory at the proposed CIP Code with the proposed program title.

2. The CIP Code and title of the upgraded program must remain the same as for the Diploma or Certificate.

3. The total credit hours in general education requirements must be no less than that required by SACS for associate degrees.

4. The program must be no more than 114 quarter hours in length.

5. The two-year institution must have achieved COC accreditation or candidacy status from SACS (copy of letter from SACS must be provided.) Note: In the case of institutional consolidation, no upgrades from Diploma or Certificate to AAS or from AAT to AAS will be accepted by information item until the institutional consolidation of the institution has been approved by the Commission and documentation is provided by the Alabama Community College System from SACS that the educational institution resulting from the consolidation has COC accreditation or candidacy status. Administrative consolidation of institutions, as defined by the Commission, does not provide

a basis for changing or upgrading awards. (Commission policy adopted 6/24/94.)

(e) Changes in program titles or CIP codes if documentation is provided that no changes are made in program requirements, content, and objectives, and provided the new title or code replaces an earlier designation. Program title changes or CIP code changes should only be made when the proposed title or code more adequately reflects the nature and content of the program. The burden of demonstrating this is upon the institution. (Revision of Operational Definitions adopted 6/21/91.)

(f) New Educational Specialist (Ed.S.) degree programs if documentation is provided that they are implemented in conjunction with State Board of Education approved sixth-year (AA) teacher certification programs. (Commission Resolution, 8/25/84.)

(g) Non-degree programs of senior institutions including prebaccalaureate, postbaccalaureate, and postmasters certificates. Note: These certificates are not listed in the Commission's Academic Program Inventory. (New Postbaccalaureate Certificate Programs of Senior Institutions exempted by Commission resolution, 7/8/83.)

(h) Short-term certificate programs (44 quarter hours or less) in community, junior, and technical colleges designed for completion in less than one academic year (3 quarters) of full-time study or the equivalent. Note: These certificates are not listed in the Commission's Academic Program Inventory. (Commission action on 5/20/88).

(i) Dual degree programs sponsored by two different institutions or two departments, schools, or colleges within an institution, leading to the awarding of two separate degrees. Dual degrees are not discretely identified in the Commission's Academic Program Inventory. This definition assumes the existence of two degree offerings prior to an agreement for a dual offering. (Commission action 5/20/88).

(j) Administrative changes at the Department level, such as establishing a new department, combining two or more departments into a single department, or dividing a department into two or more departments. If the administrative change creates a more prominent unit of instruction such as a division or school, Commission approval as a new unit is required. (Code

of Alabama, Chapter 5, Paragraph 16-5-1; revision of Operational Definitions adopted 6/21/91).

(k) New Units of Instruction, Research or Service which do not offer courses or other activities for academic credit. (Code of Alabama, Chapter 5, Paragraph 16-5-8; revision of Operational Definitions adopted 6/21/91).

(l) New Teacher Certification Programs. However, if a certification program involves the addition of a new degree program which will be added to the Commission's Academic Program Inventory and identified in the institution's catalog or other publications, Commission review and approval as a new academic program is required. (For example, if the institution is adding a teacher certification in English under an existing degree program in Secondary Education, Commission approval is not required. However, if a separate degree is to be offered in English Education, per se, then approval is required). (Commission Resolution, 1/14/83 and revisions to Operational Definitions adopted 6/21/91).

(m) Designation of a program in the Commission's Academic Program Inventory as inactive or reinstatement of an inactive program to active status. While a program is on inactive status, no students will be admitted. If an inactive program has not been reinstated within five years, it will be removed from the Commission's Academic Program Inventory. Once the five-year time limit has expired, the institution will have to submit a new program proposal, following established timetables and procedures for review, to have a program reinstated to the Commission's Academic Program Inventory.

To reinstate an inactive program to active status within five years of the date it was formally recognized as inactive by the Commission, the institution must submit documentation that the program has adequate resources and student demand to be placed on active status. After June 6, 1997, only viable programs, as determined by the Alabama Commission on Higher Education, may be placed on inactive status.

(n) Termination of a program in the Commission's Academic Program Inventory. Once the Commission formally recognizes the termination of a program in the Inventory, the institution must submit a new program proposal, following established timetables and procedures, to offer the program again.

(3) Substantive Extensions/Alterations of Existing Programs or Other Units of Instruction: Substantive changes that are determined by the staff not to be "reasonable" extensions or alterations will be submitted to the Commission for action, either as an extension or alteration or as a new program of instruction. Those considered to be "reasonable" require notification to the Commission by information item. In more detail, if any proposed extension or alteration determined by the Commission staff to be a new program or unit must follow established review guidelines and procedures for reviewing new programs and units. If less than one-third of the major of the proposed extension/alteration is in common with the major of the existing program(s), the change automatically will be considered a new program. The criteria used for evaluating the reasonableness of a substantive extension or an alteration include:

(a) The scope or effect of the proposed extension or alteration;

1. How many of the major courses to be offered by the proposed extension/alteration are offered in the existing program?
2. How will the proposed extension/alteration impact other public institutions?
3. Will the proposed extension/alteration move the program listing to a new two-digit CIP category in the Commission's academic program inventory?

(b) The impact of the proposed change on the existing program or unit;

1. What will be the budgetary impact of the proposed extension/alteration?
2. What changes in faculty and staff will be required to implement the proposed extension/alteration?

(c) The rationale for the proposed change.

1. Is justification for proposed extension/alteration based on academic principles and/or market demand?

2. What evidence can be presented that this proposed change will benefit students? Reference need or demand studies if available.

3. How will the resulting program be improved as a result of this proposed change?

4. Substantive extensions/alterations of existing programs and units of instruction include, but are not limited to:

(i) Approval of New Options/Tracks/Specializations/Concentrations As the Result of Program Mergers and Consolidations or New Course Sequences

(I) Option must be in a field closely related to the major (usually 28 sh or 42 qh or more)

(II) Generally, an option must be less than half of the total credits needed for the major (two-year), upper-division major (baccalaureate) or graduate program. (Note: The Commission's definition of minor is 18 sh or 27 qh generally. An option generally would require fewer hours than a minor except in cases where the major is greater than 34 sh or 52 qh).

(III) Generally, the resulting program must have a common core (excluding the general education core) for all majors regardless of which option selected, which is at least 50% of the major. Exceptions to this guideline will be considered if the institution can present convincing rationale that the 50% should be reduced.

((ii)) Approval of Mergers of Two or More Programs into an Existing Program in the Commission's Academic Program Inventory.

(I) Merged program(s) and existing program must have at least two-thirds of their courses in common.

(II) If merged program(s) becomes an option in the existing program, all conditions under 4a above must be met.

(III) Research-based graduate degrees (thesis and dissertation option) are different in kind from course work-based undergraduate and graduate degrees in that didactic work is chosen to provide specific background for the proposed

research. For research-based graduate programs, the merged and existing programs must share a recognized academic relationship and must have the same minimum requirements for credit hours in terms of didactic and thesis/dissertation work.

(iii) Approval of Consolidation of Two or More Programs into a New Program CIP Code and Title in the Commission's Academic Program Inventory.

(I) Existing program(s) and consolidated program must have at least two-thirds of their courses in common.

(II) If existing program(s) becomes an option in the consolidated program, all conditions under 4a above must be met.

(III) For research-based graduate programs, see Section 4.b.3.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq., and in implementation of Act 96-557.

**History:** Filed April 10, 1989. **Amended:** Filed July 27, 1990; September 4, 1991; August 4, 1992. **Amended:** Filed March 12, 1996; effective April 16, 1996. **Amended:** Filed August 4, 1997; effective September 8, 1997. **Amended:** Filed December 12, 2017; effective January 26, 2018.

### **300-2-1-.07 Operational Policy On Inactive Status And Reinstatement Of Programs.**

(1) The purpose of the operational policy on inactive status and reinstatement of inactive programs is to insure there is a consistent policy for placing programs on inactive status, for reinstating programs to active status, and for maintaining an accurate academic program inventory.

(2) It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for placing programs on inactive status and for the reinstatement of such programs.

(3) Until June 6, 1997, an institution could place a program on inactive status at any time. Such action was reported to the Commission by information item and was noted in the Commission's Academic Program Inventory. New students were not admitted to a program which was on inactive status. After

June 6, 1997, the Commission will place programs on inactive status only if they are viable programs as determined by the Commission through the program viability process.

(4) The institution may reinstate a program within five years after the program has been placed on inactive status without submitting a program proposal for approval. However, the institution will inform the Commission of program reinstatement by information item. The information item should provide evidence of adequate resources and student demand to reactivate the program.

(5) If a program has not been reinstated within five years after being placed on inactive status, it will be removed from the Academic Program Inventory.

(6) If an institution wishes to offer a program which has been deleted from the Academic Program Inventory, it will be required to submit a new program proposal for Commission review and action.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History:** Filed April 10, 1989. **New Rule:** Filed March 12, 1996; effective April 16, 1996. **Amended:** Filed August 4, 1997; effective September 8, 1997.

**300-2-1-.08 Operational Policy On The Designation Of Branch Campus Sites.**

(1) Exceptional Nature of Branch Campus Designation: Establishing a branch campus includes a long-term commitment which should not be entered into lightly. Given the large number of institutions and campuses already offering a variety of educational services in Alabama, branch approval should only be given in rare instances of exceptional need and institutional and community commitment. This need and commitment must be clear and apparent and there should be no doubt that an exceptional case has been made.

(2) Location: All of the following criteria must be met regarding the proposed branch campus.

(a) The location of a branch campus must be in compliance with the "25 mile rule" as outlined in the Commission's Guidelines for Off-Campus Instruction.

(b) The institution must have been operating successfully at the proposed branch site for a period of at least five consecutive years.

(c) Branch campus approvals are facility specific. Any relocation, regardless of the distance, must first be approved by the Commission. Additionally, expansion of facilities after initial approval must be approved by the Commission.

(3) Need: The institution must demonstrate that branch status will enable it to satisfy clearly documented needs which cannot otherwise be met.

(4) Administration: The following criteria relate to the administration of the proposed branch campus.

a. The branch must be responsible to appropriate administrative officers on the main campus. It will not have a separate set of administrators, such as deans or department heads.

b. The institution must employ a full-time director for the branch who will report directly to the appropriate administrator on the main campus.

c. The branch proposal must outline the organizational structure and describe the nature of the relationship of the administrative staff of the branch to the administration on the main campus.

(5) Student Support: The institution must provide adequate student support services at the branch including on-site registration, tuition and fee payment, textbook purchasing, academic advising, and student counseling. The proposal must provide a detailed description of how these services will be provided. The institution must also explain how branch campus students will have access to main campus events.

(6) Curriculum: The following criteria regarding curriculum must be followed.

(a) All off-campus programs to be offered at branch campuses must first be included in the Commission's Academic Program Inventory for the proposing institution. Any program

offered exclusively at a branch is still considered a program of the sponsoring institution. Separate program inventories are not maintained for branch campuses.

(b) The institution must meet all criteria for off-campus programs as outlined in the Commission's off-campus Guidelines, and a standard Off-Campus Proposal Form must be submitted for each program.

(c) Expansion of the curriculum at the branch after initial approval must first be approved by the Commission.

(7) Enrollment and Student Characteristics: The following requirements relate to enrollment and student characteristics.

(a) Documentation must be presented that reveals that the prevailing student characteristics at the proposed branch prevents or seriously hampers their attendance at the main campus. Reasonable access to quality educational offerings, not mere convenience, should be the goal. The proposal must include data on student age, sex, marital status, employment status, full-time/part-time status, and student source (county/city of residence).

(b) The institution must demonstrate that enrollments at the site for which branch status is sought have been stable, or preferably increasing, over the past five years.

(c) Enrollment projections must be high enough to maintain the critical mass of students necessary for a vigorous academic atmosphere and to operate on a cost effective basis.

(8) Faculty and Staff: The institution must meet all faculty criteria as outlined in the Commission's Guidelines for Off-Campus Instruction. Since at least two full academic programs will be offered, a minimum of 50% of the faculty at the branch must be employed as full-time faculty by the sponsoring institution.

(9) Facilities and Equipment: The following requirements related to facilities and equipment must be met.

(a) Facilities must meet all criteria as outlined in the Commission's Off-Campus Guidelines. A branch campus involves at least two full academic programs and a long-term

commitment by the institution. Facilities must be adequate in every respect.

(b) The proposal must include a detailed description of the facilities, including floor plans.

(c) The proposal must include an inventory of instructional equipment available at the site. The equipment must be adequate to support the academic program.

(9) Library Resources: The proposal must include a detailed description of the library resources and services available at the site. Library resources and services will be expected to be significantly superior to those available at most off-campus sites and must support the degree programs at the same level as that available on the main campus.

(10) Budget: The institution must provide projected budgets for the first three years of operation of the proposed branch. The costs of operating the branch must be covered by tuition, fees, and other non-appropriated funds.

(11) Community Support: The proposal must include tangible evidence of significant community support for the branch, including both private and public sector support.

(12) Accreditation: The institution must provide documentation that all requirements of the Southern Association of Colleges and Schools have been met for the establishment of a branch campus.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History: New Rule:** Filed August 5, 1996; effective September 9, 1996. **Amended:** Filed June 4, 1997; effective July 9, 1997.

**300-2-1-.09 Guidelines For The Review And Approval Of The Consolidation Or Merger Of Two-Year Postsecondary Institutions.**

(1) The purpose of the guidelines for the review and approval of the consolidation or merger of two-year postsecondary institutions is to insure that such actions are educationally and economically beneficial to the state.

(2) It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for the review and approval of the consolidation or merger of two-year postsecondary institutions. In establishing these policies, the Commission has acted in agreement with an Alabama State Board of Education resolution, which was passed by the Board on January 25, 1996. (The State Board resolution is filed as an attachment to this rule.)

(3) For the purposes of this rule, the following definitions apply:

(a) Administrative Consolidation: Two or more institutions are placed under a single executive head without program interchange. All involved institutions maintain separate functional identities. This does not constitute a multicampus institution, but rather two or more separate institutions operating under a single executive head. (From Operational Definitions adopted by the Commission on 8/19/94).

(b) Institutional Consolidation: Two or more institutions join to form a distinctly new unit, often with a new name. This results in a single multicampus institution operating under one chief executive officer and under one regional accreditation designation. Often involves program relocation or exchange. (From Operational Definitions adopted by the Commission on 8/19/94.)

(c) Merger: One institution relinquishes its assets and degree-granting authority and is dissolved into another with the second institution remaining as the sole surviving entity. Might involve the closure of a campus or one institution becoming a branch of the other. (From Operational Definitions adopted by the Commission on 8/19/94.)

(4) The following sequential procedures will be used for the review of proposed consolidations or mergers of two-year postsecondary institutions:

(a) The Statement of Intent Phase:

1. The Chancellor of the Alabama Department of Postsecondary Education (ADPE) presents a Statement of Intent to Consolidate or Merge two or more institutions to the Alabama Commission on Higher Education (ACHE) for review, comment, and approval.

2. The Chancellor of ADPE presents the Statement of Intent to Consolidate or Merge to the Alabama State Board of Education for approval.

3. Institutional notification of pending change to the Commission on Colleges of the Southern Association of Colleges and Schools.

(b) Administrative Consolidation Phase:

1. The Chancellor of ADPE presents a formal request to the Commission on Higher Education for its approval of the administrative consolidation of the institutions.

2. The Chancellor of ADPE presents a resolution to the Alabama State Board of Education for approval of the administrative consolidation of the institutions.

(c) Institutional (Programmatic) Consolidation or Merger Phase:

1. Preparation and submission of Prospectus for Substantive Change to the Commission on Colleges of the Southern Association of Colleges and Schools (SACS).

2. Visit by SACS Substantive Change Committee.

3. Approval of change by SACS.

4. Submission of Proposal for Institutional (Programmatic) Consolidation or Merger to ACHE for review and approval.

5. Final approval of the consolidation or merger by the Alabama State Board of Education.

(5) The following specific requirements must be addressed in merger or consolidation proposals.

(a) Proposed program exchanges, duplications, or relocations among the merged or consolidated institutions must be clearly identified in the proposals.

(b) Additional programs, i.e. programs not existing on one or more of the campuses at the time of the merger or consolidation, must undergo the regular Commission review and approval process.

(c) Documentation of specific educational benefits to be derived from the merger or consolidation must be presented with the Statement of Intent to Consolidate or Merge.

(d) The merger or consolidation must be cost beneficial. Specifically, evidence must be presented that a reduction of administrative and other costs will result from the merger or consolidation. Both immediate and long-range savings must be presented.

(6) Only those mergers or consolidations that are educationally and economically beneficial shall be approved.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History: New Rule:** Filed April 6, 1998; effective May 11, 1998.

**Ed. Note:** Previous chapter 300-2-1 entitled "Review and Approval of Proposed Postsecondary Course Offerings in Alabama by Non-Alabama Institutions" consisting of Rules 300-2-1-.01 "Goal," 300-2-1-.02 "Organization," 300-2-1-.03 "Definition of Terms," 300-2-1-.04 "Procedure for Applying for Approval," 300-2-1-.05 "Procedure for Exempt Institutions," 300-2-1-.06 "General Standards for Approval," 300-2-1-.07 "Criteria for Approval of Courses," 300-2-1-.08 "Site Visits and Special Consultants," 300-2-1-.09 "Time Schedule for Commission Response," 300-2-1-.10 "Application Fees," and 300-2-1-.11 "Appeal" filed December 10, 1985. Chapter Repealed and new chapter adopted in lieu thereof.

Rule 300-2-1-.09, Definitions Recognized by the Commission was moved to Rule 300-2-1-.01. Rule 300-2-1-.06, Operational Policy on the Approval, Disapproval, Deferral, and Withdrawal of New Programs of Instruction was moved to Rule 300-2-1-.04. Rule 300-2-1-.01, Definitions Relating to Program Review was moved to Rule 300-2-1-.06. Rule 300-2-1-.07, was repealed and replace with Rule 300-2-1-.08, Operational Policy on Inactive Status and Reinstatement of Programs. These changes took place in the certification dated March 12, 1996; effective April 16, 1996.

### **300-2-1-.10      Distance Education.**

(1) Units of instruction offered by Alabama public institutions, including distance education offerings, are

subject to Commission approval per the Code of Ala. 1975, Section 16-5-8.

(2) Definition of Distance Education: A formal educational process using technological delivery in which instruction occurs where students and instructors are not in the same place. Instruction may be synchronous or asynchronous. Distance education may employ audio, video, or computer technologies. Distance education, distance learning, and e-learning are recognized by the Commission as being synonymous terms. Academic courses or programs are considered to be distance education entities when over fifty percent of the content is delivered through distance education modes. [Based on the Council on Occupational Education (COE) and the Southern Association of Colleges and Schools/Commission on Colleges (SACS/COC) definitions.]

(3) Institutions are to set tuition for distance education offerings, ensuring that they meet statutory requirements. Institutions providing distance education courses or programs are expected to be in full compliance with the standards and/or requirements of any appropriate governing or accreditation authorities.

(4) Academic programs offered through distance education by Alabama public institutions must have been approved by the Commission on Higher Education and must be listed in the Commission's Academic Program Inventory with no restriction to a military base.

(5) Programs approved by the Commission on Higher Education do not require additional Commission approval to be configured and offered as distance education programs. However, institutions preparing to offer existing programs as distance education offerings must report this intent to the Commission prior to implementation.

(6) The Commission on Higher Education does not require approval of individual courses for distance education purposes.

**Author:** Leonard Lock

**Statutory Authority:** Code of Ala. 1975, §§16-5-1 et seq.

**History: New Rule:** Filed December 11, 2018; effective January 25, 2019

## ALABAMA COMMISSION ON HIGHER EDUCATION

ATTACHMENTS TO RULE 300-2-1-.05, "REVIEW OF OFF-CAMPUS  
INSTRUCTION OFFERED BY PUBLIC POSTSECONDARY INSTITUTIONS"SERVICE AREA TABLES  
ATTACHMENT 1STATE BOARD OF EDUCATION APPROVED SERVICE AREAS  
OF TWO-YEAR COLLEGES

(Boldface Counties Indicate Home Counties)

**NOTE: Attachment 1 is included for informational purposes only. Service areas for Alabama public two-year colleges are determined by the Alabama Board of Education and are not subject to Commission approval. The Commission staff will alter this table as changes are received from the Alabama Department of Postsecondary Education.**

College	State Board Approved Service Areas
Alabama Southern Community College	<ul style="list-style-type: none"> <li>• Choctaw</li> <li>• Marengo</li> <li>• <b>Clarke</b></li> <li>• <b>Monroe</b> (all but northeastern corner)</li> <li>• Wilcox (shared with Reid)</li> </ul>
Bevill State Community College	<ul style="list-style-type: none"> <li>• <b>Marion</b></li> <li>• Lamar</li> <li>• <b>Fayette</b></li> <li>• Jefferson (shared with Lawson, Jeff State, Bessemer, and Wallace/ Hanceville)</li> <li>• Pickens (shared with Shelton)</li> <li>• <b>Walker</b></li> <li>• Winston (southwestern one-fourth)</li> </ul>
Bishop State Community College	<ul style="list-style-type: none"> <li>• <b>Mobile</b> (shared with Enterprise-Ozark)</li> <li>• Washington</li> </ul>
Calhoun State Community College	<ul style="list-style-type: none"> <li>• Madison (shared with Drake)</li> <li>• Morgan (northern two-thirds shared with Drake)</li> <li>• <b>Limestone</b></li> <li>• Lawrence (eastern one-third shared with NW-Shoals)</li> </ul>
Central Alabama Community College	<ul style="list-style-type: none"> <li>• Clay (western one-half)</li> <li>• <b>Talladega</b></li> <li>• Coosa</li> <li>• <b>Tallapoosa</b> (southeast corner shared with Southern Union)</li> <li>• Elmore (site in Tallassee)</li> <li>• Shelby (eastern one-half)</li> </ul>
Chattahoochee Valley Community College	<ul style="list-style-type: none"> <li>• Macon (eastern one-third)</li> <li>• Lee (Southeastern corner shared with Southern Union)</li> <li>• <b>Russell</b> (southeastern one-third shared with Wallace - Dothan)</li> </ul>
Drake State Technical College	<ul style="list-style-type: none"> <li>• <b>Madison</b> (shared with Calhoun)</li> <li>• Morgan (northern two-thirds shared with Calhoun)</li> </ul>

Enterprise-Ozark Community College	<ul style="list-style-type: none"> <li>• Pike</li> <li>• <b>Coffee</b> (shared with LBW)</li> <li>• Geneva (western two-thirds shared with LBW)</li> <li>• Dale (western half)</li> <li>• Mobile (shared with Bishop)</li> </ul>
Faulkner State Community College	<ul style="list-style-type: none"> <li>• <b>Baldwin</b></li> </ul>
Gadsden State Community College	<ul style="list-style-type: none"> <li>• St. Clair (northeastern third)</li> <li>• <b>Etowah</b></li> <li>• Cherokee (all but northern one-sixth)</li> <li>• Calhoun</li> <li>• Cleburne</li> </ul>
Ingram State Technical College	<ul style="list-style-type: none"> <li>• <b>Elmore</b> (statewide responsibility)</li> </ul>
Jefferson Davis Community College	<ul style="list-style-type: none"> <li>• <b>Escambia</b> (shared with Reid)</li> <li>• Conecuh (shared with Reid)</li> <li>• Monroe (northeastern corner which is shared with Reid)</li> </ul>
Jefferson State Community College	<ul style="list-style-type: none"> <li>• <b>Jefferson</b> (shared with Lawson, Bevill, and Wallace-Hanceville.)</li> <li>• Shelby (western one-half shared with Lawson)</li> <li>• St. Clair (southwestern two-thirds)</li> </ul>
Lawson State Community College	<ul style="list-style-type: none"> <li>• <b>Jefferson</b> (shared with Jefferson State, Bevill, and Wallace- Hanceville)</li> <li>• Shelby (site in Hoover)</li> </ul>
L. B. Wallace State Junior College	<ul style="list-style-type: none"> <li>• Butler (shared with Reid)</li> <li>• Coffee (shared with Enterprise-Ozark)</li> <li>• Crenshaw</li> <li>• <b>Covington</b></li> <li>• Geneva (western two-thirds which is shared with Enterprise-Ozark)</li> </ul>
Northeast Alabama Community College	<ul style="list-style-type: none"> <li>• Jackson</li> <li>• <b>DeKalb</b> (northern half)</li> <li>• Cherokee (northern one-sixth)</li> </ul>
Northwest-Shoals Community College	<ul style="list-style-type: none"> <li>• Lauderdale</li> <li>• Lawrence (eastern one-third shared with Calhoun)</li> <li>• <b>Colbert</b></li> <li>• <b>Franklin</b></li> <li>• Winston (northwestern one-fourth)</li> </ul>
Reid State Technical College	<ul style="list-style-type: none"> <li>• Escambia (shared with Jeff Davis)</li> <li>• <b>Conecuh</b> (shared with Jeff Davis)</li> <li>• Wilcox (shared with Alabama Southern)</li> <li>• Monroe (northeastern corner which is shared with Jeff Davis)</li> <li>• Butler (shared with LBW)</li> </ul>

Shelton State Community College	<ul style="list-style-type: none"> <li>• Bibb</li> <li>• Hale</li> <li>• Greene</li> <li>• <b>Tuscaloosa</b></li> <li>• Sumter</li> <li>• Pickens (shared with Bevill)</li> </ul>
Snead State Community College	<ul style="list-style-type: none"> <li>• <b>Marshall</b></li> <li>• DeKalb (southern half)</li> <li>• Blount (eastern half)</li> </ul>
Southern Union State Community College	<ul style="list-style-type: none"> <li>• Chambers</li> <li>• Clay (eastern half)</li> <li>• <b>Lee</b> (Southeastern corner shared with Chattahoochee Valley).</li> <li>• <b>Randolph</b></li> <li>• Tallapoosa (southeastern corner which is shared with Central)</li> <li>• Macon (middle one-third)</li> </ul>
Trenholm State Technical College	<ul style="list-style-type: none"> <li>• Elmore (shared with Ingram and Central)</li> <li>• <b>Montgomery</b></li> <li>• Lowndes</li> <li>• Bullock (western half)</li> <li>• Macon (western one-third)</li> </ul>
Wallace State Community College (Dothan)	<ul style="list-style-type: none"> <li>• Henry</li> <li>• Dale (eastern half)</li> <li>• <b>Houston</b></li> <li>• Geneva (eastern one-third)</li> <li>• Barbour</li> <li>• Bullock (eastern one-half)</li> <li>• Russell (southern one-third which is shared with Chattahoochee Valley)</li> </ul>
Wallace State Community College (Hanceville)	<ul style="list-style-type: none"> <li>• <b>Cullman</b></li> <li>• Blount (western half)</li> <li>• Winston (eastern half)</li> <li>• Morgan (southern one-third)</li> <li>• Jefferson (northwest corner)</li> </ul>
Wallace State Community College (Selma)	<ul style="list-style-type: none"> <li>• Chilton</li> <li>• Autauga</li> <li>• Perry</li> <li>• <b>Dallas</b></li> </ul>

## ATTACHMENT 2

## SERVICE AREAS OF UNIVERSITIES BY COUNTY

(Boldface Counties Indicate Home Counties)

University	Service Area
Alabama A&M University (AAM)	<ul style="list-style-type: none"> <li>• <b>Madison</b> (shared with UAH)</li> <li>• Cullman (shared with UAH and ATSU)</li> <li>• Jackson (shared with UAH)</li> <li>• Marshall (shared with UAH)</li> <li>• Morgan (shared with UAH and ATSU)</li> </ul>
Alabama State University (ASU)	<ul style="list-style-type: none"> <li>• <b>Montgomery</b> (shared with AUM and TROY)</li> <li>• Autauga (shared with AUM and TROY)</li> <li>• Bullock (shared with AUM and TROY)</li> <li>• Crenshaw (shared with AUM and TROY)</li> <li>• Dallas (shared with AUM and TROY)</li> <li>• Elmore (shared with AUM and TROY)</li> <li>• Lowndes (shared with AUM and TROY)</li> <li>• Macon (shared with AU, AUM and TROY)</li> </ul>
Athens State University (ATSU)	<ul style="list-style-type: none"> <li>• <b>Limestone</b></li> <li>• Cullman (shared with AAM and UAH)</li> <li>• Lawrence (shared with UNA)</li> <li>• Morgan (shared with AAM and UAH)</li> </ul>
Auburn University (AU)  (This institution has a constitutional statewide mission.)	<ul style="list-style-type: none"> <li>• <b>Lee</b></li> <li>• Chambers</li> <li>• Macon (shared with ASU, AUM and TROY)</li> <li>• Russell (shared with TROY)</li> <li>• Tallapoosa</li> </ul>
Auburn University at Montgomery (AUM)	<ul style="list-style-type: none"> <li>• <b>Montgomery</b> (shared with ASU and TROY)</li> <li>• Autauga (shared with ASU and TROY)</li> <li>• Bullock (shared with ASU and TROY)</li> <li>• Crenshaw (shared with ASU and TROY)</li> <li>• Dallas (shared with ASU and TROY)</li> <li>• Elmore (shared with ASU and TROY)</li> <li>• Lowndes (shared with ASU and TROY)</li> <li>• Macon (shared with ASU, AU and TROY)</li> </ul>
Jacksonville State University (JSU)	<ul style="list-style-type: none"> <li>• <b>Calhoun</b></li> <li>• Cherokee</li> <li>• Clay</li> <li>• Cleburne</li> <li>• DeKalb</li> <li>• Etowah</li> <li>• Randolph</li> <li>• St. Clair (shared with UAB and UM)</li> <li>• Talladega (shared with UM)</li> </ul>

Troy University (TROY)	<ul style="list-style-type: none"> <li>• <b>Pike, Houston, Montgomery (shared with ASU and AUM)</b></li> <li>• Autauga (shared with ASU and AUM)</li> <li>• Barbour</li> <li>• Bullock (shared with ASU and AUM)</li> <li>• Butler</li> <li>• Coffee</li> <li>• Conecuh</li> <li>• Covington</li> <li>• Crenshaw (shared with ASU and AUM)</li> <li>• Dale</li> <li>• Dallas (shared with ASU and AUM)</li> <li>• Elmore (shared with ASU and AUM)</li> <li>• Geneva</li> <li>• Henry</li> <li>• Lowndes (shared with ASU and AUM)</li> <li>• Macon (shared with ASU, AU and AUM)</li> <li>• Russell (shared with AU)</li> </ul>
University of Alabama (UA)  (This institution has a constitutional statewide mission.)	<ul style="list-style-type: none"> <li>• <b>Tuscaloosa</b></li> <li>• Bibb (shared with UAB and UM)</li> <li>• Fayette</li> <li>• Greene (shared with UWA)</li> <li>• Hale</li> <li>• Lamar</li> <li>• Pickens (shared with UWA)</li> <li>• Walker (shared with UAB)</li> </ul>
University of Alabama at Birmingham (UAB)	<ul style="list-style-type: none"> <li>• <b>Jefferson</b></li> <li>• Bibb (shared with UA and UM)</li> <li>• Blount</li> <li>• St. Clair (shared with JSU and UM)</li> <li>• Walker (shared with UA)</li> </ul>
University of Alabama in Huntsville (UAH)	<ul style="list-style-type: none"> <li>• <b>Madison</b> (shared with AAM)</li> <li>• Cullman (shared with AAM and ATSU)</li> <li>• Jackson (shared with AAM)</li> <li>• Marshall (shared with AAM)</li> <li>• Morgan (shared with AAM and ATSU)</li> </ul>
University of Montevallo (UM)	<ul style="list-style-type: none"> <li>• <b>Shelby</b></li> <li>• Bibb (shared with UA and UAB)</li> <li>• Chilton</li> <li>• Coosa</li> <li>• Talladega (shared with JSU)</li> <li>• St. Clair (shared with JSU and UAB)</li> </ul>
University of North Alabama (UNA)	<ul style="list-style-type: none"> <li>• <b>Lauderdale</b></li> <li>• Colbert</li> <li>• Franklin</li> <li>• Lawrence (shared with ATSU)</li> <li>• Marion</li> <li>• Winston</li> </ul>

University of South Alabama (USA)	<ul style="list-style-type: none"><li>• <b>Mobile</b></li><li>• Baldwin</li><li>• Clarke (shared with UWA)</li><li>• Escambia</li><li>• Monroe</li><li>• Washington</li></ul>
University of West Alabama (UWA)	<ul style="list-style-type: none"><li>• <b>Sumter</b></li><li>• Choctaw</li><li>• Greene (shared with UA)</li><li>• Marengo</li><li>• Perry</li><li>• Pickens (shared with UA)</li><li>• Wilcox</li><li>• Clarke (shared with USA)</li></ul>

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

**History: New Attachments:** Filed May 7, 2007; effective June 11, 2007.

**Attachment To Rule 300-2-1-.09  
Guidelines For The Review And Approval Of The Consolidation Or  
Merger Of Two-Tear Postsecondary Institutions**

**Alabama State Board Of Education Resolution  
Passed January 25, 1996**

**CONSOLIDATION OR MERGER OF POSTSECONDARY  
INSTITUTIONS**

WHEREAS, a recommendation that all colleges in The Alabama College System be given the opportunity to become community colleges was passed by The Alabama College System President's Association and accepted by the Chancellor of the Alabama College System; and

WHEREAS, on May 26, 1989, the Chancellor instructed all technical colleges then accredited by the Commission on Educational Institutions of the Southern Association of Colleges and Schools to become accredited by the Commission on College of the Southern Association of Colleges and Schools; and

WHEREAS, the Chancellor is responsible for the development of guidelines and criteria to be met by institutions of the Alabama College System in changing status; and

WHEREAS, the Chancellor, upon the occasion of an institution's having met the guidelines and criteria specified for changing status may recommend approval of such change in status to the Alabama State Board of Education; and

WHEREAS, the Alabama State Board of Education wishes to reaffirm its commitment to peer accreditation processes and its support, without reservation, of the need for and importance of such reviews; and

WHEREAS, the Alabama State Board of Education expresses its desire that colleges under its supervision communicate with the Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission on Higher Education in a timely and appropriate manner; and

WHEREAS, it is the expectation of the Chancellor that institutes involved in consolidation or merger shall undertake deliberate planning processes in accordance with the requirements of The Criteria for Accreditation of the Commission

on Colleges of the Southern Association of Colleges and Schools  
and requirement of the Alabama Commission on Higher Education;

NOW, THEREFORE, BE IT RESOLVED, That the Chancellor may cause two or more institutions within the Alabama College System to consolidate or merge for the purpose of forming a comprehensive community college by presenting for approval, first to the Alabama Commission on Higher Education for review, comments and/or action, and then to the Alabama State Board of Education a Statement of Intent to Consolidate or Merge which shall incorporate and conform to the following stipulations and provisions:

1. A description of the institutions to be consolidated or merged and the designation of a name for the newly created comprehensive community college;
2. A statement of personnel assurances addressing the individual identities, missions, and histories of the affected institutions; the status, right, privileges, and benefits of employees of both the consolidated or merged institutions and the new community college; the status, rights, and privileges of students of both the consolidated or merged institutions and the new community college; employment practices and related and relevant matters of law; and such other information as the Chancellor shall deem appropriate;
3. Assurance that personnel at the institutions to be consolidated or merged have been involved in the preparation of the Statement of Intent to Consolidate or Merge, and that close consultation between personnel at the institutions to be consolidated or merged and staff members will continue during the consolidation or merger process;
4. A description of the benefits to be derived from the consolidation or merger in terms of enhancement of programs and services available to residents of the new college service area;
5. A description of the benefits to be derived from the consolidation or merger in terms of efficiency of management, leadership, and coordination of instructional and student support activities;
6. A plan to secure and/or maintain appropriate accreditation for the newly formed community college, including the Prospectus for Substantive Change as required by the

Commission on Colleges of the Southern Association of Colleges and Schools;

7. The results of an audit of the effectiveness of educational programs at each of the affected institutions, and especially a description of the impact of the consolidation or merger upon existing and/or potential occupational/technical programs to be used to provide entry-level job training skills to residents of the new college service area;

8. A description of library/learning resources to support the programs at the newly consolidated or merged institution;

9. A description of the impact of the consolidation or merger upon the ability of the new community college to provide training for business and industry within the college service area;

10. A description of the impact of the consolidation or merger upon the ability of the new community college to provide community service and continuing education opportunities to the residents of the service area;

11. A student population projection and student demographic analysis for the new community college;

12. A disposition of existing facilities, equipment, and supplies for the consolidated or merged institution as it affects the new community college;

13. A description of the fiscal support available for the new community college, including a copy of the most recent financial audits of the affected institutions and a financial impact statement regarding their consolidation or merger;

14. A plan setting forth the steps to be taken and time lines to achieve the administrative and programmatic consolidation or merger of the institutions involved into a single comprehensive community college, developed with input from and consultation between personnel at the institutions to be consolidated or merged;

A. The consolidation or merger of institutions shall proceed in two phases, commencing with an administrative consolidation or merger, for which a detailed plan shall be developed which shall contain a description of the

administrative organization for the new institution, and a specific time line noting the initiation and completion dates of the administrative phase of the consolidation or merger;

B. A detailed plan for the final phase of the consolidation or merger, the programmatic phase, shall be developed and shall contain a description of the educational program at the new institution, including an inventory of programs, as well as other specific information related to programmatic realignments, and a specific time line noting the initiation and completion dates of the programmatic phase of the consolidation or merger;

15. Provisions for planned professional development to enhance and support the growth of the new comprehensive community college;

16. A description of the geographic area to be served by the new community college;

17. A specific time line defining the entire consolidation or merger process;

18. The Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission on Higher Education shall be notified at the beginning of the planning process for consolidations or merges and at least six months in advance of the designated date for final approval, in accordance with its provisions for substantive change; and

19. The Alabama State Board of Education directs the president(s) and the Chancellor, when necessary, to visit the Southern Association of Colleges and Schools personally to assure understanding and communication concerning pending consolidations or merges.

BE IT FURTHER RESOLVED, That the consolidation or merger of institutions shall be recommended only after public meetings concerning the proposed consolidation or merger are held in each community where an affected institution is located; that the Chancellor shall approve all elements of the transition plan for carrying out the consolidation or merger of institutions and monitor all actions taken and evaluate their effectiveness; that consolidated or merged institutions shall not be recognized as one institution until the administrative and programmatic phases are completed, the Commission on Colleges of the Southern Association of Colleges and Schools and the Alabama Commission

on Higher Education have recognized and approved the consolidation or merger; and the Alabama State Board of Education has rendered final approval; and that the Chancellor shall report annually for the first three years to the Alabama State Board of Education concerning the programs of the consolidation or merger including elements of fiscal, program, and administrative accountability.

BE IT FURTHER RESOLVED, That the colleges are instructed to submit copies of all correspondence with and materials provided to and received from the Commission on Colleges of the Southern Association of Colleges and Schools to the Alabama Department of Postsecondary Education for conveyance to the Alabama State Board of Education.

**CHANCELLOR'S GUIDELINES AND TIMETABLE FOR  
MERGER OR CONSOLIDATION**

1. Approval of Statement of Intent to Consolidate or Merge by the Alabama Commission on Higher Education;
2. Approval of Statement of Intent to Consolidate or Merge and of personnel assurances by the Alabama State Board of Education (initial action);
3. Institutional notification of pending change to the Commission on Colleges of the Southern Association of Colleges and Schools (immediately after initial action);
4. Preparation and submission of Prospectus for Substantive Change (as required by the Commission on Colleges of the Southern Association of Colleges and Schools);
5. Visit by Substantive Change Committee (varies);
6. Approval of change by the Commission on Colleges of the Southern Association of Colleges and Schools (varies);
7. Approval of formal request for administrative consolidation by the Alabama Commission on Higher Education;
8. Final approval of change by the Alabama State Board of Education subject to acceptance of the prospectus by the Commission on Colleges of the Southern Association of Colleges and Schools (six months after initial action);
9. Recognition of programmatic change;
10. First year progress report;
11. Second year progress report;
12. Third year progress report.

**Author:** William O. Blow

**Statutory Authority:** Code of Ala. 1975, §§16-5-1, et seq.

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