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**Docket Item:**

Policy Brief: Review and Approval of Significant Changes Related to Hybrid Program Delivery

**Summary:**

The expansion of hybrid program delivery in the Portland Metro area by public universities other than Portland State has triggered a need to clarify the treatment of hybrid programs under the HECC statewide program approval process. At issue are academic programs approved by the HECC (or its predecessor, the State Board of Higher Education) to operate at specific locations, *when those programs are subsequently expanded* to include a “hybrid” option -- a blend of online and face-to-face instruction – where the latter is delivered at a location more than 40 miles from the previously-approved instructional site. HECC staff recommend adoption of a policy that requires a university to receive HECC approval if the university’s intent is to offer 51% or more of the program in a face-to-face format more than 40 miles from the site where it is currently approved. This follows the 51%/49% guidelines of the federal government as adopted by the Northwest Commission on Colleges and Universities (NWCCU). In addition, HECC staff recommend that at any time a portion of delivery will be face-to-face and even when the 51% threshold has not been met, institutions confer before delivering academic services, recruiting, conducting and marketing in a location traditionally served by another public university.

**Docket Material:**

Introduction

The Higher Education Coordinating Commission (HECC) is required by ORS 352.089 to review and approve any “significant change” in a university’s academic program. “Significant change” is defined as “any new undergraduate or graduate degree program, or any existing undergraduate or graduate degree program that will be offered more than 40 miles from the site at which it is currently being offered.” (OAR 715-013-0020). In reviewing significant change proposals, HECC considers the following criteria:

1. Is the program consistent with the mission of the public university;
2. Does the program unnecessarily duplicate academic programs offered by other Oregon public institutions;
3. Is the program located in a geographic area that will cause undue hardship to another public institution; and
4. Are programs allocated among public institutions in a manner that achieves statewide needs and requirements?

To be resolved: how much, if any, of face-to face delivery offered more than 40 miles away constitutes unnecessary duplication, may cause undue hardship to another public institution, and/or promotes statewide needs and requirements.

Research and Consultation:

HECC staff solicited feedback from the Provosts’ Council; reviewed the process the Commission approved in 2015; and researched policies from other states with similar governance structures including Nebraska, Virginia and Texas.

The Provosts propose that:

*In the context of a significant change, HECC's interest in "hybrid" programs should be guided by the percentage of face-to-face instructional delivery and informed by the Northwest Commission on Colleges and Universities (NWCCU) substantive change policy. Based on guidelines established by the federal Department of Education, NWCCU adheres to a 51%/49% threshold, meaning that if 51% or more of the instruction is provided in an approved location or modality, there is no substantive change and no external approval is required. This same threshold could be used as a trigger for HECC's review of a "significant change." If 51% or more of the face-to-face instruction required to earn the degree is proposed to be delivered in a location more than 40 miles from the site it is currently offered, then HECC would review the proposal based on its existing criteria (i.e. mission, duplication, hardship) (submitted to the HECC November 2018).*

#### HECC Process and Structure

The Program Approval Process adopted in June 2015 by the Commission requires that as soon as a university determines that intends to offer a proposed program in another region, it notify the HECC and affected institutions. The proposing institution then convenes potentially-affected institutions and the HECC for collaborative discussions in the interest of arriving at an agreement. The proposal is then submitted to the Provosts' Council for an advisory vote to the HECC.

#### **Staff Recommendation:**

HECC staff support adoption of the NWCCU 51%/49% threshold as the significant change trigger for requiring HECC approval for hybrid program delivery 40 miles from the site where a program is currently approved for offer. HECC staff recommend the proposing institution follow the 2015 Program Approval Process. In addition, HECC staff recommend that at any time a portion of delivery will be face-to-face and even when the 51% threshold has not been met, institutions confer before delivering academic services, recruiting, conducting and marketing in a location traditionally served by another university. Universities are encouraged to collaborate and cooperate early in the development of hybrid program delivery models in order to leverage limited state and institutional resources, reduce duplication, and promote the best interests of students and the State. HECC staff recommend a review of progress on collaboration and avoidance of duplication in December 2019.