

# **TEXAS HIGHER EDUCATION COORDINATING BOARD**



**Regular Quarterly Meeting**

**October 22, 2020**

# **SCHEDULE OF QUARTERLY COORDINATING BOARD MEETINGS**

January 21, 2021

April 22, 2021

July 22, 2021

October 21, 2021



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

## **MEMORANDUM**

October 7, 2020

Stuart W. Stedman  
CHAIR

Fred Farias III, O.D.  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Levi D. McClenny  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Cody C. Campbell  
Emma W. Schwartz  
R. Sam Torn  
Donna N. Williams  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

512/ 427-6101  
Fax 512/ 427-6127

Web site:  
<http://www.highered.texas.gov>

To: Coordinating Board Members & Interested Parties

From: Harrison Keller, Ph.D.

Subject: Coordinating Board Meeting

The agenda for the October 22, 2020, Coordinating Board meeting is attached. The meeting will be held via live broadcast according to the schedule below. The agenda is organized according to committees. The times indicated for the start and conclusion of each section of the agenda are approximate and depend on the length of discussion for each item. A link to the live broadcast for this meeting will be available on our website at <http://www.highered.texas.gov>.

*PUBLIC TESTIMONY: The presiding chair shall designate whether public testimony will be taken at the beginning of the meeting, at the time the related item is taken up by the Board after staff has presented the item, or any other time as determined by the presiding chair. For procedures on testifying please go to <http://www.highered.texas.gov/public-testimony>.*

### **Wednesday, October 21**

9:00 a.m.

#### **Committee on Innovation, Data, and Educational Analytics**

Via Live Broadcast

10:00 a.m.

#### **Committee on Academic Workforce and Success**

Via Live Broadcast

12:00 p.m.

#### **Agency Operations Committee**

Via Live Broadcast

6:30 p.m.

#### **Dinner for Board Members**

Location:

Four Seasons

98 San Jacinto Boulevard

Austin, TX 78701-4036

**Thursday, October 22**

9:00 a.m.

**Coordinating Board Meeting**

Via Live Broadcast

9:05 a.m.

Agenda Item I

Call to Order: Opening Remarks

9:20 a.m.

Agenda Item II

Public Testimony

9:25 a.m.

Agenda Item III

Approval of Minutes

9:30 a.m.

Agenda Item IV

Approval of the Consent Calendar for entire meeting

9:35 a.m.

Agenda Item V

Major Policy Discussion

10:35 a.m.

Agenda Item VI

Matters relating to the Full Board

11:15 a.m.

Agenda Item VII

Matters relating to the Committee on Innovation, Data, and Educational Analytics

11:20 p.m.

Agenda Item VIII

Lunch

11:50 p.m.

Agenda Item IX

Matters relating to the Committee on Academic and Workforce Success

12:10 p.m.

Agenda Item X

Matters relating to the Agency Operations Committee

12:20 p.m.

Agenda Item XI

Adjournment

*Texas Penal Code Section 46.035(c) states: "A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter." Thus, no person can carry a handgun and enter the room or rooms where a meeting of the THECB is held if the meeting is an open meeting subject to Chapter 551, Government Code.*

**Please Note** that this governmental meeting is, in the opinion of counsel representing THECB, an open meeting subject to Chapter 551, Government Code and THECB is providing notice of this meeting as required by Chapter 551. In addition, **please note** that the written communication required by Texas Penal Code Sections 30.06 and 30.07, prohibiting both concealed and open carry of handguns by Government Code Chapter 411 licensees, will be posted at the entrances to this governmental meeting.

**TEXAS HIGHER EDUCATION COORDINATING BOARD****PREFERRED MAILING ADDRESS LIST**EMAIL: [boardmember@highered.texas.gov](mailto:boardmember@highered.texas.gov)

BOARD MEMBER	ADDRESS/PHONE/EMAIL	TERM ENDS
Stuart W. Stedman <i>Chair</i> <b>HOUSTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/21
Fred Farias III, O.D. <i>Vice Chair</i> <b>MCALLEN</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/25
Ricky A. Raven. <i>Secretary of the Board</i> <b>SUGAR LAND</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/21
S. Javaid Anwar <b>MIDLAND</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/21
Cody C. Campbell <b>FORT WORTH</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/23
Emma W. Schwartz <b>EL PASO</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/25
R. Sam Torn <b>HOUSTON</b>	/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/25
Donna N. Williams <b>ARLINGTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/23
Welcome W. Wilson, Jr. <b>HOUSTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	08/31/23
Levi D. McClenny <i>Student Representative</i> <b>COLLEGE STATION</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6101</b>	05/31/21

Dated 06/17/20

**Standing Committee Membership**  
**Effective June 01, 2020**

**Committee on Academic and Workforce Success (CAWS)**

Fred Farias III, O.D., Chair

Donna N. Williams., Vice Chair

Cody C. Campbell

Emma W. Schwartz

R. Sam Torn

Welcome W. Wilson, Jr.

Levi D. McClenny (Student Representative), Ex-Officio

Stuart W. Stedman, Ex-Officio

**Committee on Innovation, Data, and Educational Analytics (IDEA)**

S. Javaid Anwar, Chair

Welcome W. Wilson, Jr., Vice Chair

Ricky A. Raven

R. Sam Torn

Donna N. Williams

Levi D. McClenny (Student Representative), Ex-Officio

Stuart W. Stedman, Ex-Officio

**Agency Operations Committee (AOC)**

Ricky A. Raven, Chair

Emma W. Schwartz, Vice Chair

S. Javaid Anwar

Cody C. Campbell

Fred Farias III, O.D.

Levi D. McClenny (Student Representative), Ex-Officio

Stuart W. Stedman, Ex-Officio

*NOTE: The Coordinating Board meeting will be broadcast live on the Internet at <http://www.highered.texas.gov/Events>. Board meeting agendas, minutes, presentations, and reports are also available at this address.*

**TEXAS HIGHER EDUCATION COORDINATING BOARD**

**A G E N D A**

**Regular Quarterly Meeting**

**VIA LIVE BROADCAST**

**9:00 A.M., Thursday, October 22, 2020**

*The Texas Higher Education Coordinating Board may convene in Executive Session at any point in this meeting, concerning any item listed in the agenda or to seek or to receive its attorney's advice on legal matters related thereto, pursuant to Texas Government Code Ann. 551.071.*

*PUBLIC TESTIMONY: The presiding chair shall designate whether public testimony will be taken at the beginning of the meeting, at the time the related item is taken up by the Board after staff has presented the item, or any other time as determined by the presiding chair. For procedures on testifying please go to <http://www.highered.texas.gov/public-testimony>.*

**I. Call to Order: Opening Remarks**

- A. Commissioner's Remarks

**II. Public Testimony**

- A. Public Testimony

**III. Approval of Minutes**

- A. Quarterly Board Meeting, July 23, 2020
- B. Special Called Board Meeting, August 25, 2020
- C. Special Called Board Meeting, September 10, 2020

**IV. Approval of the Consent Calendar**

- A. Consent Calendar

**V. Major Policy Discussion**

- A. Appointment of 60x30TX Refresh - Steering Committee
- B. 60x30TX Update and Refinement

**VI. Matters relating to the Full Board**

- A. Consideration and possible approval of the Board to enter an Interagency Agreement with The University of Texas at Austin (UT-Austin) to transfer the Texas OnCourse program to the Texas Higher Education Coordinating Board (THECB).
- B. Acceptance of Gifts and Donations to the Board
- C. Consideration of renewing Emergency Rule § 1.15(b) authorizing the Commissioner of Higher Education to make adjustments to reporting requirements pertaining to formula funding as necessary to assist institutions of higher education (IHEs) in responding to the COVID-19 pandemic or other disasters, with an effective date of December 24, 2020 for a period of 60 days.

**VII. Matters relating to the Committee on Innovation, Data, and Educational Analytics**

- A. Committee Chair's Overview
- B. Consideration of approval of the *60x30TX* Progress Report
- C. Consideration of adopting the certification of gifts that are fundable through the Texas Research Incentive Program (TRIP) for the Emerging Research Universities
- D. Consideration of adopting the Evaluation of the Nursing Shortage Reduction Program report (*General Appropriations Act, House Bill 1, Article III, Section 28(g), 86th Texas Legislature*)
- E. Consideration of adopting the report to the Legislature on High School Individual Graduation Committee (IGC) Graduates (Texas Education Code, Section 28.02591)
- F. Review of facilities projects that were submitted to the Coordinating Board
- G. Consideration of adopting the report on Student Financial Aid in Texas Higher Education, Fiscal Year 2019 (*General Appropriations Act, House Bill 1, Article III, Section 25, 86th Texas Legislature*)
- H. Consideration of adopting the staff recommendation to the Board relating to approval of the nominated members of the Financial Aid Advisory Committee
- I. Proposed Rules:
  - 1) Consideration of adopting proposed amendments to Chapter 22, Subchapter A, Section 22.11 of Board rules, concerning General Provisions
  - 2) Consideration of adopting proposed amendments to Chapter 22, Subchapter B, Section 22.28 of Board rules, concerning Provisions for the Tuition Equalization Grant Program



(3) Consideration of adopting the proposed repeal of Chapter 22, Subchapter L, Sections 22.232, 22.235, 22.238-22.240, and 22.242 of Board Rules, and amendments to Sections 22.225-22.231, 22.233, 22.234, and 22.241 of Board rules, concerning the Toward EXcellence, Access, and Success (TEXAS) Grant Program

(4) Consideration of proposed amendments to Chapter 22, Subchapter M, Section 22.261 of Board rules, concerning the Texas Educational Opportunity Grant Program

(5) Consideration of adopting the proposed repeal of Chapter 22, Subchapter Q, Sections 22.331-22.336 and 22.342-22.344 of Board rules, and amendments to Chapter 22, Subchapter Q, Sections 22.329, 22.330, 22.339, and 22.341, concerning the Texas B-On-Time Loan Program

(6) Consideration of adopting proposed amendments to Chapter 23, Subchapter C, Sections 23.65-23.67 of Board rules, concerning The Physician Education Loan Repayment Program

(7) Consideration of adopting proposed amendments to Chapter 23, Subchapter H, Sections 23.200 and 23.214 of Board Rules, concerning the Peace Officer Loan Repayment Assistance Program

## **VIII. Lunch**

## **IX. Matters relating to the Committee on Academic and Workforce Success**

### **A. Committee Chair's Overview**

B. Consideration of adopting the report on Access to Higher Education for Persons with Intellectual and Developmental Disabilities (*Texas Education Code, Section 61.06641*)

C. Consideration of adopting the report on the Recruitment of Persons with Intellectual and Developmental Disabilities at Institutions of Higher Education (*Texas Education Code, Section 61.0664*)

D. Consideration of adopting the report on The Effectiveness of the Advise TX Program (*General Appropriations Act, House Bill 1, Article III, Section 51, 86th Texas Legislature*)

E. Consideration of adopting the Graduate Medical Education Report: An Assessment of Opportunities for Graduates of Texas Medical Schools to Enter Residency Programs in Texas (*Texas Education Code, Section 61.0661(b)*)

F. Consideration of adopting the Aerospace and Aviation Report (*Texas Government Code, Section 481.0066(d-2)*)

G. Consideration of adopting Study and Report on Core Curriculum (*Senate Bill 25, 86th Texas Legislature, Regular Session; Texas Education Code, Section 61.8221*)

H. Consideration of adopting the Texas General Academic Institutions: Increasing Successful Community College Transfer Report (*General Appropriations Act, House Bill 1, Article III, Section 49, 86th Texas Legislature, Regular Session*)

*Note: Highlighted items in gray are on the Consent Calendar*

I. Consideration of adopting the Texas Application for State Financial Aid (TASFA) Advisory Committee report set out in the Texas Education Code, Section 61.07762

J. Consideration of adopting the Study regarding Streamlining Physician Licensing Requirements for Advanced Practice Registered Nurses (*Texas Education Code, Section 61.06693*)

K. Consideration of adopting the requests for a new degree program:

THE UNIVERSITY OF TEXAS AT ARLINGTON  
(1) Bachelor of Science (BS) in Data Science

THE UNIVERSITY OF TEXAS AT AUSTIN  
(2) Bachelor of Science and Bachelor of Arts in Informatics

THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY  
(3) Doctor of Occupational Therapy (OTD) in Occupational Therapy

THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY  
(4) Doctor of Podiatric Medicine (DPM)

L. Consideration of approving the issuance of a Request for Applications for the Minority Health Research and Education Grant Program

M. Consideration of approving the issuance of a Request for Applications to solicit employers to offer internships through the Texas WORKS Internship Program

N. Consideration of approving a request to establish a contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi)

O. Report on institutional requests acted on by the Commissioner or Assistant Commissioner since the last Board meeting

P. Proposed Rules:

(1) Consideration of adopting the proposed amendment to Chapter 1, Subchapter T, Section 1.223 of Board Rules, concerning the Workforce Education Course Manual Advisory Committee

(2) Consideration of adopting the proposed amendments to Chapter 4, Subchapter S, Section 4.314 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Public Institutions of Higher Education

(3) Consideration of adopting the proposed amendments to Chapter 7, Subchapter B, Section 7.54 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Private or Independent Institutions of Higher Education and Private Postsecondary Educational Institutions

- (4) Consideration of adopting the proposed amendments to Chapter 4, Subchapter C, Sections 4.56, 4.57, and 4.62 of Board Rules, concerning the Texas Success Initiative

**X. Matters relating to the Agency Operations Committee**

A. Committee Chair's Overview

B. Report on grants and contracts

C. Consideration of adopting a resolution authorizing the issuance of State of Texas College Student Loan Bonds in one or more series; and delegation of the authority for administration and approval of the activities necessary to complete the sale of the private activity bonds

**XI. Adjournment**

## AGENDA ITEM I-A

### Commissioner's Remarks

RECOMMENDATION: No action required

### Background Information:

The Board will invite Dr. Harrison Keller, Commissioner of Higher Education, to comment on some of the important agenda items.

## AGENDA ITEM II-A

### Public Testimony

RECOMMENDATION: No action required

### Background Information:

PUBLIC TESTIMONY: The presiding chair shall designate whether public testimony will be taken at the beginning of the meeting, at the time the related item is taken up by the Board after staff has presented the item, or any other time as determined by the presiding chair.

AGENDA ITEM III-A

Consideration of Approval of the Minutes from July 23, 2020, Quarterly Board Meeting

RECOMMENDATION: Approval

**TEXAS HIGHER EDUCATION COORDINATING BOARD**

**DRAFT M I N U T E S**

**July 23, 2020**

**Regular Quarterly Meeting  
Via Video Conference Call**

The Texas Higher Education Coordinating Board convened at 9:02 a.m. on July 23, 2020, with the following members present: Stuart Stedman, presiding; Javaid Anwar; Cody Campbell; Fred Farias; Emma Schwartz; Sam Torn; Donna Williams; Welcome Wilson; and Levi McClenny.

Member absent: Ricky Raven.

<b>AGENDA ITEM</b>	<b>ACTION</b>
<b>I. Call to order: Opening Remarks</b>	<p>Mr. Stedman called the teleconference meeting of the Coordinating Board to order and called the role. All members, except Mr. Raven, were present.</p> <p>On a motion by Mr. Wilson, seconded by Ms. Schwartz, the Board approved the absence of Mr. Raven. The vote was unanimous.</p> <p>A quorum was met for this Board Meeting.</p>
A. Welcome new Student Board Member	No action required. The Board members welcomed Mr. Levi McClenny to the Board.
B. Commissioner's Remarks	No action required.
<b>II. Public Testimony</b>	
A. Public Testimony	No action required.
<b>III. Approval of Minutes</b>	
A. Quarterly Board Meeting, April 23, 2020	On a motion by Mr. Torn, seconded by Ms. Williams, the Board approved the minutes for the April Quarterly Board Meeting. The vote was unanimous.
B. Special Called Board Meeting, May 20, 2020	On a motion by Mr. Anwar, seconded by Ms. Williams, the Board approved the minutes for the May Special Called Board Meeting. The vote was unanimous.

<b>IV. Approval of the Consent Calendar</b>	
A. Consent Calendar	<p>On a motion by Dr. Farias, seconded by Ms. Schwartz, the Board approved the Consent Calendar as amended. The vote was unanimous.</p> <p>Items added to the Consent Calendar by Mr. Stedman were: Agenda Item 9-B; Agenda Item 9-C; Agenda Item 9-D; Agenda Item 9-E; Agenda Item 9-F; and Agenda Item 9-G.</p> <p>Items approved on the Consent Calendar as amended were: Agenda Item 7-B; Agenda Item 7-C; Agenda Item 7-D; Agenda Item 9-B; Agenda Item 9-C; Agenda Item 9-D; Agenda Item 9-E; Agenda Item 9-F; Agenda Item 9-G.; Agenda Item 9-H; Agenda Item 9-I; Agenda Item 9-K; Agenda Item 9-L; Agenda Item 9-M (1 through 3); Agenda Item 9-N; Agenda Item 9-O (1 &amp; 2); Agenda Item 9-P (1 through 5); Agenda Item 9-Q; Agenda Item 10-B; Agenda Item 10-C; Agenda Item 10-D; Agenda Item 10-E; and Agenda Item 10-F.</p>
<b>V. Major Policy Discussion</b>	
A. COVID-19 Impact to Texas Higher Education	<p>No action required.</p> <p>Dr. Harrison Keller, Commissioner of Higher Education; Ray Martinez, Deputy Commissioner for Academic Affairs and Workforce Education; and Melissa Henderson, Associate Commissioner for Development and Executive Director of the Foundation, presented this item and were available for questions.</p>
<b>VI. Matters relating to the Full Board</b>	
A. Update on Improving Transfer in Texas	<p>No action required.</p> <p>Dr. James Hallmark, Vice Chancellor for Academic Affairs, Texas A&amp;M University System, and Jacob Fraire, President and Chief Executive Officer, Texas Association of Community Colleges, presented this item and were available for questions.</p>
<b>VII. Matters Relating to the Committee on Innovation, Data, and Educational Analytics</b>	
A. Committee Chair's Overview	No action required.



B. Consideration of approving the Committee's recommendation to change Committee on Affordability, Accountability and Planning to the Committee on Innovation, Data, and Educational Analytics wherever it appears in the Board Rules	This item was approved on the Consent Calendar.
C. Review of facilities projects that were submitted to the Coordinating Board	This item was approved on the Consent Calendar.
D. Consideration of adopting the Committee's recommendation to the Board relating to the report on the TEXAS Grant Program (Texas Education Code §56.311(c-1))	This item was approved on the Consent Calendar.
E. Proposed Rules:  (1) Consideration of adopting the Committee's recommendation to the Board relating to proposed amendments to Chapter 1, Subchapter A, Section 1.18 of Board rules, concerning the Operation of Education Research Centers	On a motion by Dr. Farias, seconded by Mr. Torn, the Board approved the amendments to Chapter 1, Subchapter A, Section 1.18 of Board rules, concerning the Operation of Education Research Centers. The vote was unanimous.  Dr. Julie Eklund, Assistant Commissioner for Strategic Planning, presented this item and was available for questions.
<b>VIII. Lunch</b>	Mr. Stedman announced the Board would not break for lunch; however, the meeting adjourned for a short break at 10:53 a.m. and re-convened at 11:00 a.m.  Mr. Anwar and Mr. McClenny departed the meeting.
<b>IX. Matters relating to the Committee on Academic and Workforce Success</b>	
A. Committee Chair's Overview	No action required.
B. Report to the Board on activities of the Family Practice Residency Advisory Committee, including the report on trustee funds distributed in Fiscal Year 2020	This item was approved on the Consent Calendar.
C. Report to the Board on activities of the Learning Technology Advisory Committee	This item was approved on the Consent Calendar.
D. Report to the Board on activities of the Lower-Division Academic Course Guide Manual (ACGM) Advisory Committee	This item was approved on the Consent Calendar.
E. Report to the Board on activities of the Medical Education and Graduate Medical Education Programs	This item was approved on the Consent Calendar.

F. Report to the Board on activities of the Undergraduate Education Advisory Committee (UEAC)	This item was approved on the Consent Calendar.
G. Consideration of adopting the Committee's recommendation to the Board relating to the distribution of funds trustee to the Coordinating Board to support family practice residency programs for Fiscal Year 2021	This item was approved on the Consent Calendar.
H. Consideration of adopting the Committee's recommendation to the Board relating to changes in the Lower-Division Academic Course Guide Manual (ACGM)	This item was approved on the Consent Calendar.
I. Consideration of adopting the Committee's recommendation to the Board relating to the Report on the Autism Grant Program	This item was approved on the Consent Calendar.
J. Consideration of adopting the Committee's recommendation to the Board relating to Strategies to Incentivize Institutions of Higher Education to Develop Degree Programs in Cybersecurity: A Report to the Texas Legislature (Senate Bill 64, 86th Texas Legislature, Regular Session)	<p>On a motion by Mr. Wilson, seconded by Mr. Campbell, the Board approved the Strategies to Incentivize Institutions of Higher Education to Develop Degree Programs in Cybersecurity: A Report to the Texas Legislature. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p>
K. Consideration of adopting the Committee's recommendation to the Board relating to the report on the effectiveness of the Open Educational Resources Grant Program (Senate Bill 810, 85th Texas Legislature, Regular Session; and House Bill 1, Rider 55, 86th Texas Legislature, Regular Session)	This item was approved on the Consent Calendar.
L. Consideration of adopting the Committee's recommendation to the Board relating to the January 2020 Annual Compliance Reports for institutions under a Certificate of Authorization (Names beginning with "A" through "O")	This item was approved on the Consent Calendar.
M. Consideration of adopting the Committee's recommendation to the Board relating to requests for a new degree program:  1) THE UNIVERSITY OF TEXAS AT ARLINGTON Bachelor of Arts (BA) in Philanthropy  2) UNIVERSITY OF NORTH TEXAS Master of Science (MS) in Data Engineering	<p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p>

<p>3) UNIVERSITY OF HOUSTON-DOWNTOWN Master of Professional Accountancy (MPA) in Professional Accountancy</p> <p>4) THE UNIVERSITY OF TEXAS AT EL PASO Doctor of Philosophy (PhD) in Data Science</p> <p>5) MIDWESTERN STATE UNIVERSITY Doctor of Education (EdD) in Educational Leadership</p>	<p>This item was approved on the Consent Calendar.</p> <p>On a motion by Mr. Torn, seconded by Ms. Schwartz, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions. The University of Texas at El Paso representatives Dr. Stephen Crites, Dean of the Graduate School and Associate Provost, and Dr. Amy Wagler, Associate Chair of Mathematical Sciences, were also available for questions.</p> <p>On a motion by Mr. Torn, seconded by Ms. Williams, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions. Midwestern State University representatives Mr. James Johnston, Provost and Vice President for Academic Affairs; Ms. Kathy Zuckweiler, Dean of the Billie Doris McAda Graduate School; and Mr. Matthew Capps, Dean of the West College of Education, were also available for questions.</p>
<p>N. Consideration of adopting the Committee's recommendation to the Board relating to the issuance of a Request for Offers for the development and ongoing support of an online Pre-Assessment Activity</p>	<p>This item was approved on the Consent Calendar.</p>
<p>O. Consideration of adopting the Committee's recommendation to the Board relating to the issuance of a Request for Applications for the:</p> <p>(1) Graduate Medical Education Expansion Program</p> <p>(2) Nursing, Allied Health and Other Health-related Education Grant Program</p>	<p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p>
<p>P. Consideration of adopting the Committee's recommendation to the Board relating to the appointment of member(s) to:</p> <p>(1) Learning Technology Advisory Committee (LTAC)</p> <p>(2) Lower-Division Academic Course Guide Manual (ACGM) Advisory Committee</p>	<p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p>

<p>(3) Workforce Education Course Manual (WECM) Advisory Committee</p> <p>(4) Certification Advisory Council (CAC)</p> <p>(5) Apply Texas Advisory Committee (ATAC)</p>	<p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p>
Q. Report on institutional requests acted on by the Commissioner or Assistant Commissioner since the last Board meeting	This item was approved on the Consent Calendar.
R. Consideration of adopting the Committee's recommendation to the Board relating to suspending the September 1, 2020, effective date for Fields of Study previously adopted by the Board	<p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the Board approved suspending the September 1, 2020, effective date for Fields of Study previously adopted by the Board. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p>
S. Consideration of adopting the Committee's recommendation to the Board relating to a request to establish a contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi)	<p>On a motion by Ms. Schwartz, seconded by Ms. Williams, the Board approved the request to establish a contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi). The vote was unanimous.</p> <p>Jerel Booker, Assistant Commissioner for College Readiness and Success, presented this item and was available for questions.</p>
<b>X. Matters relating to the Agency Operations Committee</b>	
A. Committee Chair's Overview	No action required.
B. Report on grants and contracts	This item was approved on the Consent Calendar.
C. Consideration of adopting the Committee's recommendation to the Board regarding the approval to: (1) issue a Request for Qualifications to conduct the audit of the Agency-wide Financial Statements for fiscal year ended August 31, 2020; and (2) enter into a contract with the selected auditing firm, subject to the approval of the Board Chair, Vice Chair, and Chair of the Agency Operations Committee, with options to renew the contract for up to three additional years	This item was approved on the Consent Calendar.

D. Consideration of adopting the Committee's recommendation to the Board relating to the Annual Internal Audit Plan for Fiscal Year 2021	This item was approved on the Consent Calendar.
E. Consideration of adopting the Committee's recommendation to the Board relating to the Annual Compliance Monitoring Plan for Fiscal Year 2021	This item was approved on the Consent Calendar.
F. Consideration of adopting amendments to the Board Operating Policies and Procedures	This item was approved on the Consent Calendar.
<b>XI. Executive Session</b>	
A. Pursuant to Texas Government Code, Section 551.074, the Board will meet in closed session to discuss the performance evaluations of the Commissioner of Higher Education and Internal Auditor since these positions report directly to the Board	<p>The Board went into closed session at 11:19 a.m. and reconvened at 12:19 p.m. There was no action taken during the closed session.</p> <p>Upon return to open session, on a motion by Mr. Stedman, seconded by Ms. Williams, the Board adopted the evaluations of the Commissioner and Internal Auditor as discussed in Executive Session. The vote was unanimous.</p>
<b>XII Adjournment</b>	

With no further business, on a motion by Dr. Farias, seconded by Ms. Schwartz, the meeting adjourned at approximately 12:21 p.m.

Respectfully Submitted,

Ricky A. Raven  
Secretary of the Board

AGENDA ITEM III-B

Consideration of Approval of the Minutes from August 25, 2020, Special Called Board Meeting

RECOMMENDATION: Approval

**TEXAS HIGHER EDUCATION COORDINATING BOARD**

**DRAFT M I N U T E S**

**August 25, 2020**

**Special Called Board Meeting  
Via Conference Call**

The Texas Higher Education Coordinating Board convened at 9:32 a.m. on August 25, 2020, with the following members present Stuart Stedman, presiding; Fred Farias; Javaid Anwar; Cody Campbell; Emma Schwartz; Sam Torn; Donna Williams; and Levi McClenny.

Members absent: Ricky Raven and Welcome Wilson.

<b>AGENDA ITEM</b>	<b>ACTION</b>
<b>I.</b> Call to order: Opening Remarks	Mr. Stedman called the special called meeting of the Coordinating Board to order. Mr. Raven and Mr. Wilson were not in attendance; all other members were present via teleconference. A quorum was met.
<b>II.</b> Public Testimony	No action required.
<b>III.</b> Matters relating to the Full Board  A. Adoption of Emergency Rule:  (1) Consideration and possible adoption of Emergency Rule § 1.15(b) authorizing the Commissioner of Higher Education to make adjustments to reporting requirements pertaining to formula funding as necessary to assist institutions of higher education (IHEs) in responding to the COVID-19 pandemic or other disasters.	On a motion by Dr. Farias, seconded by Mr. Anwar, the Board adopted Emergency Rule § 1.15(b) authorizing the Commissioner of Higher Education to make adjustments to reporting requirements pertaining to formula funding as necessary to assist institutions of higher education in responding to the COVID-19 pandemic or other disasters.  The vote was unanimous; a copy of the Board rule as adopted may be found in the agenda materials.  Ms. Emily Cormier, Assistant Commissioner for Funding, presented this item and was available for questions.
<b>IV.</b> Adjournment	

With no further business, on a motion by Ms. Schwartz, seconded by Mr. Anwar, the meeting adjourned at approximately 9:46 a.m.

Respectfully Submitted,

Ricky A. Raven  
Secretary of the Board

AGENDA ITEM III-C

Consideration of Approval of the Minutes from September 10, 2020, Special Called Board Meeting

RECOMMENDATION: Approval



**TEXAS HIGHER EDUCATION COORDINATING BOARD**

**DRAFT M I N U T E S**

**September 10, 2020**

**Special Called Board Meeting**

**Via Video Call**

The Texas Higher Education Coordinating Board convened at 3:02 p.m. on September 10, 2020, with the following members present Stuart Stedman, presiding; Fred Farias; Cody Campbell; Ricky Raven; Emma Schwartz; Sam Torn; Donna Williams; Welcome Wilson; and Levi McClenny.

Member absent: Javaid Anwar.

<b>AGENDA ITEM</b>	<b>ACTION</b>
<b>I.</b> Call to order: Opening Remarks	Mr. Stedman called the special called meeting of the Coordinating Board to order. Mr. Anwar was not in attendance; all other members were present via video conference. A quorum was met.
<b>II.</b> Public Testimony	No action required.
<b>III.</b> Matters relating to the Full Board  A. Consideration of adopting the Commissioner's recommendation to the Board relating to the agency's Legislative Appropriation Request for Fiscal Years 2022 and 2023  B. Commissioner's Report to the Board on exceptions or modifications made pursuant to Emergency Rule § 1.15(b)  C. Consideration of approving the issuance of a Request for Applications for the Texas Reskilling Support Fund funded by the Governor's Emergency Education Relief (GEER) Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act	<p>On a motion by Mr. Raven, seconded by Ms. Schwartz, the Board adopted the Commissioner's recommendation to the Board relating to the agency's Legislative Appropriation Request for Fiscal Years 2022 and 2023. The vote was unanimous.</p> <p>Mr. Ken Martin, Assistant Commissioner for Financial Services and CFO, and Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff, presented this item and were available for questions.</p> <p>No action required. Ms. Emily Cormier, Assistant Commissioner for Funding, presented this item to the Board and was available for questions.</p> <p>On a motion by Dr. Farias, seconded by Mr. Wilson, the Board approved the issuance of a Request for Applications, not to exceed \$46.5 million, for the Texas Reskilling Support Fund funded by the Governor's Emergency Education Relief Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security Act. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p>

AGENDA ITEM	ACTION
<p>D. Consideration of approving the issuance of a Request for Offer for the Digital Learning Clearinghouse Project funded by the Governor's Emergency Education Relief (GEER) Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act</p> <p>E. Consideration of approving the issuance of a Request for:</p> <p>(1) Applications for Open Educational Resources Course Development and Implementation Grant Program funded by the Governor's Emergency Education Relief (GEER) Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p> <p>(2) Applications for Open Educational Resources Technical Assistance Grant Program funded by the Governor's Emergency Education Relief (GEER) Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p> <p>(3) Applications for Digital Learning Clearinghouse Grant Program funded by the Governor's Emergency Education Relief (GEER) Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p>	<p>On a motion by Ms. Williams, seconded by Mr. Wilson, the Board approved the issuance of a Request for Offer for the Digital Learning Clearinghouse Project funded by the Governor's Emergency Education Relief Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security Act. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p> <p>On a motion by Dr. Farias, seconded by Mr. Torn, the Board approved the issuance of a Request for Applications for Open Educational Resources Course Development and Implementation Grant Program funded by the Governor's Emergency Education Relief Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security Act. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p> <p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the Board approved the issuance of a Request for Applications for Open Educational Resources Technical Assistance Grant Program funded by the Governor's Emergency Education Relief Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security Act. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p> <p>On a motion by Mr. Raven, seconded by Mr. Torn, the Board approved the issuance of a Request for Applications for Digital Learning Clearinghouse Grant Program funded by the Governor's Emergency Education Relief Fund, which is one component of the Education Stabilization Fund in the Coronavirus Aid, Relief, and Economic Security Act. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, presented this item and was available for questions.</p>

AGENDA ITEM	ACTION
Staff requested that agenda items III-D and III-E(1) through III-E(3) are collectively not to exceed \$5 million.	On a motion by Ms. Williams, seconded by Dr. Farias, the Board authorized a total expenditure not to exceed \$5 million for Agenda Items D and E(1) through E(3). The vote was unanimous.
<b>IV.</b> Adjournment	

With no further business, on a motion by Mr. Raven, seconded by Ms. Williams, the meeting adjourned at approximately 3:58 p.m.

Respectfully Submitted,

Ricky A. Raven  
Secretary of the Board

#### AGENDA ITEM IV-A

##### Consideration of Approval of the Consent Calendar

RECOMMENDATION: Approval

##### Background Information:

In order to ensure that meetings are efficient, the Board has a Consent Calendar for items that are noncontroversial. Any item can be removed from the Consent Calendar by a Board member.

**TEXAS HIGHER EDUCATION COORDINATING BOARD**  
**REGULAR QUARTERLY MEETING**  
**\*\*DRAFT\*\***  
**CONSENT CALENDAR**  
**October 2020**

**VII. Matters relating to the Committee on Innovation, Data, and Educational Analytics**

- C. Consideration of adopting the certification of gifts that are fundable through the Texas Research Incentive Program (TRIP) for the Emerging Research Universities
- D. Consideration of adopting the Evaluation of the Nursing Shortage Reduction Program report (General Appropriations Act, House Bill 1, Article III, Section 28(g), 86th Texas Legislature)
- E. Consideration of adopting the report to the Legislature on High School Individual Graduation Committee (IGC) Graduates (Texas Education Code, Section 28.02591)
- F. Review of facilities projects that were submitted to the Coordinating Board
- G. Consideration of adopting the report on Student Financial Aid in Texas Higher Education, Fiscal Year 2019 (General Appropriations Act, House Bill 1, Article III, Section 25, 86th Texas Legislature)
- H. Consideration of adopting the staff recommendation to the Board relating to approval of the nominated members of the Financial Aid Advisory Committee
- I. Proposed Rules:
  - (1) Consideration of adopting proposed amendments to Chapter 22, Subchapter A, Section 22.11 of Board rules, concerning General Provisions
  - (2) Consideration of adopting proposed amendments to Chapter 22, Subchapter B, Section 22.28 of Board rules, concerning Provisions for the Tuition Equalization Grant Program
  - (3) Consideration of adopting the proposed repeal of Chapter 22, Subchapter L, Sections 22.232, 22.235, 22.238-22.240, and 22.242 of Board Rules, and amendments to Sections 22.225-22.231, 22.233, 22.234, and 22.241 of Board rules, concerning the Toward EXcellence, Access, and Success (TEXAS) Grant Program
  - (4) Consideration of proposed amendments to Chapter 22, Subchapter M, Section 22.261 of Board rules, concerning the Texas Educational Opportunity Grant Program
  - (5) Consideration of adopting the proposed repeal of Chapter 22, Subchapter Q, Sections 22.331-22.336 and 22.342-22.344 of Board rules, and amendments to Chapter 22, Subchapter Q, Sections 22.329, 22.330, 22.339, and 22.341, concerning the Texas B-On-Time Loan Program
  - (6) Consideration of adopting proposed amendments to Chapter 23, Subchapter C, Sections 23.65-23.67 of Board rules, concerning The Physician Education Loan Repayment Program
  - (7) Consideration of adopting proposed amendments to Chapter 23, Subchapter H, Sections 23.200 and 23.214 of Board Rules, concerning the Peace Officer Loan Repayment Assistance Program

## **IX. Matters relating to the Committee on Academic and Workforce Success**

- B. Consideration of adopting the report on Access to Higher Education for Persons with Intellectual and Developmental Disabilities (Texas Education Code, Section 61.06641)
- C. Consideration of adopting the report on the Recruitment of Persons with Intellectual and Developmental Disabilities at Institutions of Higher Education (Texas Education Code, Section 61.0664)
- D. Consideration of adopting the report on The Effectiveness of the Advise TX Program (General Appropriations Act, House Bill 1, Article III, Section 51, 86th Texas Legislature)
- E. Consideration of adopting the Graduate Medical Education Report: An Assessment of Opportunities for Graduates of Texas Medical Schools to Enter Residency Programs in Texas (Texas Education Code, Section 61.0661(b))
- F. Consideration of adopting the Aerospace and Aviation Report (Texas Government Code, Section 481.0066(d-2))
- G. Consideration of adopting Study and Report on Core Curriculum (Senate Bill 25, 86th Texas Legislature, Regular Session; Texas Education Code, Section 61.8221)
- H. Consideration of adopting the Texas General Academic Institutions: Increasing Successful Community College Transfer Report (*General Appropriations Act, House Bill 1, Article III, Section 49, 86th Texas Legislature, Regular Session*)
- I. Consideration of adopting the Texas Application for State Financial Aid (TASFA) Advisory Committee report set out in the Texas Education Code, Section 61.07762
- J. Consideration of adopting the Study regarding Streamlining Physician Licensing Requirements for Advanced Practice Registered Nurses (*Texas Education Code, Section 61.06693*)
- K. Consideration of adopting the requests for a new degree program:
  - THE UNIVERSITY OF TEXAS AT ARLINGTON
  - (1) Bachelor of Science (BS) in Data Science
  - THE UNIVERSITY OF TEXAS AT AUSTIN
  - (2) Bachelor of Science and Bachelor of Arts in Informatics
- N. Consideration of approving a request to establish a contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi)
- O. Report on institutional requests acted on by the Commissioner or Assistant Commissioner since the last Board meeting
- P. Proposed Rules:
  - (1) Consideration of adopting the proposed amendment to Chapter 1, Subchapter T, Section 1.223 of Board Rules, concerning the Workforce Education Course Manual Advisory Committee
  - (2) Consideration of adopting the proposed amendments to Chapter 4, Subchapter S, Section 4.314 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Public Institutions of Higher Education
  - (3) Consideration of adopting the proposed amendments to Chapter 7, Subchapter B, Section 7.54 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Private or Independent Institutions of Higher Education and Private Postsecondary Educational Institutions
  - (4) Consideration of adopting the proposed amendments to Chapter 4, Subchapter C, Sections 4.56, 4.57, and 4.62 of Board Rules, concerning the Texas Success Initiative

**X. Matters relating to the Agency Operations Committee**

B. Report on grants and contracts

C. Consideration of adopting a resolution authorizing the issuance of State of Texas College Student Loan Bonds in one or more series; and delegation of the authority for administration and approval of the activities necessary to complete the sale of the private activity bonds

## AGENDA ITEM V-A

### Appointment of 60x30TX Refresh - Steering Committee

#### Background Information:

The Chairman will appoint a steering committee to study 60x30TX refinement.

Melissa Henderson, Associate Commissioner, will be available to answer questions.



## AGENDA ITEM V-B

### 60x30TX Update and Refinement

RECOMMENDATION: No action required

#### Background Information

Major Policy Discussions are topics of interest where staff, policy experts, and/or stakeholders provide Coordinating Board members with information on higher education policy matters or initiatives that have the potential to impact Texas statewide. The Major Policy Discussion for this meeting will focus on a potential update and refinement to the *60x30TX* plan.

Staff will give an overview of the status of the *60x30TX* strategic plan and outline a process for updating and refining the plan. The state's higher education, workforce, and economic landscapes have been indelibly altered by the extraordinary challenges and impacts of COVID-19. These impacts exposed and exacerbated existing opportunity gaps, threatening the state's competitiveness and ability to innovate.

Higher education institutions and, most importantly, their graduates, will play critical roles in driving an equitable economic recovery for Texans, their communities, and the state. The Texas Higher Education Coordinating Board is prepared to provide strategic leadership to respond to the changed landscape, in close partnership with institutions, other state agencies, and communities across the state to re-examine and refine *60x30TX* goals to effectively meet the needs of the state's workforce, its economy, and individual Texans.

Dr. Harrison Keller, Commissioner of Higher Education, and Melissa Henderson, Associate Commissioner, will provide this overview and be available for questions.

## AGENDA ITEM VI-A

Consideration and possible approval of the Board to enter an Interagency Agreement with The University of Texas at Austin (UT-Austin) to transfer the Texas OnCourse program to the Texas Higher Education Coordinating Board (THECB)

RECOMMENDATION: Approval

### Background Information:

At a special called Board meeting on September 10, the Board approved inclusion of an administrator statement in the THECB's Legislative Appropriation Request (LAR) to transfer operations of the Texas OnCourse program to the THECB. The THECB seeks approval to enter an Interagency Agreement with UT-Austin to transfer operations to the THECB in January 2021.

Melissa Henderson, Associate Commissioner, will present this item and be available to answer questions.

AGENDA ITEM VI-B

Acceptance of Gifts and Donations to the Board

RECOMMENDATION: Approval

Background Information:

The Board will consider the acceptance of the following gifts and donations.

Date Received	Gifted/Donated by	Item description	Value
7/2/2020*	Texas Higher Education Foundation	Contracts for services to THECB funded by grant from Bill and Melinda Gates Foundation to support planning and design of data infrastructure modernization	\$1,254,000
9/21/2020*	Texas Higher Education Foundation	Contracts for services to THECB funded by Blue Meridian Partners Grant to support technical analyses of labor market and growing/contracting occupations and design/development of centralized student-facing portal	\$700,000
10/08/2020	College Advising Corps	Grant to support hiring of virtual advisers and support programmatic expansion of the Virtual Advising Project (ADVi); CAC will also supply laptops for virtual advisers	\$428,000
9/9/2020	Texas Higher Education Foundation	Contract funded by Lumina to provide support for the 60X30TX Strategic Plan Refresh	Approx. \$85,000

\*Date funds received by the Texas Higher Education Foundation. The contracts for services to the benefit of THECB were executed thereafter.

Nichole Bunker-Henderson, General Counsel, will present this item and be available to answer questions.

AGENDA ITEM VI-C

Consideration of renewing Emergency Rule § 1.15(b) authorizing the Commissioner of Higher Education to make adjustments to reporting requirements pertaining to formula funding as necessary to assist institutions of higher education (IHEs) in responding to the COVID-19 pandemic or other disasters, with an effective date of December 24, 2020 for a period of 60 days.

RECOMMENDATION: Approval

Background Information:

On August 25, 2020, the Texas Higher Education Coordinating Board (Board) adopted, on an emergency basis, in Title 19 Texas Administrative Code, Part 1, Chapter 1 Agency Administration, a new subsection § 1.15(b) to authorize the Commissioner of Higher Education to make exceptions or modifications to reporting requirements pertaining to formula funding as necessary to assist institutions of higher education (IHEs) in responding to the COVID-19 pandemic or other disasters. The rule provides that the Commissioner report any exceptions or modifications made to the Board at its next meeting. This rule was effective as of August 26, 2020.

Under the authority of this subsection, the Commissioner granted one modification to Rule 19 TAC § 4.264(c). The Commissioner reported this to the Board at a special called board meeting on September 10, 2020.

Emergency rules adopted under Texas Government Code §2001.034 may be effective for not longer than 120 days and may be renewed for not longer than 60 days. Authorizing a renewal of this emergency rule for another 60 days past the original expiration date will enable the existing modification, or any other necessary modification, to be in effect for the Spring 2021 semester course reporting, contingent on a disaster declaration relating to COVID-19 remaining in effect for the state of Texas.

Ms. Emily Cormier, Assistant Commissioner for Funding, will present this item and be available to answer questions.

## Chapter 1 Agency Administration

## Subchapter A General Provisions

- 1.1 Dates for Regular Quarterly Meetings of the Board
  - 1.2 Authority of the Commissioner to Interpret Rules
  - 1.3 Educational Data
  - 1.4 Rules of Order
  - 1.5 Coordinating Board Committees
  - 1.6 Advisory Committees
  - 1.7 Petition for the Adoption of Rules
  - 1.8 Historically Underutilized Business (HUBs) Program
  - 1.9 Training for Members of Governing Boards and Board Trustees
  - 1.10 Administration of the Open Records Act
  - 1.11 Protest Procedures for Resolving Vendor Protests Relating to Purchasing Issues
  - 1.12 Foreign Travel
  - 1.13 Internal Auditor and Compliance Monitoring
  - 1.14 Negotiated Rulemaking
  - 1.15 Authority of the Commissioner to Propose Board Rules
  - 1.16 Contracts, Including Grants, for Materials and/or Services
  - 1.17 Authority of the Commissioner to Provide Direct Supervision of the Education Research Centers
  - 1.18 Operation of Education Research Centers
  - 1.19 Education and Training of Board Administrators and Employees
- 1.15 Authority of the Commissioner to Propose Board Rules and Grant Certain Emergency Exceptions

(a) The Board authorizes the Commissioner to approve proposed Board rules for publication in the Texas Register. The Commissioner may refer proposed rules for consideration by Coordinating Board committees established pursuant to §1.5 of this title (relating to Coordinating Board Committees) or for consideration by the Board.

(b) During a period for which the Governor has declared a disaster pursuant to Ch. 418 of the Government Code, the Commissioner may grant exceptions, or otherwise modify, the formula funding reporting provisions set out in rule for institutions of higher education within the declared disaster area as necessary to mitigate the impact of the disaster. The Commissioner shall report to the Board any exceptions or modifications made pursuant to this rule at the next meeting of the Board.

## AGENDA ITEM VII-A

### Committee Chair's Overview

Mr. S. Javaid Anwar, Chair of the Committee on Innovation, Data, and Educational Analytics, will provide the Board an overview of the items on the agenda.

## AGENDA ITEM VII-B

### Consideration of approval of the *60x30TX* Progress Report

RECOMMENDATION: Approval

#### Background Information:

Biennially, as required by Texas Education Code, Section 61.051 (a-3), the Texas Higher Education Coordinating Board must prepare a report that assesses the state's progress in meeting the goals established in the state's long-range master plan, *60x30TX*. To monitor progress toward the goals and keep a timely focus on areas that may need additional attention, the agency prepares the progress report on an annual basis for presentation to the Board; this year's report is due to the Legislature on November 1, 2020.

The fifth progress report on *60x30TX* includes progress to date on the goals and targets in the plan since the 2015 baseline year, with emphasis on changes observed in the most recent year of data available (Fiscal Year 2019 for most plan metrics).

Dr. Julie Eklund, Assistant Commissioner for Strategic Planning, will present an overview of the report and be available to answer questions.

## AGENDA ITEM VII-C

### Consideration of adopting the certification of gifts that are fundable through the Texas Research Incentive Program (TRIP) for the Emerging Research Universities

RECOMMENDATION: Approval

#### Background Information:

The 81st Texas Legislature created the Texas Research Incentive Program (TRIP). TRIP provides matching funds for the emerging research universities to assist the institutions in leveraging private gifts for the enhancement of research productivity and faculty recruitment.

The emerging research universities that are currently eligible to receive funding are the following: Texas Tech University, The University of Texas at Arlington, The University of Texas at Dallas, The University of Texas at El Paso, The University of Texas at San Antonio, University of Houston, University of North Texas, and Texas State University.

Texas Education Code Chapter 62, Subchapter F, requires the Board to certify that the gifts or endowments received by each emerging research university were donated for the purpose of enhancing research activities at the institution, such as endowed chairs, professorships, research facilities, research equipment, program costs, graduate research stipends or fellowships, or undergraduate research.

A certified eligible gift or endowment may receive state funding as a match. Statute provides a mandated match rate based on the amount of the gift or endowment. The timing for an institution to receive the match is subject to the amount appropriated by the Texas Legislature and the number and amounts of gifts available to receive state funding. Per statute, matching funds are provided in the order of their certification date.

There are 103 submissions of gifts or endowments recommended for certification for a total gift amount of \$61,652,183.41 and a match amount of \$50,265,980.13.

Ms. Emily Cormier, Assistant Commissioner for Funding, will provide a presentation and be available to answer questions.



### Texas Research Incentive Program Summary

The table below displays the gifts recommended for certification, as well as previously certified TRIP gifts available to receive state funding. State matches are subject to the availability of funds appropriated for this purpose by the Texas Legislature.

Institution	Gifts Recommended for Certification - Cycles 19-3 & 20-1	Gifts Available for State Funding and Previously Certified	Total Gifts Available for State Funding <sup>1</sup>
<b>Certified Gifts</b>			
The University of Texas at Arlington	\$ 5,405,889.00	\$ 9,799,604.59	\$ 15,205,493.59
The University of Texas at Dallas	6,530,572.73	71,452,969.93	77,983,542.66
The University of Texas at El Paso	625,000.00	4,087,271.50	4,712,271.50
The University of Texas at San Antonio	14,070,134.00	13,757,323.86	27,827,457.86
University of Houston	14,031,731.98	51,307,907.83	65,339,639.81
University of North Texas	11,443,357.33	15,118,919.16	26,562,276.49
Texas Tech University	8,587,445.00	40,526,276.54	49,113,721.54
Texas State University	958,053.37	14,717,758.62	15,675,811.99
<b>Total Certified Gifts</b>	<b>\$ 61,652,183.41</b>	<b>\$ 220,768,032.03</b>	<b>\$ 282,420,215.44</b>

#### State Match

The University of Texas at Arlington	\$ 5,268,389.00	\$ 6,170,439.42	\$ 11,438,828.42
The University of Texas at Dallas	5,280,286.37	43,880,464.06	49,160,750.43
The University of Texas at El Paso	312,500.00	2,293,635.75	2,606,135.75
The University of Texas at San Antonio	12,035,067.00	8,050,999.43	20,086,066.43
University of Houston	10,507,603.24	43,737,052.09	54,244,655.33
University of North Texas	10,839,385.33	9,882,852.02	20,722,237.35
Texas Tech University	5,543,722.50	33,368,055.02	38,911,777.52
Texas State University	479,026.69	11,451,379.32	11,930,406.01
<b>Totals</b>	<b>\$ 50,265,980.13</b>	<b>\$ 158,834,877.11</b>	<b>\$ 209,100,857.24</b>

#### Footnotes

1. Total gifts available for state funding does not include gifts that have been submitted by the eligible institutions since the end of cycle 20-1 in December 2019. As of 9/18/2020, the total amount of gifts received, but not yet reviewed, since that time is \$34.5 million and a state match of \$25.7 million. If all of these are certified, the total amount will be \$234.8 million.
2. One gift previously approved and waiting for funding (TRIP Control Number 2018-144 in Challenge Cycle 18-2) is recommended to be rescinded. This is due to a recommended denial in the current cycle for a donation for the same purpose from a prior cycle.

## AGENDA ITEM VII-D

Consideration of adopting the Evaluation of the Nursing Shortage Reduction Program report (General Appropriations Act, House Bill 1, Article III, Section 28(g), 86th Texas Legislature)

RECOMMENDATION: Approval

### Background Information:

General Appropriations Act, House Bill 1, Article III, Section 28(g), 86th Texas Legislature ("Rider 28") calls for a review of the Nursing Shortage Reduction Program (NSRP). The Texas Higher Education Coordinating Board (THECB) is charged with examining the structure and efficiency of the program, as well as considering other state funding strategies to address the nursing shortage. Results of this study, as well as any recommendations to improve the state's efforts to address the nursing shortage, are due to the Legislature by November 1, 2020.

As required by Rider 28, the THECB convened an NSRP work group, consisting of representative nursing deans from all institutional sectors, representatives from nursing associations, THECB staff, and other stakeholders. The group met six times between October 2019 and October 2020, outlined challenges with the current program, and recommended program improvements and other possible approaches to address the nursing shortage. The group set the following priorities related to a possible program redesign: (1) increasing the number of initial licensure nurses graduating from nursing programs in the state; (2) increasing the number of individuals with credentials that would qualify them to provide instruction in a nursing program; and (3) improving the quality of nursing programs.

Suggestions for other approaches to address the nursing shortage also were considered, with subcommittees of the workgroup exploring initiatives in place in other states. These efforts were supported by the work of an outside consultant hired to do a landscape analysis of endeavors occurring outside Texas.

Dr. Julie Eklund, Assistant Commissioner for Strategic Planning, will present the report and be available for questions.

## AGENDA ITEM VII-E

### Consideration of adopting the report to the Legislature on High School Individual Graduation Committee (IGC) Graduates (*Texas Education Code, Section 28.02591*)

RECOMMENDATION: Approval

#### Background Information:

As per Texas Education Code (TEC), Section 28.02591, enacted in 2017 by the 85th Texas Legislature, the Texas Higher Education Coordinating Board (THECB) is required to provide a report to the Legislature that includes a summary compilation of data on the higher education and workforce outcomes of students who graduated from Texas public high schools based on the individual graduation committee (IGC) review process allowable under Texas Education Code, Section 28.0258. The summary data are due to the Legislature no later than December 1 of even numbered years.

The report must include whether a student (1) enters the workforce; (2) enrolls in an associate degree or certificate program at a public or private institution of higher education; (3) enrolls in a bachelor's degree program at a public or private institution of higher education; or (4) enlists in the armed forces of the United States or the Texas National Guard.

With the exception of data on military enlistments, which are not available to the THECB at this time, the required elements are included in the summary statistics report. The data show that 22.9% of IGC students who graduated from a Texas public high school in 2019 (3,377 of 14,761 IGC graduates) enrolled in higher education directly after high school, with a large majority of those students choosing to attend two-year public community, state, and technical colleges (3,035 students). Past trends are also provided, which show a slight increase in higher education enrollments and workforce involvement for this population of graduates since the program began.

Dr. Julie Eklund, Assistant Commissioner for Strategic Planning, will be available to answer questions regarding the review process.

## AGENDA ITEM VII-F

### Review of facilities projects that were submitted to the Coordinating Board

RECOMMENDATION: No action required

#### Background Information:

Senate Bill 215, 83rd Texas Legislature, Regular Session, 2013, shifted the authority to approve capital projects from the Texas Higher Education Coordinating Board (THECB) to the Boards of Regents. However, it grants the THECB the authority to require that institutions continue to report projects to the Board, and THECB staff continue to review facilities projects. Additional information can be provided upon request for projects that do not meet one or more standards. The Board must notify the governor, lieutenant governor, speaker of the house, and Legislative Budget Board on all projects that do not meet standards. These materials serve as that notification.

Ms. Emily Cormier, Assistant Commissioner for Funding, will be available to answer questions.

**Reviewed Projects**

Institution Project Name	Project Cost	Standard Met - Yes/No			
		Space Usage	Space Need	Cost	Building Efficiency
Texas Tech University Health Sciences Center – El Paso <i>Purchase 5304, 5308, 5310 El Paso Drive - El Paso, TX</i>	\$2,459,695	NA <sup>1</sup>	No	Yes <sup>4</sup>	Yes <sup>2</sup>
Texas Tech University Health Sciences Center <i>Real Property Purchase - Dallas</i>	\$11,782,258	NA <sup>1</sup>	Yes	Yes <sup>5</sup>	NA <sup>1</sup>
The University of Texas Health Science Center at Houston <i>Renovate Academic Extension Building</i>	\$29,500,000	NA <sup>3</sup>	Yes	Yes	Yes
The University of Texas at Austin <i>Renovate George I. Sánchez Building Floors Two Through Five</i>	\$18,200,000	NA <sup>3</sup>	Yes	Yes	Yes
The University of Texas at Austin <i>Renovate Anna Hiss Gymnasium</i>	\$26,500,000	NA <sup>3</sup>	Yes	Yes	Yes
Sam Houston State University <i>Newton Gresham Library Renovation</i>	\$15,200,000	NA <sup>3</sup>	Yes	Yes	Yes

<sup>1</sup> The standard for Space Usage Efficiency (SUE) and Building Efficiency are not applicable to property purchases.

<sup>2</sup> Property purchases that include renovation as part of the project must meet the standard for building efficiency.

<sup>3</sup> Space Usage Efficiency (SUE) is not applicable to repair and renovation projects.

<sup>4</sup> While the purchase price does not exceed the highest of 2 appraised value, TAC Rule §17.51(2) states that "Appraisals shall be considered current if the appraisal was completed no more than one year prior to the date the project application is submitted to the Coordinating Board for review." The application was submitted to the Board in August 2020 and the appraisals were completed in April and May of 2019. TTUS reports that initially, the institution considered demolition of all three structures to retain the site for parking. After purchase, the institution decided to retain the building located at 5310 El Paso Drive for storage or possible lease space, and now, the institution intends to use the office suite within the facility for E&G purposes, requiring the submission of this project to the Coordinating Board.

<sup>5</sup> While the purchase price does not exceed the highest of 2 appraised value, TAC Rule §17.51(2) states that "Appraisals shall be considered current if the appraisal was completed no more than one year prior to the date the project application is submitted to the Coordinating Board for review." The application was submitted to the Board in August 2020 and the appraisals were completed in June and August of 2019. In February 2019, the TTUS Board of Regents authorized the president to execute documents for the purchase, however, the purchase was not finalized until March 2020.

Guidelines Used for Capital Project Reviews				
Project Type	Space Usage	Space Need	Cost	Building Efficiency
<b>New Construction and Addition</b>	Space Usage Efficiency (SUE) score of: <ul style="list-style-type: none"> <li>75 points in the classroom score for classroom type facilities</li> <li>75 points in the class laboratory score for lab type facilities</li> <li>150 points overall for all others</li> </ul>	Does not create nor add to a surplus as predicted in the space projection model	Does not exceed the annually published cost standard	The ratio of net assignable square feet (NASF) to gross square feet (GSF) shall not exceed: <ul style="list-style-type: none"> <li>Classroom and general – 0.60</li> <li>Office – 0.65</li> <li>Clinical, diagnostic support labs, and technical research – 0.50</li> </ul> For parking structures: <ul style="list-style-type: none"> <li>Automobile – 400 SF per space</li> <li>Boathouses – 500 SF per space</li> <li>Airplanes – 3,000 SF per space</li> </ul>
<b>Repair and Renovation (including repairs and renovations as part of a real property purchase)</b>	Not applicable	Does not create nor add to a surplus as predicted in the space projection model	Does not exceed the annually published cost standard	Does not reduce existing ratio of NASF to GSF more than ten percent
<b>Real Property Purchases</b>	Not applicable	Does not create nor add to a surplus as predicted in the space projection model	Should not exceed the higher of two appraisals. If the cost exceeds this amount, institution must demonstrate the need to purchase at the higher price	Not applicable

## AGENDA ITEM VII-G

Consideration of adopting the report to the legislature on Student Financial Aid in Texas Higher Education, Fiscal Year 2019 (*General Appropriations Act, House Bill 1, Article III, Section 25, 86th Texas Legislature, Regular Session*)

RECOMMENDATION: Approval

### Background Information:

General Appropriations Act, House Bill 1, Article III, Section 25, 86th Texas Legislature, directs the Texas Higher Education Coordinating Board (THECB) to prepare an annual report concerning student financial aid at Texas public and independent institutions of higher education. Following Board adoption, the report will be forwarded to the Legislative Budget Board no later than November 1, 2020. The report provides a comprehensive analysis of the financial aid awarded to students in Texas.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

## AGENDA ITEM VII-H

### Consideration of adopting the staff recommendation to the Committee relating to the approval of the nominated members of the Financial Aid Advisory Committee

RECOMMENDATION: Appoint Members

#### Background Information:

Texas Higher Education Coordinating Board staff are requesting new member appointments for the Financial Aid Advisory Committee (FAAC). Board staff will seek confirmation of these appointments at the October 2020 Board meeting.

In accordance with Texas Education Code, Section 61.0776, and Texas Government Code, Section 2110.0012, the FAAC was created to make recommendations regarding the development, implementation, and evaluation of state financial aid programs for college students. To strengthen student access to higher education, the committee also advises the Board regarding strategies for communicating financial aid information to students, parents, secondary school counselors, and others.

The FAAC consists of individuals representing public and private institutions of higher education, public school counselors, and other stakeholders. All members of the advisory committee have student financial aid, admissions, or enrollment background experience. The FAAC meets quarterly, and most members serve for a term of three years.

The appointments are needed to replace outgoing members whose terms have expired and to expand representation within certain institutional sectors and geographic regions. Agency staff and the FAAC Chair, Vice Chair, and Past Chair reviewed the nominations submitted by institutional chancellors and presidents and other stakeholders. A list of the candidates recommended for appointment to the FAAC appears on the following page.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.



**Recommended new Financial Aid Advisory Committee members:**

Taryn Anderson  
Director of Financial Aid  
University of Dallas  
**(Nominated for a one-year term as the representative for the Texas Association of Student Financial Aid Administrators.)**

Johanna Boley  
Senior Associate Vice Chancellor, Financial Aid  
Lone Star College  
**(Term ending 2023)**

Victoria Chen  
Director of Scholarships and Student Financial Aid  
Texas Christian University  
**(Term ending 2023)**

Dede Gonzales  
Associate Director of Financial Aid and Scholarships  
Texas State University  
**(Term ending 2023)**

Bridgette Ingram  
Director  
Texas A&M University  
**(Term ending 2023)**

Holly Nolan  
Executive Director of Financial Aid  
University of Houston - Clear Lake  
**(Term ending 2023)**

Shonna Norton  
Director of Social and Emotional Services  
Wichita Falls ISD  
**(Term ending 2023)**

Steven Peterson  
Director of Financial Aid and Scholarships  
Blinn College  
**(Term ending 2023)**

Arnold Trejo  
Executive Director of Financial Aid and Scholarships  
University of Texas at San Antonio  
**(Term ending 2023)**

## AGENDA ITEM VII-I (1)

### Consideration of adopting proposed amendments to Chapter 22, Subchapter A, Section 22.11 of Board rules, concerning General Provisions

RECOMMENDATION: Approval

#### Background Information:

Section 22.11(b) is amended to provide clarity on the flexibility institutions have regarding funding in the Texas College Work-Study and Work-Study Student Mentorship Programs. Section 22.11(b)(1) reflects the authority provided in General Appropriations Act, House Bill 1, Article III, Section 18, 86th Texas Legislature. Section 22.11(b)(2) is proposed to provide institutions with guidance on transferring funds between the two programs funded by the Texas College Work-Study appropriation. The agency proposes a transfer limit in line with what financial aid practitioners are familiar with for Federal Work-Study and Federal Supplemental Educational Opportunity Grant Programs. Some instances of the word "award" throughout the amended rule have been replaced with either "grant" or "offer," depending on the meaning and use of the phrase, to reflect current financial aid terminology.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ends on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

## SUBCHAPTER A GENERAL PROVISIONS

## Sections

- §22.1. Definitions
- §22.2. Timely Distribution of Funds
- §22.3. Student Compliance with Selective Service Registration
- §22.4. Records Retention
- §22.5. Exclusion of Certain Resources in Determining Need for State Aid
- §22.6. Priority Deadline for Applying for State Aid
- §22.7. Dissemination of Information and Rules
- §22.9. Institutional Responsibilities
- §22.10. Grade Point Average Calculations for Satisfactory Academic Progress
- §22.11. Provisions Specific [~~specific~~] to the TEXAS Grant, TEOG, TEG, and Texas Work-Study Programs

§§22.1. – 22.10. No Change.

§22.11 Provisions Specific [~~specific~~] to the TEXAS Grant, TEOG, TEG, and Texas Work-Study Programs

(a) Funding. Funds offered [~~awarded~~] through this program may not exceed the amount of appropriations, gifts, grants and other funds that are available for this use (§§56.303(c) and 56.403(c)) Texas Education Code).

(b) Authority to Transfer Funds. [~~Institutions participating in a combination of the Toward EXcellence, Access and Success Grant, Texas Educational Opportunity Grant, Tuition Equalization Grant, and Texas College Work-Study Programs, in accordance with instructions from the Board, may transfer current fiscal year funds up to the lesser of 10 percent or \$20,000 between these programs. This threshold applies to the program from which the funds are transferred. Such transfers must occur by July 1 of the current fiscal year.~~]

(1) Institutions participating in a combination of the Toward EXcellence, Access and Success Grant, Texas Educational Opportunity Grant, Tuition Equalization Grant, and Texas College Work-Study Programs, in accordance with instructions from the Board, may transfer current fiscal year funds up to the lesser of 10 percent or \$20,000 between these programs. This threshold applies to the program from which the funds are transferred. Such transfers must occur by July 1 of the current fiscal year.

(2) Institutions participating in both the Texas College Work-Study Program and the Work-Study Student Mentorship Program, in accordance with instructions from the Board, may transfer current fiscal year funds up to 25 percent between the two programs. This threshold applies to the program from

which the funds are transferred. Such transfers must occur by July 1 of the current fiscal year.

(c) Grant [~~Award~~] Uses. No state grant or work-study funding may be used for any purpose other than paying for any usual and customary cost of attendance incurred by the student related to enrollment at a participating institution of higher education for the academic year for which funding was offered [~~awarded~~].

(d) Over Awards. If, at a time after the grant [~~award~~] has been disbursed by the institution to the student, the student receives assistance that was not taken into account in the institution's estimate of the student's financial need, so that the resulting sum of assistance exceeds the student's financial need, the institution is not required to adjust the grant [~~award~~] under this program unless the sum of the excess resources is greater than \$300.

(e) Grant [~~Award~~] adjustments. If a student officially withdraws from enrollment, the institution shall follow its general institutional refund policy in determining the amount by which the financial aid is to be reduced. If the student withdraws or drops classes after the end of the institution's refund period, no refunds are due to the program. If for some other reason the amount of a student's disbursement exceeds the amount the student is eligible to receive, the financial aid should be recalculated accordingly.

(f) Re-offering [~~Re-awarding~~] of funds. Funds made available from grant [~~award~~] adjustments may be re-offered [~~re-awarded~~] to other eligible students attending the institution. If funds cannot be re-offered [~~re-awarded~~], they should be returned to the Board in accordance with §22.2 of this subchapter (relating to Timely Distribution of Funds).

(g) Late Disbursements.

(1) A student may receive a disbursement after the end of his/her period of enrollment if the student:

(A) Owes funds to the institution for the period of enrollment for which the grant [~~award~~] is being made; or

(B) Received a student loan that is still outstanding for the period of enrollment.

(2) Funds that are disbursed after the end of the student's period of enrollment must be used to either pay the student's outstanding balance from his/her period of enrollment at the institution or to make a payment against an outstanding student loan received during that period of enrollment. Under no circumstances are funds to be released to the student.

(3) Documentation must be retained by the institution, proving the late-disbursed funds were used to make a payment against an outstanding balance at

the institution from the relevant period of enrollment and/or to make a payment against an outstanding loan taken out for the period of enrollment.

(4) Unless granted an extension by the staff of the Coordinating Board, late disbursements must be processed prior to the end of the state fiscal year for which the funds were allocated to the institution.

## AGENDA ITEM VII-I (2)

### Consideration of adopting proposed amendments to Chapter 22, Subchapter B, Section 22.28 of Board rules, concerning Provisions for the Tuition Equalization Grant Program

RECOMMENDATION: Approval

#### Background Information:

Section 22.28 concerning "Award Amounts and Adjustments" is amended to introduce greater flexibility for institutions in efforts to address the needs of their student population and to eliminate an unnecessary level of complexity in the administration and understanding of the grant program.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

## SUBCHAPTER B PROVISIONS FOR THE TUITION EQUALIZATION GRANT PROGRAM

## Sections

- §22.21. Authority and Purpose
- §22.22. Definitions
- §22.23. Eligible Institutions
- §22.24. Eligible Students
- §22.25. Satisfactory Academic Progress
- §22.26. Discontinuation of Eligibility or Non-Eligibility
- §22.27. Hardship Provisions
- §22.28. Award Amounts and Adjustments
- §22.29. Allocation and Disbursement of Funds

§§22.21. – 22.27. No change.

§22.28 Award Amounts and Adjustments

(a) Award Amount. Each academic year, no TEG award shall exceed the least of:

- (1) the student's financial need;
- (2) the student's tuition differential; or
- (3) the maximum award allowed based on the student's EFC, which is:

(A) 150 percent of the program maximum for undergraduate students demonstrating exceptional TEG need; or

(B) the program maximum for all other eligible students.

(b) Term or Semester Disbursement Limit. The amount of any disbursement in a single term or semester may not exceed the student's financial need or tuition differential for that term or semester or the program maximum for the academic year, whichever is the least.

~~[(c) Prorated Awards. If an eligible student is enrolled less than three-quarter time in a semester, as measured on the census date, the student's award for that semester may not exceed 50% of the maximum award.]~~

(c) [(d)] Award calculations and disbursements are to be completed in accordance with Chapter 22, Subchapter A of this title (relating to General Provisions).

§22.29. No change.

### AGENDA ITEM VII-I (3)

Consideration of adopting the proposed repeal of Chapter 22, Subchapter L, Sections 22.232, 22.235, 22.238-22.240, and 22.242 of Board Rules, and amendments to Sections 22.225-22.231, 22.233, 22.234, and 22.241 of Board rules, concerning the Toward EXcellence, Access, and Success (TEXAS) Grant Program

RECOMMENDATION: Approval

#### Background Information:

Section 22.232 is repealed as its contents have been integrated with other priorities in Section 22.233. Sections 22.235, 22.239, and 22.240 are repealed as they are duplicative of rules in Chapter 22, Subchapter A, General Provisions. Section 22.238 is repealed as the provision is not utilized, making the rule unnecessary. Section 22.242 is repealed as it is redundant.

Section 22.225 concerning "Authority and Purpose" is amended to increase consistency in language within Chapter 22 and to clarify both the need-based nature of the program and the limitation to public institutions. Section 22.226 concerning "Definitions" is amended to strike the terms that are not used in the subchapter, are defined in Subchapter A, Section 22.1, or are defined at the time they are used in the subchapter. Section 22.226(1) is amended to remove multiple terms with the same meaning in the subchapter. Section 22.226(2) and (3) are amended to remove the term "certificate," as the program is not available to individuals pursuing certificates, and to clarify the reference to programs of more than four years. Section 22.226(5), (7), and (12) are amended to clarify statutory references. Section 22.226(7) is added to clarify the term "public institution." The terms "institution" or "institution of higher education" have been replaced with "public institution" throughout the subchapter. Section 22.226(10) is added to provide clarity of the term "private institution" within the subchapter. Section 22.226(11) is added to clarify the word "program" as it is used in this subchapter. References throughout the document have been aligned with the defined terms.

Section 22.227(a) concerning "Eligible Institutions" is amended to clarify eligible institutions and to increase consistency in language within Chapter 22. Section 22.227(b) is amended to clarify the approval process. Section 22.227(c) replaces language that is duplicated in Subchapter A with a reference to the subchapter. Section 22.228 concerning "Eligible Students" is amended to remove language that has expired or that has been moved to Section 22.230 regarding "Discontinuation of Eligibility or Non-Eligibility" or Section 22.233 concerning "Priorities in Grants to Students." Section 22.228(a)(6)(D) corrects references regarding students who are eligible to receive TEXAS Grant based on prior receipt of a Texas Educational Opportunity Grant. Section 22.228(b) is amended to remove redundant language and to add clarifying language to support summer grants. Section 22.228(c) removes language that has been moved to Section 22.233 concerning "Priorities in Grants to Students." Section 22.229 concerning



"Satisfactory Academic Progress" is amended to remove expired or unnecessary language, to add clarifying language to support summer grants, and to align with defined terms.

Section 22.230 concerning "Discontinuation of Eligibility or Non-Eligibility" is amended to add language regarding discontinuation of eligibility or non-eligibility that was removed from other sections. Language has been revised to support summer grants, to align with defined terms, and to remove unnecessary or duplicative language. Section 22.230(h) is amended to align the section with the statutory reference to "semester." Section 22.231 concerning "Hardship Provisions" is amended to improve clarity by moving language to Section 22.229 concerning "Satisfactory Academic Progress" and Section 22.230 concerning "Discontinuation of Eligibility or Non-Eligibility," as well as clarifying and aligning expectations with other subchapters. Section 22.231(c) is amended to extend the hardship to all eligibility pathways described in Section 22.228(a)(6).

Section 22.233 concerning "Priority in Awards to Students" is amended adding language from other sections of the subchapter to bring all program priorities under one section. Section 22.234 concerning "Award Amounts" is amended by removing duplicative language, including language that exists in Subchapter A concerning "General Provisions." The section is also amended to add language that aligns the rule with statutory requirements and supports summer grants. The removal of Section 22.234(e) and (f) is proposed to introduce greater flexibility for institutions in their efforts to address the needs of their student population and to eliminate an unnecessary level of complexity in the administration and understanding of the grant program. Section 22.241(b) is amended to correct a statutory reference.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

SUBCHAPTER L TOWARD EXCELLENCE, ACCESS, AND SUCCESS (TEXAS)  
GRANT PROGRAM

## Sections

- §22.225. Authority and Purpose
- §22.226. Definitions
- §22.227. Eligible Institutions
- §22.228. Eligible Students
- §22.229. Satisfactory Academic Progress
- §22.230. Discontinuation of Eligibility or Non-Eligibility
- §22.231. Hardship Provisions
- ~~§22.232. Priorities in Funding]~~
- §22.233. Priority in Grants ~~[Awards]~~ to Students
- §22.234. Grant ~~[Award]~~ Amounts ~~[and Adjustments]~~
- ~~§22.235. Late Disbursements]~~
- §22.236. Allocation and Disbursement of Funds
- §22.237. Funds Provided from Student Deposit Fees
- ~~§22.238. Funds Provided through Gifts and Donations]~~
- ~~§22.239. Authority to Transfer Funds]~~
- ~~§22.240. Dissemination of Information and Rules]~~
- §22.241. Tolling of Eligibility for Initial Year Grant ~~[Award]~~
- ~~§22.242. Reports to the TEXAS Grant Oversight Committee]~~

## §22.225. Authority and Purpose.

(a) Authority. Authority for this subchapter is provided in the Texas Education Code, Chapter 56, Subchapter M, Toward EXcellence, Access and Success (TEXAS) Grant Program. This subchapter establishes ~~[These rules establish]~~ procedures to administer ~~[the subchapter as prescribed in the]~~ Texas Education Code, §§56.301 - 56.311.

(b) Purpose. The purpose of this program is to provide need-based grants of money to enable eligible ~~[certain]~~ students to attend eligible public institutions of higher education in this state.

## §22.226. Definitions.

In addition to the words and terms defined in §22.1 of this Chapter, the ~~[The]~~ following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

~~[(1) Awarded—Offered to a student.]~~

~~[(2) Board—The Texas Higher Education Coordinating Board.]~~

~~[(3) Commissioner--The Commissioner of Higher Education, the Chief Executive Officer of the Board.]~~

~~[(4) Committee--The TEXAS Grant Oversight Committee, authorized through Texas Education Code, §56.311.]~~

(1) ~~[(5)]~~ Continuation grant ~~[or renewal award]~~--A TEXAS Grant offered ~~[awarded]~~ to a person who has previously received an initial year grant ~~[award]~~.

~~[(6) Cost of attendance--An institution's estimate of the expenses incurred by a typical financial aid student. It includes direct educational costs (tuition, fees, books, and supplies) as well as indirect costs (room and board, transportation, and personal expenses).]~~

(2) ~~[(7)]~~ Degree ~~[or certificate]~~ program of four years or less--A baccalaureate degree ~~[or certificate]~~ program, other than a ~~[in architecture, engineering or any other]~~ program determined by the Board to require more than four years ~~[or less]~~ to complete.

(3) ~~[(8)]~~ Degree ~~[or certificate]~~ program of more than four years--A baccalaureate degree ~~[or certificate]~~ program ~~[in architecture, engineering or any other program]~~ determined by the Board to require more than four years to complete.

~~[(9) Eligible institution--During the 2013-2014 academic year, all institutions of higher education are eligible to make initial and continuation awards. Beginning with awards for fall 2014, only medical or dental units and general academic teaching institutions other than the public state colleges may make initial and continuation awards. Other institutions of higher education, including public state institutions, may only make continuation awards and can make continuation awards only to otherwise eligible students who received TEXAS Grant awards prior to fall 2014.]~~

(4) ~~[(10)]~~ Encumbered Funds - Funds ready for disbursement to the institution, based on the institution having submitted to the Board the required documentation to request funds.

~~[(11) Enrolled on at least a three-quarter basis--Enrolled for the equivalent of nine undergraduate semester credit hours in a regular semester.]~~

~~[(12) Entering undergraduate--A student enrolled in the first 30 semester credit hours or their equivalent, excluding hours taken during dual enrollment in high school and courses for which the student received credit through examination.]~~

~~[(13) Expected family contribution--The amount of discretionary income that should be available to a student from his or her resources and that of his or her family, as determined following the federal methodology.]~~

~~[(14) Financial Aid Advisory Committee--An advisory committee for the Board, authorized in Texas Education Code, §61.0776 and charged with providing the Board advice and recommendations regarding the development, implementation and evaluation of state financial aid programs for college students.]~~

~~[(15) Financial need--The cost of attendance at a particular public or private institution of higher education less the expected family contribution. The cost of attendance and family contribution are to be determined in accordance with Board guidelines. Federal and state veterans' educational and special combat pay benefits are not to be considered in determining a student's financial need.]~~

~~[(16) Foundation high school program--The curriculum specified in the Texas Education Code, §28.025, as it exists after the passage of House Bill 5 by the 83rd Legislature, Regular Session, and the rules promulgated thereunder by the State Board of Education.]~~

~~(5) [(17)] General Academic Teaching Institution--As the term is defined in Texas Education Code, §61.003(3) [§61.003].~~

~~[(18) Honorably discharged--Released from active duty military service with an Honorable Discharge, General Discharge under Honorable Conditions, or Honorable Separation or Release from Active Duty, as documented by the Certificate of Release or Discharge from Active Duty (DD214) issued by the Department of Defense.]~~

~~(6) [(19)] Initial year grant [award]--The TEXAS Grant offered [grant award made] in the student's first year in the TEXAS Grant Program, typically made up of a fall and spring disbursement.~~

~~(20) Institution of Higher Education or Institution--Any public technical institute, public junior college, public senior college or university, medical or dental unit or other agency of higher education as defined] in Texas Education Code, §61.003(8).]~~

~~(7) [(21)] Medical or dental unit--As the term is defined in Texas Education Code, §61.003(5) [§61.003].~~

~~(8) Public Institution--As the term, institution of higher education, is defined in Texas Education Code, §61.003(8).~~

~~[(22) Period of enrollment--The term or terms within the current state fiscal year (September 1-August 31) for which the student was enrolled in an eligible institution and met all the eligibility requirements for an award through this program.]~~

(9) ~~[(23)]~~ Prior-prior year--For allocation purposes, the state fiscal year that began two years earlier than the fiscal year for which the allocation is being calculated.

~~[(24) Priority Model--The additional academic requirements for priority consideration for an initial year TEXAS grant award for persons who graduate from high school on or after May 1, 2013 and enroll in a general academic teaching institution in the 2013-2014 academic year or enroll in a medical or dental unit or general academic teaching institution other than a state college in fall 2014 or later, as described in §22.228 of this title (relating to Eligible Students).]~~

(10) Private Institution--As the term, private or independent institution of higher education, is defined in Texas Education Code, §61.003(15).

(11) Program--The Toward EXcellence, Access and Success (TEXAS) Grant program.

~~[(25) Program Officer--The individual named by each participating institution's chief executive officer to serve as agent for the Board. The Program Officer has primary responsibility for all ministerial acts required by the program, including maintenance of all records and preparation and submission of reports reflecting program transactions. Unless otherwise indicated by the administration, the director of student financial aid shall serve as Program Officer.]~~

(12) ~~[(26)]~~ Public state college--As the term is defined in Texas Education Code, §61.003(16) ~~[\$61.003]~~.

~~[(27) Recommended or advanced high school programs--The curriculum specified in the Texas Education Code, §28.025 as it existed as of January 1, 2013, and the rules promulgated thereunder by the State Board of Education.]~~

(13) ~~[(28)]~~ Required fees--A mandatory fee (required by statute) or discretionary fee (authorized by statute, imposed by the governing board of a public ~~[an]~~ institution) and that a public ~~[an]~~ institution charges to a student as a condition of enrollment at the public institution or in a specific course.

~~[(29) Resident of Texas--A resident of the State of Texas as determined in accordance with Chapter 21, Subchapter B, of this title (relating to Determination of Resident Status). Nonresident students who are eligible to pay resident tuition rates are not residents of Texas.]~~

(14) ~~[(30)]~~ Target grant ~~[award]~~ amount--An ~~[award]~~ amount set by the Coordinating Board, in consultation with public institutions participating in the TEXAS Grant Program, and used as the recommended average grant ~~[award]~~ amount for the TEXAS Grant Program for a biennium and in establishing renewal

year allocations to participating public institutions as described in §22.236(a)(1) of this title (relating to Allocation and Reallocation of Funds).

(15) ~~[(31)]~~ Tuition--Statutory tuition, designated and/or Board-authorized tuition.

#### §22.227. Eligible Institutions.

##### (a) Eligibility.

(1) Institutions ~~[Prior to fall 2014, all institutions of higher education are eligible to participate in the TEXAS Grant program. Beginning with awards for fall 2014, the only institutions]~~ eligible to make initial year and continuation grants ~~[awards]~~ in the program are medical or ~~[and]~~ dental units and general academic teaching institutions, other than the public state colleges. Other public institutions ~~[of higher education]~~, including public state colleges, are only eligible to make continuation grants ~~[awards]~~, and can make continuation grants ~~[awards]~~ only to persons who initially received TEXAS Grants ~~[grant awards]~~ prior to fall 2014 through a public state college, community college, or technical college.

(2) No participating public institution may, on the grounds of race, color, national origin, gender, religion, age, or disability exclude an individual from participation in, or deny the benefits of the program described in this subchapter.

(3) Each participating public institution must follow the Civil Rights Act of 1964, Title VI (Public Law 88-353) in avoiding discrimination in admissions or employment.

##### (b) Approval.

(1) Agreement. Each eligible public institution must enter into an agreement with the Board, the terms of which shall be prescribed by the Commissioner or his/her designee, prior to being approved to participate in the program.

(2) Approval Deadline. An eligible public institution must enter into an agreement with the Board and indicate an intent to participate in the program ~~[be approved]~~ by April 1 in order for qualified students enrolled in that public institution to be eligible to receive grants in the following fiscal year.

(c) Responsibilities. Participating public institutions are required to abide by the General Provisions outlined in subchapter A of this Chapter.

~~[(1) Probation Notice. If the institution is placed on public probation by its accrediting agency, it must immediately advise the Board and grant recipients of this condition and maintain evidence in each student's file to demonstrate that the student was so informed.]~~

~~[(2) Disbursements to Students.]~~

~~[(A) Documentation. The institution must maintain records to prove the receipt of program funds by the student or the crediting of such funds to the student's school account.]~~

~~[(B) Procedures in Case of Illegal Disbursements. If the Commissioner has reason for concern that an institution has disbursed funds for unauthorized purposes, the Board will notify the Program Officer and financial aid officer and offer an opportunity for a hearing pursuant to the procedures outlined in Chapter 1 of this title (relating to Agency Administration). Thereafter, if the Board determines that funds have been improperly disbursed, the institution shall become primarily responsible for restoring the funds to the Board. No further disbursements of grants or scholarships shall be permitted to students at that institution until the funds have been repaid.]~~

~~[(3) Reporting Requirements/Deadlines. All institutions must meet Board reporting requirements in a timely fashion. Such reporting requirements shall include reports specific to allocation and reallocation of grant funds (including the Financial Aid Database Report) as well as progress and year-end reports of program activities.]~~

~~[(4) Program Reviews. If selected for such by the Board, participating institutions must submit to program reviews of activities related to the TEXAS Grant Program.]~~

§22.228. Eligible Students.

~~[(a) All persons who receive an initial award through the TEXAS Grant Program while attending public community colleges, technical colleges or the Lamar Institute of Technology in the 2013-2014 academic year must:]~~

~~[(1) be a resident of Texas;]~~

~~[(2) show financial need;]~~

~~[(3) have applied for any available financial aid assistance;]~~

~~[(4) not have been granted a baccalaureate degree;]~~

~~[(5) be a graduate of an accredited high school in this state not earlier than the 1998-1999 school year;]~~

~~[(6) have completed the Recommended or Advanced High School Program, or if a graduate of a private high school, its equivalent, unless the student:]~~

~~[(A) graduated from a public high school that has been certified by its district not to offer all the courses necessary to complete all parts of the Recommended or Advanced High School Program, and the student has completed all courses that the high school offered toward the completion of such a curriculum; or]~~

~~[(B) was anticipated to graduate under the Recommended or Advanced High School Program or meet the academic requirements as outlined by subsection (b)(5) of this section when the award was made; or]~~

~~[(C) has received an associate degree from an eligible institution no earlier than May 1, 2001; or]~~

~~[(D) was anticipated to receive an associate degree from an eligible institution no earlier than the twelfth month prior to the month in which the student enrolled for fall 2013;]~~

~~[(7) enroll in an undergraduate degree or certificate program at an eligible institution on at least a three-quarter time basis;]~~

~~[(A) not later than the end of the 16th month after high school graduation, if an entering undergraduate student; or]~~

~~[(B) not later than the 12th month after the month the student has received an associate degree;]~~

~~[(8) have a statement on file with his or her institution that indicates the student is registered with the Selective Service System as required by federal law or is exempt from selective service registration under federal law; and]~~

~~[(9) if awarded the grant on or after September 1, 2005, be enrolled in an institution of higher education.]~~

~~[(b) To receive an initial TEXAS Grant award for the 2013-2014 academic year, a person graduating from high school on or after May 1, 2013 and enrolling in a general academic teaching institution must:]~~

~~[(1) be a resident of Texas;]~~

~~[(2) show financial need;]~~

~~[(3) have applied for any available financial aid assistance;]~~

~~[(4) not have been granted a baccalaureate degree; and]~~

~~[(5) to receive top consideration for an award, meet the academic requirements prescribed by subparagraph (A) of this paragraph and meet the~~



~~priority deadline set by the Board in compliance with Texas Education Code, §56.008. If funds remain after awards are made to all students meeting the criteria in subparagraph (A) of this paragraph and meet the priority deadline, remaining funds may be awarded to persons who meet the priority deadline and are otherwise eligible for awards. Once these awards are made, remaining funds may be awarded to otherwise eligible persons who did not meet the deadline.;~~

~~[(A) graduate or be on track to graduate from a public or accredited private high school in Texas and complete or be on track to complete the Recommended High School Curriculum or its equivalent and on track to have accomplished any two or more of the following at the time the award was made.;~~

~~[(i) graduation under the advanced high school program established under Texas Education Code, §28.025 or its equivalent, successful completion of the course requirements of the international baccalaureate diploma program, or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Texas Education Code, §28.009(a)(1), (2), and (3).;~~

~~[(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Coordinating Board under Texas Education Code, §51.3062(f) on any assessment instrument designated by the Coordinating Board under Texas Education Code, §51.3062(c) or (e) or qualification for an exemption as described by Texas Education Code, §51.3062(p), (q), or (q-1).;~~

~~[(iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or]~~

~~[(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, as permitted by Texas Education Code, §28.025(b-3), or at least one advanced career and technical course, as permitted by Texas Education Code, §28.025(b-2).;~~

~~[(B) have received an associate degree or be on track to receive an associate's degree from a public or private institution of higher education at the time the award was made; or]~~

~~[(C) if sufficient money remains, meet the eligibility criteria described by subsection (a) of this section.]~~

~~[(6) Except as provided under §22.231 of this title (relating to Hardship Provisions), a person must also enroll in an undergraduate degree or certificate program at a general academic teaching institution on at least a three-quarter time basis as:]~~

~~[(A) an entering undergraduate student not later than the end of the 16th month after high school graduation; or]~~

~~[(B) an entering undergraduate student who entered military service not later than the first anniversary of the date of high school graduation and enrolled in a general academic teaching institution no later than 12 months after being honorably discharged from military service; or]~~

~~[(C) a continuing undergraduate not later than the end of the 12th month after the calendar month in which the student received an associate degree; and]~~

~~[(7) have a statement on file with his or her institution that indicates the student is registered with the Selective Service System as required by federal law or is exempt from selective service registration under federal law.]~~

(a) ~~[(e)]~~ To qualify for an initial year grant ~~[award for fall 2014 or later]~~, a person who graduates from high school ~~[on or after May 1, 2013]~~ must:

(1) be enrolled in a medical or dental unit or general academic teaching institution other than public state colleges;

(2) be a resident of Texas;

(3) meet financial need requirements established by the Board;

(4) have applied for any available financial aid assistance;

(5) meet applicable standards outlined in Subchapter A of this Chapter ~~[not have been granted a baccalaureate degree]; and~~

~~[(6) to receive top consideration for an award, meet the academic requirements prescribed by subparagraph (A) of this paragraph and meet the priority deadline set by the Board in compliance with Texas Education Code, §56.008. If funds remain after awards are made to all students meeting the criteria in subparagraph (A) of this paragraph and meet the priority deadline, remaining funds may be awarded to persons who meet the priority deadline and are otherwise eligible for awards. Once these awards are made, remaining funds may be awarded to otherwise eligible persons who did not meet the priority deadline:]~~

~~[(A) graduate or be on track to graduate from a public or accredited private high school in Texas on or after May 1, 2013, and complete or be on track to complete the Foundation High School program or its equivalent as amended in keeping with Texas Education Code, §56.009. An otherwise eligible student graduating before September 1, 2020, must complete or be on track to complete the Foundation, recommended, or advanced High School program. The person must also be on track to have accomplished any two or more of the following at the time the award was made:]~~

~~[(i) successful completion of the course requirements of the recommended or advanced high school program established under Texas Education Code, §28.025 or its equivalent or the international baccalaureate diploma program, or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Texas Education Code, §28.009(a)(1), (2), and (3), or if graduating prior to September 1, 2020, graduate under the Recommended or Advanced high school program;]~~

~~[(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Board under Texas Education Code, §51.3062(f) on any assessment instrument designated by the Board under Texas Education Code, §51.3062(c) or qualification for an exemption as described by Texas Education Code, §51.3062(p), (q), or (q-1);]~~

~~[(iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four point scale or the equivalent; or]~~

~~[(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, or at least one advanced career and technical or technical applications course;]~~

~~[(B) have received an associate's degree or be on track to receive an associate's degree from a public or private institution of higher education at the time the award was made; or]~~

~~[(C) meet the eligibility criteria described in subsection (a) of this section.]~~

(6) [(7)] Except as provided under §22.231 of this title (relating to Hardship Provisions), to receive an initial year grant [award in fall 2014 or later], an otherwise eligible person must [also] enroll in a baccalaureate degree program at an eligible public institution on at least a three-quarter time basis as:

(A) an entering undergraduate student not later than the end of the 16th month after the calendar month in which the person graduated from high school [graduation]; or

(B) an entering undergraduate student who entered military service not later than the first anniversary of the date of high school graduation and enrolled in an eligible public institution no later than 12 months after being released from active duty military service with an Honorable Discharge, General Discharge under Honorable Conditions, or Honorable Separation or Release from Active Duty, as documented by the Certificate of Release or Discharge from Active Duty (DD214) issued by the Department of Defense [honorably discharged from military service];

(C) a continuing undergraduate student not later than the end of the 12th month after the calendar month in which the student received an associate [associate's] degree; or

(D) a continuing [an entering] undergraduate student who has:

(i) previously attended a public institution [an institution of higher education];

(ii) received an initial Texas Educational Opportunity Grant under Subchapter M of this Chapter [P] for the 2014 fall semester or a subsequent semester [academic term];

(iii) completed at least 24 semester credit hours at any [Texas] public institution(s) or private institution(s) [institution or institutions of higher education];

(iv) earned an overall grade point average of at least 2.5 on a four-point scale or the equivalent on all course work previously attempted; and

(v) has never previously received a TEXAS Grant. [; and

[(8) have a statement on file with his or her institution that indicates the student is registered with the Selective Service System as required by federal law or is exempt from selective service registration under federal law.]

(b) [(d)] Continuation Grants [Awards]. To receive a continuation grant [award] through the TEXAS Grant Program, a student must:

(1) have previously received an initial year grant [award] through this program;

(2) show financial need in the semester(s) in which a TEXAS Grant is offered;

(3) be enrolled at least three-quarter time in the semester(s) in which a TEXAS Grant is offered unless granted a hardship waiver of this requirement under §22.231 of this title;

(4) ~~[if he or she received an initial TEXAS Grant award prior to fall 2014,]~~ be enrolled in a baccalaureate ~~[an undergraduate degree or certificate]~~ program at the ~~[an]~~ eligible public institution; ~~[if he or she received an initial TEXAS Grant award in fall 2014 or later, be enrolled in a baccalaureate degree at a medical or dental unit or general academic teaching institution other than a state college;~~

~~[(5) not have been granted a baccalaureate degree;]~~

~~[(6) have a statement on file with his or her institution that indicates the student is registered with the selective service system as required by federal law or is exempt from selective service registration under federal law; and]~~

~~(5) [(7) if he or she received an initial TEXAS Grant award prior to fall 2014, make satisfactory academic progress towards an undergraduate degree or certificate, as defined in §22.229 of this title (relating to Satisfactory Academic Progress); if he or she received an initial TEXAS Grant award in fall 2014 or later,]~~ make satisfactory academic progress towards a baccalaureate degree at the ~~[an]~~ eligible public institution, as defined in §22.229 of this title (relating to Satisfactory Academic Progress) ~~[-]~~

(6) meet applicable standards outlined in Subchapter A of this Chapter;  
and

~~(7) [(8)]~~ If a student's eligibility was based on the expectation that the student would complete a high school diploma or associate degree in time to meet the requirements for Program eligibility, ~~[the Recommended or Advanced or Foundation High School Program, meet the priority model academic requirements as outlined in subsection (b)(5) or (c)(6) of this section, or acquire an associate's degree]~~ and the student failed to do so, then, in order to resume eligibility, such a student must:

(A) receive an associate ~~[associate's]~~ degree;

(B) meet all other qualifications for a TEXAS Grant;

(C) if required to do so by the institution through which the TEXAS Grant was made, repay the amount of the TEXAS Grant that was previously received; and

(D) enroll in a higher-level undergraduate degree program in an eligible public institution not later than the 12th month after the month the student received an associate [associate's] degree.

~~(e) In determining initial student eligibility for TEXAS Grant awards pursuant to subsections (a), (b) and (c) of this section, priority shall be given to those students who have an expected family contribution that does not exceed the lesser of the limit set by the Board for the relevant fiscal year or 60 percent of the average statewide amount of tuition and fees for general academic teaching institutions for the relevant academic year.]~~

#### §22.229. Satisfactory Academic Progress.

(a) To qualify for a continuation grant [or renewal award] after the academic year in which a person receives an initial year grant [award], each recipient of the TEXAS Grant shall meet the academic progress requirements as indicated by the financial aid office of his or her institution.

(b) To receive a subsequent grant [award] after he or she receives a continuation grant [award:]

~~[(1) a recipient who was awarded an initial year TEXAS grant prior to September 1, 2005, shall, unless granted a hardship postponement in accordance with §22.231 of this title (relating to Hardship Provisions):]~~

~~[(A) complete at least 75 percent of the hours attempted in his or her most recent academic year, as determined by institutional policies; and]~~

~~[(B) maintain an overall grade point average of at least 2.5 on a four point scale or its equivalent, for all coursework attempted at public or private or independent institutions of higher education.]~~

~~[(2) To receive a subsequent award after he or she received a continuation award], a recipient [who was awarded an initial year award through the TEXAS Grant Program on or after September 1, 2005] shall, unless granted a hardship postponement in accordance with §22.231 of this title (relating to Hardship Provisions):~~

~~(1) [(A)] complete at least 24 semester credit hours in his or her most recent academic year; and[,]~~

~~(2) [(B)] maintain an overall grade point average of at least 2.5 on a four point scale or its equivalent, for all coursework attempted at public institutions and private institutions [an institution or private or independent institution].~~

~~(3) [(C)] An [A first-time] entering undergraduate [freshman] student enrolling in a participating public institution for the second or later [regular-term~~

~~or~~] semester in a given academic year meets the semester-credit-hour requirement outlined in paragraph (1) [subparagraph (A)] of this subsection [paragraph] for continuing in the program if he or she completes at least 12 semester credit hours or its equivalent during that ~~[term-or]~~ semester.

(c) The calculation of a student's GPA is to be completed in accordance with the General Provisions outlined in Subchapter A of this Chapter.

(d) The completion rate calculations may be made in keeping with institutional policies.

~~[(c) A grant recipient who is below program grade point average requirements as of the end of a spring term may appeal his/her grade point average calculation if he/she has taken courses previously at one or more different institutions. In the case of such an appeal, the current institution (if presented with transcripts from the previous institutions), shall calculate an overall grade point average counting all classes and grade points previously earned. If the resulting grade point average exceeds the program's academic progress requirement, an otherwise eligible student may receive an award in the following fall term.]~~

#### §22.230. Discontinuation of Eligibility or Non-Eligibility.

(a) A student may not receive a TEXAS Grant after having already being granted a baccalaureate degree.

(b) A student may not receive a TEXAS Grant for a semester in which he or she is enrolled for fewer than six hours.

~~[(a) For recipients who received a TEXAS Grant prior to Fall 2005 or were awarded an initial year TEXAS Grant for the 2005-2006 academic year prior to September 1, 2005:]~~

~~[(1) Unless granted a hardship postponement in accordance with §22.231 of this title (relating to Hardship Provisions), a student's eligibility for a TEXAS Grant ends six years from the start of the semester or term in which the student received his or her first disbursement of an initial TEXAS Grant award, if the student's eligibility for a TEXAS Grant was based on the completion of the Recommended or Advanced High School Program or its equivalent in high school.]~~

~~[(2) Unless granted a hardship postponement in accordance with §22.231 of this title, a student's eligibility ends four years from the date of the semester or term in which the student received his or her first disbursement of an initial TEXAS Grant award if the student's eligibility was based on receiving an associate's degree.]~~

~~[(b) For recipients who were awarded an initial year award through the TEXAS Grant program for the 2005-2006 academic year on or after September 1, 2005, and for~~

~~recipients who were awarded such an initial year award for a subsequent academic year.}]~~

~~(c) [(1)] Unless granted a hardship postponement in accordance with §22.231 of this title (relating to Hardship Provisions), eligibility for a TEXAS Grant for a student whose eligibility for an initial year TEXAS Grant was not based on the receipt of an associate [associate's] degree ends:~~

~~(1) [(A)] five years from the start of the semester [or term] in which the student received his or her first disbursement of an initial year TEXAS Grant [award], if the student is enrolled in a degree program of four years or less;~~

~~(2) [(B)] six years from the start of the semester [or term] in which the student received his or her first disbursement of an initial year TEXAS Grant [award], if the student is enrolled in a degree program of more than four years.~~

~~(d) [(2)] Unless granted a hardship postponement in accordance with §22.231 of this title, eligibility for a TEXAS Grant for a student whose eligibility was based on receiving an associate [associate's] degree ends:~~

~~(1) [(A)] three years from the date of the semester [or term] in which the student received his or her first disbursement of an initial year TEXAS Grant [award] if the student is enrolled in a degree program of four [or fewer] years or less;~~

~~(2) [(B)] four years from the date of the semester [or term] in which the student received his or her first disbursement of an initial year TEXAS Grant [award] if the student is enrolled in a degree program of more than four years.~~

~~(e) [(e)] A student's eligibility ends one year from the date of the semester [or term] in which the student received his or her first disbursement of an initial year TEXAS Grant [award], if the student's eligibility was based on the expectation that the student would complete the initial year grant [award] requirements as outlined in §22.228 of this title (relating to Eligible Students), but the student failed to do so. However, if such a student later receives an associate [associate's] degree and again qualifies for TEXAS Grants, he or she can receive an additional three years of eligibility if enrolled in a degree program [plan] of four years or less, or an additional four years if enrolled in a degree program [plan] of more [greater] than four years.~~

~~(f) [(d)] A [student whose eligibility for a TEXAS Grant is not based on the receipt of an associate's degree may receive a TEXAS Grant for no more than 150 semester credit hours or the equivalent. Beginning with awards for the 2015-2016 academic year, such a] student's eligibility for a TEXAS Grant ends once he or she has attempted 150 semester credit hours or the equivalent unless the student is granted a hardship extension in accordance with §22.231(d) of this title [(relating to Hardship Provisions)]. [For this purpose, "attempted hours" is defined as every course in every semester for which a student has been registered as of the official Census Date, including but not limited to, repeated courses and courses the student drops and from~~



which the student withdraws. For transfer students, transfer hours and hours for optional internship and cooperative education courses are included if they are accepted by the receiving institution towards the student's current program of study. The total number of hours paid for, at least in part, with TEXAS Grant funds may not exceed 150 semester credit hours or the equivalent.

~~[(e) A student eligible for a TEXAS Grant based on receiving an associate's degree may receive a TEXAS Grant for no more than 90 semester credit hours. Beginning with awards for the 2015-2016 academic year, such a student's eligibility for a TEXAS Grant ends once he or she has attempted 150 semester credit hours or the equivalent unless the student is granted a hardship extension in accordance with §22.231(d) of this title. For this purpose, "attempted hours" is defined as every course in every semester for which a student has been registered as of the official Census Date, including but not limited to, repeated courses and courses the student drops and from which the student withdraws. For transfer students, transfer hours and hours for optional internship and cooperative education courses are included if they are accepted by the receiving institution towards the student's current program of study. The total number of hours paid for, at least in part, with TEXAS Grant funds may not exceed 90 semester credit hours or the equivalent.]~~

~~(g) [(f)]~~ A person is not eligible to receive an initial year or continuation grant [TEXAS Grant] if the person has been convicted of a felony or an offense under Chapter 481, Health and Safety Code (Texas Controlled Substances Act), or under the law of any other jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety Code, unless the person has met the other applicable eligibility requirements under this subchapter and has:

(1) received a certificate of discharge by the Texas Department of Criminal Justice or a correctional facility or completed a period of probation ordered by a court, and at least two years have elapsed from the date of the receipt or completion; or

(2) been pardoned, had the record of the offense expunged from the person's record, or otherwise been released from the resulting ineligibility to receive a TEXAS Grant.

~~(h) [(g)]~~ Other than as described in §22.231 of this title, if a person fails to meet any of the requirements for receiving a continuation grant [award] as outlined in §22.228(b) of this subchapter [subsection (b) of this section] after completion of any semester [year], the person may not receive a TEXAS Grant until he or she completes a semester [courses] while not receiving a TEXAS Grant and meets all the requirements as outlined in §22.228(b) of this subchapter [of subsection (b) of this section] as of the end of that semester [period of enrollment].

#### §22.231. Hardship Provisions.

(a) In [No student enrolled for fewer than six hours may receive a TEXAS Grant. However, in] the event of a hardship or for other good cause, the Program Officer at an

eligible public institution may allow an otherwise eligible person to receive a TEXAS Grant under the following conditions:

(1) while enrolled in less than ~~[for an equivalent of six to]~~ nine semester credit hours;

(2) ~~[or]~~ if the student's grade point average ~~[or completion rate or number of completed hours]~~ falls below the satisfactory academic progress requirements of §22.229 of this title (relating to Satisfactory Academic Progress);

(3) if the student's completion rate falls below the satisfactory academic progress requirements of §22.229 of this subchapter;

(4) if the student's number of completed hours falls below the satisfactory academic progress requirements of §22.229 of this subchapter; or

(5) if the student requires an extension of the year limits found in §22.230 of this subchapter to complete his or her degree.

(b) Hardship or other good causes ~~[Such conditions]~~ are not limited to, but include:

(1) a showing of a severe illness or other debilitating condition that may affect the student's academic performance;

(2) an indication that the student is responsible for the care of a sick, injured, or needy person and that the student's provision of care may affect his or her academic performance; or

(3) the requirement of fewer than nine hours to complete one's degree plan.

~~[(b) The Program Officer may grant an extension of the year limits found in §22.230 of this title (relating to Discontinuation of Eligibility or Non-Eligibility) in the event of hardship. Documentation justifying the extension must be kept in the student's files, and the institution must identify students granted extensions and the length of their extensions to the Coordinating Board, so that it may appropriately monitor each student's period of eligibility.]~~

(c) The Program Officer may allow a student to receive his/her initial year grant ~~[first award]~~ after the time limits described in §22.228(a)(6) (relating to Eligible Students) ~~[more than 16 months have passed since high school graduation]~~ if the student and/or the student's family has suffered a hardship that would now make the student rank as one of the institution's neediest. ~~[Documentation justifying the exception must be kept in the student's files.]~~

(d) The Program Officer may allow a student to receive a grant after attempting more hours than allowed under §22.230(f) ~~[§22.230(d), (e), (f) or (g)]~~ of this title

(relating to Discontinuation of Eligibility or Non-Eligibility) in the event of hardship. However, the total number of hours paid for, at least in part, with TEXAS Grant funds may not exceed 150 semester credit hours or the equivalent ~~[student may not use the grants to pay for more than the number of hours listed in these subsections. Documentation justifying the extension must be kept in the student's files].~~

(e) Documentation justifying the eligibility granted through the hardship provisions outlined in this rule must be kept in the student's file. Institutions must identify to the Board those students granted eligibility through hardship provisions, so that the Board may appropriately monitor each student's period of eligibility.

(f) [(e)] Each participating public institution shall adopt a hardship policy under this section and have the policy available in writing in the financial aid office for public review upon request.

§22.233. Priority in Grants ~~[Awards]~~ to Students.

(a) If appropriations for the program are insufficient to allow grants to all eligible students, priority shall be given to those students demonstrating continuing TEXAS Grant eligibility pursuant to §22.228(b) of this subchapter (relating to Eligible Students).

(b) In determining student eligibility for a [who should receive an initial year] TEXAS Grant pursuant to §22.228(a) of this subchapter, [an institution shall give highest] priority shall be given to those students who demonstrate the greatest financial need at the time the offer [award] is made.

(c) In determining student eligibility for a TEXAS Grant pursuant to §22.228(a) of this subchapter, priority shall be given to those students who have an expected family contribution that does not exceed 60 percent of the average statewide amount of tuition and required fees for general academic teaching institutions for the relevant academic year.

(d) In determining initial student eligibility for a TEXAS Grant pursuant to §22.228(a) of this subchapter, priority shall be given to those students who graduate or are on track to graduate from a public or accredited private high school in Texas on or after May 1, 2013, and complete or are on track to complete the Foundation High School program, or its equivalent as amended in keeping with Texas Education Code, §56.009. The person must also be on track to have accomplished any two or more of the following at the time a TEXAS Grant was offered:

(1) successful completion of the course requirements of the international baccalaureate diploma program, or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Texas Education Code, §28.009(a)(1), (2), and (3), or if graduating prior to September 1, 2020, graduate under the Recommended or Advanced high school curriculum specified in the Texas Education Code, §28.025 as it existed as of January 1, 2013, and the rules promulgated thereunder by the State Board of Education;

(2) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Board under Texas Education Code, §51.3062(f) on any assessment instrument designated by the Board under Texas Education Code, §51.3062(c) or qualification for an exemption as described by Texas Education Code, §51.3062(p), (q), or (q-1);

(3) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or

(4) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, or at least one advanced career and technical or technical applications course;

(e) If funds remain after TEXAS Grants are offered to all students meeting the criteria in subsection (d) of this section, remaining funds may be offered to persons who are otherwise eligible for TEXAS Grants.

#### §22.234. Grant [Award] Amounts [and Adjustments].

~~[(a) Funding. Funds awarded through this program may not exceed the amount of appropriations, gifts, grants and other funds that are available for this use.]~~

~~[(b) Award Amounts.]~~

(a) [(1)] The amount of a TEXAS Grant offered [awarded] through an eligible public institution may not be reduced by any gift aid for which the person receiving the grant is eligible, unless the total amount of a person's grant plus any aid other than loans received equals or exceeds the student's financial need [tuition and required fees].

(b) [(2)] The Board shall determine and announce the maximum amount of a TEXAS Grant not later than the final day of January [award] prior to the start of each fiscal year. The calculation of the maximum amount per semester will be based on the mandates contained in Texas Education Code, §56.307. However, no student's TEXAS Grant [award] shall be greater than the amount of the student's financial need.

(c) [(3)] An eligible public institution may not charge a person receiving a TEXAS Grant through that institution, an amount of tuition and required fees in excess of the amount of the TEXAS Grant received by the person in that semester unless it also provides the student sufficient aid other than loans to meet his or her full tuition and required fees for that semester. Nor may it deny admission to or enrollment in the institution based on a person's eligibility to receive or actual receipt of a TEXAS Grant.

(d) [(4)] The eligible public institution may require a student to forgo or repay the amount of an initial year grant [TEXAS Grant awarded to the student as described in §22.228(a)(6)(B) of this title (relating to Eligible Students)] if the student is determined to have failed to complete the necessary [Recommended or Advanced or Foundation]

High School Program or Associate Degree [or its equivalent], upon which eligibility for the program was determined, as evidenced by the final high school or college transcript.

~~[(5) If the money available for TEXAS Grants is sufficient to provide grants to all eligible applicants in the amounts specified in paragraphs (1)–(3) of this subsection, the Board may use any excess money to award a grant in an amount not more than three times the amount that may be awarded under paragraphs (1)–(3) of this subsection, to a student who:]~~

~~[(A) is enrolled in a program that fulfills the educational requirements for licensure or certification by the state in a health care profession that the Board, in consultation with the Texas Workforce Commission and the Statewide Health Coordinating Council, has identified as having a critical shortage in the number of license holders needed in this state;]~~

~~[(B) has completed at least one half of the work toward a degree or certificate that fulfills the educational requirement for licensure or certification; and]~~

~~[(C) meets all the requirements to receive a grant award under §22.228 of this title.]~~

~~[(6) No person enrolled for fewer than six semester credit hours may receive a TEXAS Grant. In addition, an award to an otherwise eligible student enrolled for less than a three quarter time load due to hardship is to be prorated. The amount he/she can be awarded is equal to the semester's maximum award for the relevant type of institution, divided by twelve hours and multiplied by the actual number of hours for which the student enrolled.]~~

(e) Grant calculations and disbursements are to be completed in accordance with the General Provisions outlined in Subchapter A of this chapter.

~~[(c) Uses. A person receiving a TEXAS Grant may only use the money to pay any usual and customary cost of attendance at an institution of higher education incurred by the student.]~~

~~[(d) Over Awards. If, at a time after an award has been disbursed by the institution to the student, the student receives assistance that was not taken into account in the student's estimate of financial need, so that the resulting sum of assistance exceeds the student's financial need, the institution is not required to adjust the award under this program unless the sum of the excess resources is greater than \$300.]~~

~~[(e) Prorated Awards. If the student's balance of eligible hours is less than the number of hours he or she is taking in a given term or semester, the student's award amount for that term or semester should be prorated using the following schedule:]~~

~~[(1) If balance of hours = 12 or more hours—100% of the maximum award;]~~

~~[(2) If balance of hours = 9-11 hours—100% of the maximum award;]~~

~~[(3) If balance of hours = 6-8 hours—50% of the maximum award; and]~~

~~[(4) If balance of hours = fewer than 6 hours and student is enrolled for at least 6 hours—25% of the maximum award.]~~

~~[(f) Prorated Awards, beginning with Awards for the 2015-2016 Academic Year. If the student's balance of eligible attempted hours is less than the number of hours he or she is taking in a given term or semester, the student's award amount for that term or semester should be prorated. Beginning no later than Fiscal Year 2012, prorated amounts shall be calculated using the following schedule:]~~

~~[(1) If balance of attempted hours = 12 or more hours—100% of the maximum award;]~~

~~[(2) If balance of attempted hours = 9-11 hours—100% of the maximum award;]~~

~~[(3) If balance of attempted hours = 6-8 hours—50% of the maximum award; and]~~

~~[(4) If balance of attempted hours = fewer than 6 hours and student is enrolled for at least 6 hours—25% of the maximum award.]~~

#### ~~[§22.235.—Late Disbursements~~

~~(a) A student may receive a disbursement after the end of his/her period of enrollment if the student:~~

~~(1) owes funds to the institution for the period of enrollment for which the award is being made; or~~

~~(2) received a student loan that is still outstanding for the period of enrollment.~~

~~(b) Funds that are disbursed after the end of a student's period of enrollment must either be used to pay the student's outstanding balance from his/her period of enrollment at the institution or to make a payment against an outstanding loan received during that period of enrollment. Under no circumstances are funds to be released to the student.]~~

§§22.236. – 22.237. No Change.

~~§22.238. Funds Provided through Gifts and Donations~~

~~The Board may develop and implement an appropriate process for the naming and sponsoring of specialty TEXAS Grant awards funded through gifts and donations to the program.~~

~~§22.239. Authority to Transfer Funds~~

~~Institutions participating in a combination of the Toward Excellence, Access and Success Grant, and Texas College Work Study Programs, in accordance with instructions from the Board, may transfer in a given fiscal year up to the lesser of 10 percent or \$20,000 between these programs.~~

~~§22.240. Dissemination of Information and Rules~~

~~The Board and its advisory committee is responsible for publishing and disseminating general information and program rules for the program described in this subchapter. The Board shall distribute to each eligible institution and to each school district a copy of the rules adopted under this subchapter.]~~

§22.241. Tolling of Eligibility for Initial Year Grant [Award].

(a) A person is eligible for consideration for an Initial Year [TEXAS Grant] award under this subsection if the person was eligible for an initial year grant [award] under §22.228 of this title (relating to Eligible Students) in an academic year for which the Texas Legislature failed to appropriate sufficient funds to make initial year grant [awards] to at least 10 percent of the eligible student population, and:

(1) has not received a TEXAS Grant [an award under this subchapter] in the past;

(2) has not received a baccalaureate degree; and

(3) meets the eligibility requirements for a continuation grant [award] as described in §22.228(d) of this title.

(b) A person who meets the requirements outlined in subsection (a) of this section:

(1) cannot be disqualified for a TEXAS Grant by changes in program requirements since the time he or she was originally eligible or by the amount of time that has passed since he or she was originally eligible;

(2) is to receive highest priority in the selection of recipients if he or she met the priority model requirements of §22.233(d) [~~§22.228(b)(5) or (c)(6)~~] of this title (relating to Priority in Awards to Students), when originally determined to be eligible;

(3) may continue receiving grants [awards] as long as he or she meets the requirements for such continuation grants [awards]; and

(4) may not receive TEXAS Grants [awards] for prior academic years [terms].

~~§22.242. Reports to the TEXAS Grant Oversight Committee~~

~~No later than September 1 of each year, and beginning with awards made for the fall 2013 semester, the Board shall provide a report to the committee that will include the following information about the TEXAS Grant awards for the three preceding state fiscal years:~~

~~(1) allocations, by institution, separately for initial and continuation awards;~~

~~(2) number of awards received, by race, ethnicity and family contribution;~~

~~(3) number of awards received by race, ethnicity and family contribution, separately for persons who received awards on the basis of program requirements outlined in §22.228 of this title (relating to Eligible Students); and~~

~~(4) the persistence, retention, and graduation rates for award recipients.]~~



#### AGENDA ITEM VII-I (4)

##### Consideration of adopting proposed amendments to Chapter 22, Subchapter M, Section 22.261 of Board rules, concerning the Texas Educational Opportunity Grant Program

RECOMMENDATION: Approval

##### Background Information:

Sections 22.261(b)(3), (c), and (f) are amended to introduce greater flexibility for institutions in their efforts to address the needs of their student population and to eliminate an unnecessary level of complexity in the administration and understanding of the grant program.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

## SUBCHAPTER M TEXAS EDUCATIONAL OPPORTUNITY GRANT PROGRAM

## Sections

- §22.253 Authority and Purpose
- §22.254 Definitions
- §22.255 Eligible Institutions
- §22.256 Eligible Students
- §22.257 Satisfactory Academic Progress
- §22.258 Discontinuation of Eligibility or Non-Eligibility
- §22.259 Hardship Provisions
- §22.260 Priorities in Grants to Students
- §22.261 Grant Amounts and Adjustments
- §22.262 Allocation and Disbursement of Funds - Public Junior Colleges
- §22.264 Allocation and Disbursement of Funds - Public Technical and State Colleges
- §22.265 Authority to Transfer Funds

§§22.253. – 22.260. No changes.

§22.261. Grant Amounts and Adjustments.

(a) Funding. Funds awarded through this program may not exceed the amount of appropriations, grants, and other funds that are available for this use.

(b) Grant Amounts.

(1) The amount of a grant may not be reduced by any gift aid for which the person receiving the grant is eligible, unless the total amount of a person's grant plus any gift aid received exceeds the student's cost of attendance. However, no student's grant shall be greater than the amount of the student's financial need.

(2) The Board shall determine and announce the maximum grant amount in a given state fiscal year by January 31 of the prior fiscal year. The calculation of the maximum amount will be based on the average statewide amount of tuition and required fees at eligible institutions that an in-district resident student enrolled full-time in an associate degree or certificate program would be charged for that semester (Texas Education Code, §56.407). In determining the maximum grant amount, the average amount of tuition and required fees is determined by institution type (public junior colleges, public state colleges, and public technical institutes) for an in-district resident student enrolled full-time in an associate degree or certificate program, utilizing the most recent Integrated Fiscal Reporting System reports to project the value.

~~[(3) The value of an individual's grant in a given semester is to be based on the share of a full-time course load in which the student is enrolled as of the census date of the semester, in accordance with the following table:~~

~~(A) 12 or more semester credit hours—100% of the semester's maximum grant for a full-time student;~~

~~(B) at least 9 but fewer than 12 semester credit hours—75 percent of the semester's maximum grant for a full-time student;~~

~~(C) at least 6 but less than 9 semester credit hours—50 percent of the semester's maximum grant for a full-time student; and~~

~~(D) less than 6 semester credit hours—zero percent of the semester's maximum grant for a full-time student, unless approved for a grant under hardship conditions in accordance with subsection (c) of this section.~~

~~(c) If an otherwise eligible student, due to hardship, enrolls for less than a half-time course load, the grant is to be prorated. The amount that can be awarded is equal to the semester's maximum grant for the relevant type of institution, divided by 12 and multiplied by the actual number of semester credit hours for which the student is enrolled.]~~

**(c)** ~~[(d)]~~ An approved institution may not charge a person receiving a grant through that institution an amount of tuition and required fees in excess of the grant received by the person. Nor may it deny admission to or enrollment in the institution based on a person's eligibility to receive or actual receipt of a grant. If an institution's tuition and fee charges exceed the grant, it may address the shortfall in one of two ways:

(1) it may use other available sources of financial aid, other than a loan or Pell grant to cover any difference in the amount of the grant and the student's actual amount of tuition and required fees at the institution; or

(2) it may waive the excess charges for the student. However, if a waiver is used, the institution may not report the recipient's tuition and fees in a way that would increase the general revenue appropriations to the institution.

**(d)** ~~[(e)]~~ Adjustments to grants and late disbursements are to be completed in accordance with Subchapter A of this chapter (relating to General Provisions).

~~[(f) Prorated Grants in Case of Low Balance of Eligible Semester Credit Hours or Attempted Semester Credit Hours. If the student's balance of eligible semester credit hours or attempted semester credit hours is less than the number of semester credit hours the student is taking in a given semester, the student's grant for that semester should be prorated using the following schedule:~~

~~(1) if balance of hours is 12 or more semester credit hours—100% of the semester's maximum grant for a full-time student;~~

~~(2) if balance of hours is at least 9 but fewer than 12 semester credit hours—75% the semester's maximum grant for a full-time student;~~

~~(3) if balance of hours is at least 6 but fewer than 9 semester credit hours—50% the semester's maximum grant for a full-time student; and~~

~~(4) if balance of hours is fewer than 6 semester credit hours—25% the semester's maximum grant for a full-time student.]~~

§§22.262. – 22.265. No changes.

## AGENDA ITEM VII-I (5)

Consideration of adopting proposed repeal of Chapter 22, Subchapter Q, Sections 22.331-22.336 and 22.342-22.344 of Board rules, and amendments to Chapter 22, Subchapter Q, Sections 22.329, 22.330, 22.339, and 22.341, concerning the Texas B-On-Time Loan Program

RECOMMENDATION: Approval

### Background Information:

Per Texas Education Code, Section 56.0092(c), the Texas Higher Education Coordinating Board may not offer B-On-Time loans after the summer 2020 semester. Therefore, Sections 22.331-22.336, 22.342-22.344 are repealed as these rules are no longer authorized.

Section 22.329(a) is amended to update the legislative reference to reflect the specific citation of the Texas Education Code section regarding the authority for these provisions. Section 22.330 concerning "Definitions" is amended to strike the terms that are either not used in the subchapter or are already defined in Subchapter A, Section 22.1. Section 22.339(d) is amended to remove the word "written" to allow for verbal requests, which aligns the program with the agency's other loan programs. Section 22.341(c) is deleted to eliminate institutional holds on student records and registration for individuals who are delinquent on a Texas B-On-Time loan. These institutional holds create a barrier to student completion of a certificate or degree. Eliminating this barrier supports the agency's *60x30TX* educated population and completion goals.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

## SUBCHAPTER Q. TEXAS B-ON-TIME LOAN PROGRAM

## Sections

- §22.329 Authority and Purpose
- §22.330 Definitions
- ~~§22.331 Institutions~~
- ~~§22.332 Initial Eligibility for Loans~~
- ~~§22.333 Continued Eligibility for Loans~~
- ~~§22.334 Disbursement to Students~~
- ~~§22.335 Hardship Provisions~~
- ~~§22.336 Loan Amount]~~
- §22.337 Forgiveness of Loans
- §22.338 Loan Interest
- §22.339 Repayment of Loans
- §22.340 Deceased or Disabled Borrowers
- §22.341 Enforcement of Collection
- ~~§22.342 Allocation and Reallocation of Funds for Private or Independent Institutions of Higher Education~~
- ~~§22.343 Program Support Activities~~
- ~~§22.344 Allocation and Reallocation of Funds for Eligible Public Institutions of Higher Education]~~

## 22.329. Authority and Purpose.

(a) Authority. Unless otherwise noted in a section, the authority for these provisions is provided by the Texas Education Code, §56.0092 [~~§§56.451—56.465.~~]

(b) No change.

## 22.330. Definitions.

In addition to the words and terms defined in §22.1 of this chapter, the ~~[The]~~ following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

~~[(1) Board--The Texas Higher Education Coordinating Board.~~

~~(2) Commissioner--The Commissioner of Higher Education.]~~

(1) ~~[(3)]~~ Degree in Architecture--The completion credential awarded to a student who has completed satisfactorily the curriculum that the Board has approved as a baccalaureate degree program identified as belonging to Category 04.0201 of the Texas CIP Codes.

(2) ~~[(4)]~~ Degree in Engineering--The completion credential awarded to a student who has completed satisfactorily the curriculum that the Board has

approved as a baccalaureate degree program identified as belonging to Category 14 of the Texas CIP Codes.

~~(3) [(5)]~~ Default--The failure of a borrower to make loan installment payments for a total of 180 days.

~~[(6) Recommended or Distinguished Achievement Program--Advanced High School Program--The high school curriculum recommended under Texas Education Code, §28.025(a).]~~

~~(7) Resident of Texas--A resident of the State of Texas as determined in accordance with Subchapter B of this chapter (relating to Determination of Resident Status). Nonresident students eligible to pay resident tuition rates are not included unless they qualify as eligible nonresidents under §21.124(a)(1) of this title (relating to Initial Eligibility for Loans).]~~

~~(4) [(8)]~~ Texas CIP Codes--Classification codes for degree programs, agreed upon by institutions and approved by the Board, based on curricular content belonging to categories within the federal Classification of Instructional Programs (CIP) published by the National Center for Educational Statistics. Texas CIP Codes are available at <http://www.thecb.state.tx.us/apps/ProgramInventory/>

#### ~~[§22.331 Institutions~~

##### ~~Eligible Institutions:~~

~~(1) Institutions whose students are eligible for Texas B-On-Time loans as of fall 2014 and later are general academic teaching institutions other than public state colleges as defined in Texas Education Code, §61.003(3), medical and dental units as defined in Texas Education Code, §61.003(5) that offer baccalaureate degrees, and private or independent institutions of higher education as defined in Texas Education Code, §61.003(15) that offer baccalaureate degrees.~~

~~(2) As of fall 2014 and later, Lamar State College Orange, Lamar State College Port Arthur, public junior colleges as defined in Texas Education Code, §61.003(2), public technical institutes as defined in Texas Education Code, §61.003(7), medical and dental units as defined in Texas Education Code, §61.003(5) that do not offer baccalaureate degrees, and private or independent institutions of higher education as defined in Texas Education Code, §61.003(15) that do not offer baccalaureate degrees, are eligible to make continuation awards only.~~

#### ~~§22.332 Initial Eligibility for Loans~~

~~(a) The Commissioner may authorize initial awards through the Texas B-On-Time Loan Program to students at any eligible institution which certifies that the student:~~

~~(1) is a resident of Texas as defined in this subchapter or beginning with the 2005-2006 academic year, or be entitled, as a child of a member of the armed forces of the United States, to pay tuition at the rate provided for residents of this state under Texas Education Code, §54.241; and~~

~~(2) meets one of the following academic requirements:~~

~~(A) graduated not earlier than the 2002-2003 school year under the Recommended or Distinguished Achievement Program—Advanced High School Program (or its equivalent) from a public or private high school in Texas;~~

~~(B) beginning with the 2005-2006 academic year, graduated not earlier than the 2002-2003 school year from a high school operated by the United States Department of Defense and at the time of graduation was a dependent child of a member of the armed forces of the United States; or~~

~~(C) received an associate degree from an institution of higher education or private or independent institution of higher education not earlier than May 1, 2005;~~

~~(3) has not been granted a baccalaureate degree;~~

~~(4) is enrolled for a full-time course load, as determined by the institution, in a baccalaureate degree program at an eligible institution;~~

~~(5) is eligible for federal financial aid, except that the student is not required to meet any financial need requirements applicable to other financial aid programs.~~

~~(b) A student is not required to be 18 years of age at the time that he or she establishes eligibility for participation in the program; for the purpose of any promissory note executed by a borrower, the defense that he or she was a minor at the time he or she executed a note shall not be available to him or her in any action arising on the note.~~

#### ~~§22.333 Continued Eligibility for Loans~~

~~(a) A student who first receives an initial Texas B On-Time loan for a semester or other academic term before the 2014 fall semester may continue to receive Texas B On-Time loans under Texas Education Code, Chapter 56, Subchapter Q, as that subchapter existed immediately before the effective date of S.B. 215 of the 83rd Legislative Session, as long as the student remains eligible for a Texas B On-Time loan under the former law, and is entitled to obtain forgiveness of the loans as permitted by Texas Education Code, §56.462, as that section existed immediately before the May 2013 effective date of S.B. 215 of the 83rd legislative session.~~



~~(b) After initially qualifying for a Texas B-On-Time loan, a student may continue to receive a Texas B-On-Time loan for each semester or term at an eligible institution if he or she continues to meet all initial eligibility requirements in §21.124 of this title (relating to Initial Eligibility for Loans) and additionally:~~

~~(1) as of the end of the person's first academic year he or she meets the satisfactory academic progress requirements as indicated by the financial aid office of his or her institution.~~

~~(A) If a student ends his/her first year in the program without meeting the academic progress requirements of his/her institution, he/she may not get back into the program until the institution has determined that the student has met its academic performance requirements.~~

~~(B) A loan recipient who is below program grade point average requirements as of the end of a spring term may appeal his/her grade point average calculation if he/she has taken courses previously at one or more different institutions. In the case of such an appeal, the current institution (if presented with transcripts from the previous institutions), must calculate an overall grade point average counting all classes and grade points previously earned. If the resulting grade point average exceeds the current institution's academic progress requirement, an otherwise eligible student may receive an award in the following fall term.~~

~~(2) As of the end of the second and subsequent years, the student must complete at least 75 percent of the hours attempted in his/her most recent academic year, and maintain an overall grade point average of at least 2.5 on a four point scale or its equivalent, for all coursework attempted at public or private or independent institutions of higher education.~~

~~(A) The completion rate calculations may be made in keeping with institutional policies.~~

~~(B) Grade point average calculations may be made in keeping with institutional policies except that if a loan recipient's grade point average falls below program requirements and the student transfers to another institution, the receiving institution cannot make a continuation award to the transfer student until he/she provides transcripts of previous coursework to the new institution's financial aid office and that office recalculates an overall grade point average, including hours and grade points for courses taken at the old and new institutions that proves the student's overall grade point average now meets or exceeds program requirements.~~

~~(C) A loan recipient who is below program grade point average requirements as of the end of a spring term may appeal his/her grade point average calculation if he/she has taken courses previously at one or more different institutions. In the case of such an appeal, the current~~

~~institution (if presented with transcripts from the previous institutions); must calculate an overall grade point average counting all classes and grade points previously earned. If the resulting grade point average exceeds the program's academic progress requirement, an otherwise eligible student may receive an award in the following fall term.~~

~~(c) A student may not receive a Texas B-On-Time loan for more than 150 semester credit hours or the equivalent. If, in any given academic period, a student drops courses so that he or she is no longer taking a full time course load as determined by the institution, and the Board does not receive a refund of the Texas B-On-Time loan for that period, the dropped courses will be counted toward the calculation of the 150-hour limit.~~

~~(d) If a person fails to meet any of the requirements for receiving a continuation award as outlined in subsection (b) of this section after completion of any year, the person may not receive a Texas B-On-Time Loan until he or she completes courses while not receiving a Texas B-On-Time Loan and meets all the requirements of subsection (b)(2) of this section as of the end of that period of enrollment.~~

#### ~~§22.334 Disbursement to Students~~

~~(a) No disbursement shall be made to any student until:~~

~~(1) for loans made from the proceeds of tax-exempt bonds, the institution has certified that the amount of the loan does not exceed the difference between the cost of attendance and other forms of student assistance for which the student is eligible, with the exception of Federal Plus loans, whether or not the student actually receives such assistance;~~

~~(2) the student has submitted an application containing the names of two personal references who live at different addresses and who are expected to know the student's whereabouts at all times throughout the life of the loan;~~

~~(3) the student certifies that he or she has read and understands the rights and responsibilities of a borrower of a Texas B-On-Time Loan;~~

~~(4) the student has executed a promissory note payable to the program for the full amount of any loan plus other authorized fees; and~~

~~(5) the Board has received the original of such executed promissory note.~~

~~(b) Electronically transferred funds must be disbursed to the student or returned to the Board on or before the 120th day after the electronic funds transfer date.~~

~~(c) A person receiving a Texas B-On-Time loan may use the money to pay for any usual and customary costs of attendance incurred by the student at an eligible institution, including tuition, fees, books, and room and board.~~

~~(d) Each student borrowing a Texas B-On-Time loan shall pay an origination fee in an amount that is determined from time to time by the Commissioner. The fee is deducted from the loan proceeds at the time of disbursement. The rate of the loan origination fee shall be posted on the Board's web site.~~

#### ~~§22.335 Hardship Provisions~~

~~(a) In the event of a hardship or for other good cause, the Program Officer at an eligible institution may allow an otherwise eligible person to receive a B-On-Time loan while enrolled for an equivalent of less than full time but at least six semester hours. Such conditions are not limited to, but include:~~

~~(1) a showing of a severe illness or other debilitating condition that may affect the student's academic performance;~~

~~(2) an indication that the student is responsible for the care of a sick, injured, or needy person and that the student's provision of care may affect his or her academic performance; or~~

~~(3) the requirement of fewer than nine hours to complete one's degree plan.~~

~~(b) If the onset of a condition that constitutes a hardship should occur after a student has enrolled for a full time course load, and the institution determines that the student is justified by his or her circumstances in dropping to no fewer than six semester hours, the institution may also make a determination that the dropped courses will not count against the 75 percent requirement described in §21.125(a)(2)(A) of this title (relating to Continued Eligibility for Loans), or toward the 150 hour maximum described in §21.125(b) of this title (relating to Continued Eligibility for Loans). Among the circumstances that the institution may take into consideration in making this determination is whether the student has dropped below full time in other academic periods while receiving loans under this program.~~

~~(c) Each institution shall adopt a hardship policy under this section and have the policy available in writing in the financial aid office for public review upon request.~~

#### ~~§22.336 Loan Amount~~

~~(a) For students at public and private or independent four year institutions, the maximum amount of loan for a semester or term shall be the amount determined by the Board as the average amount of tuition and required fees for a full time course load for resident undergraduate students enrolled in baccalaureate degree programs at general academic teaching institutions.~~

~~(b) In a manner prescribed by the Board for purposes of this subchapter, each eligible institution that is a private or independent institution of higher education is entitled to receive an allocation only from the general revenue appropriations made for that academic year to eligible private or independent institutions of higher education for the purposes of this subchapter.~~

~~(c) In January of each year, the program's annual loan limit for the following academic year shall be posted on the Board's web site.]~~

§§22.337. - 22.338. No change.

§22.339. Repayment of Loans.

(a)-(c) No change.

(d) The Commissioner may grant periods of forbearance in the form of postponed or reduced payments for unusual financial hardship if the Board receives a ~~written~~ request stating the circumstances that merit such consideration.

(e)-(g) No change.

§22.340. Deceased or Disabled Borrowers.

No change.

§22.341. Enforcement of Collection.

(a)-(b) No change.

~~[(c) All records of each student who is a borrower under this Subchapter shall be so identified in the Office of the Registrar at each eligible institution. The institution may not release an official certified copy of such records, nor may any student in this program re-register for classes in the institution, until the Texas B-On-Time program officer at the institution certifies to the registrar that the borrower's B-On-Time account is in good condition. The Commissioner must approve exceptions to this section in advance of the institution's release of an official certified copy of the records or of the borrower's re-registration.]~~

(c) ~~[(d)]~~ In accordance with state law, the Board will notify the Comptroller of Public Accounts when a borrower's account has become 90 days or more past due. Until the delinquency is cured, no state warrant other than a wage warrant will be released to the borrower. This prevents the delinquent borrower from receiving further warrants for state student financial aid.

~~[§22.342. Allocation and Reallocation of Funds for Private or Independent Institutions of Higher Education~~

~~(a) Allocation Methodology. Allocations for the B-On-Time Program are to be determined on an annual basis as follows:~~

~~(1) The allocation for each private or independent institution, community college, or health-related institution will be its share of the annual appropriation as determined by the institution's number of B-On-Time recipients who are not scheduled for graduation as compared to all B-On-Time recipients at private or independent institutions, community colleges, or health-related institutions who are not scheduled for graduation.~~

~~(2) The source of the data used for the allocation is the year prior to the allocation year being determined, utilizing the Board's Higher Education Loan Management System (HELMS) as of February 20 of the fiscal year prior to the allocation year being determined.~~

~~(3) Verification of Data. Allocation calculations will be shared with all participating institutions for comment and verification prior to final posting of the allocations on the Board's loan program website. Such institutions will be given ten 10 business days, beginning the day of the notice's distribution and excluding State holidays, to confirm that the calculations accurately reflect data submitted by the institutions.~~

~~(b) Reallocations. Institutions will have until November 20, or the first business day thereafter if it falls on a weekend or holiday, to encumber the program funds that have been allocated to them. On that date, institutions lose claim to any unencumbered funds. The funds released in this manner are available to the Board for reallocation to other institutions. For the institutions that request additional funds, reallocations for amounts up to the amount requested per institution will be calculated by the agency staff using the same methodology as was used for the initial allocation for that fiscal year. On February 20, or the first business day thereafter if it falls on a weekend or holiday, institutions lose claim to any unspent funds not yet disbursed to students. The funds released in this manner are available to the Board for reallocation to other institutions. For the institutions that request additional funds, reallocations for amounts up to the amount requested per institution will be calculated by the agency staff using the same methodology as was used for the initial allocation for that fiscal year.~~

~~(c) Reductions in Funding.~~

~~(1) If funding for the program is reduced during the biennium, the Board may choose to forego reallocations to better distribute the reduction across the biennium.~~

~~(2) If necessary the Board may take steps to help distribute the impact of reduced funding across all participating institutions by an across the board percentage decrease in all institutions' allocations.~~

#### ~~§22.343. Program Support Activities~~

~~(a) The Board, in collaboration with eligible institutions and other appropriate entities, shall adopt and implement measures to:~~

~~(1) improve student participation in the Texas B-On-Time loan program, including strategies to better inform students and prospective students about the program; and~~

~~(2) improve the rate of student success in qualifying for Texas B-On-Time loan forgiveness.~~

~~(b) the Board, in collaboration with eligible institutions and appropriate nonprofit or college access organizations, shall:~~

~~(1) educate students regarding the eligibility requirements for forgiveness of Texas B-On-Time loans;~~

~~(2) ensure that students applying for or receiving a Texas B-On-Time loan understand their responsibility to repay any portion of the loan that is not forgiven;~~

~~(3) ensure that students who are required to repay Texas B-On-Time loans receive and understand information regarding loan default prevention strategies; and~~

~~(4) through an in-person or online loan counseling module, provide loan repayment and default prevention counseling to students receiving Texas B-On-Time loans.~~

~~(c) Notwithstanding subsection (b)(4) of this section, the following eligible institutions shall provide the loan repayment and default prevention counseling described by that subdivision to all Texas B-On-Time loan recipients enrolled at those institutions:~~

~~(1) each institution with a Texas B-On-Time loan default rate that exceeds the statewide average default rate for such loans; and~~

~~(2) each institution with a Texas B-On-Time loan forgiveness rate that is less than 50 percent of the statewide average forgiveness rate for such loans.~~

~~(d) The Board, in consultation with all eligible institutions, shall prepare materials designed to inform prospective students, their parents, and high school counselors about the program and eligibility for a Texas B-On-Time loan.~~

#### ~~§22.344. Allocation and Reallocation of Funds for Eligible Public Institutions of Higher Education~~

~~(a) Allocation Methodology: Allocations for the B-On-Time Program are to be determined on an annual basis as follows:~~

~~(1) The allocation for each four-year public institution will be its share of the annual appropriation as determined by the institution's number of B-On-Time recipients (disbursed or encumbered) who are not scheduled for graduation as compared to all B-On-Time recipients of the four-year public institutions who are not scheduled for graduation.~~

~~(2) The source of the data used for the allocation is the year prior to the allocation year being determined, utilizing the Board's Higher Education Loan Management System (HELMS) as of April 1, or the first business day thereafter if it falls on a weekend or holiday, of the fiscal year prior to the allocation year being determined.~~

~~(3) Verification of Data. Allocation calculations and supporting documentation will be shared with all participating institutions for comment and verification prior to final posting of the allocations on the Board's loan program~~

~~website. Such institutions will be given 10 business days, beginning the day of the notice's distribution and excluding State holidays, to confirm that the calculations accurately reflect data submitted by the institutions. In the event of significant corrections to the supporting data the agency will re-issue allocation calculations and supporting documentation for an additional 10 business day review by the institutions.~~

~~(b) Reallocations. Institutions will have until February 20, or the first business day thereafter if it falls on a weekend or holiday, to encumber the program funds that have been allocated to them. On the next business day, such institutions lose claim to any unencumbered funds. The funds released in this manner are available to the Board for reallocation to other institutions. For the institutions that request additional funds, reallocations for amounts up to the amount requested per institution will be calculated by the agency staff using the same methodology as was used for the initial allocation for that fiscal year. If necessary for ensuring the full use of funds, subsequent reallocations may be performed by the agency staff until all funds are disbursed.~~

~~(c) Reductions in Funding.~~

~~(1) If the legislature reduces funding for the program during the biennium, the Board may choose to forego reallocations to better distribute the reduction across the biennium.~~

~~(2) If necessary the Board may take steps to help distribute the impact of reduced funding across all participating institutions by an across the board percentage decrease in all institutions' allocations.]~~

## AGENDA ITEM VII-I (6)

### Consideration of adopting proposed amendments to Chapter 23, Subchapter C, Sections 23.65-23.67 of Board rules, concerning The Physician Education Loan Repayment Program

RECOMMENDATION: Approval

#### Background Information:

Amendments to several definitions are proposed in Section 23.65. The definition of full-time service is rounded to 32 hours, matching the standard in place for federal programs assisting health care providers practicing in shortage areas. The proposed amendment to the definition of Primary Care excludes hospitalists because the hospitals where they work are not considered primary care settings. The words "in an outpatient setting" is added for all primary care physicians except geriatricians and psychiatrists, whose services often must occur in facilities such as nursing homes and state hospitals.

An amendment to Section 23.66(3), regarding eligibility, is proposed to clarify that physicians in postgraduate training, including fellowships, are not eligible for participation in the program. Physicians in postgraduate training are not working in the same capacity as practicing physicians who have their own liability coverage, bill for their services, and practice without supervision in the specialty or subspecialty for which they have completed training. An amendment to Section 23.66(5) regarding the timing of the board certification requirement is proposed to make the statement clearer. Proposed for deletion is the statement in Section 23.66(5)(B) that the Department of State Health Services (DSHS) determines if there is a critical need for a specialty other than primary care in a primary care Health Professional Shortage Area (HPSA). There is no mechanism in place for the DSHS to evaluate the need in a primary care HPSA for specific subspecialties. However, a determination has been made that any physician who provides access to subspecialty care in a primary care HPSA for persons enrolled in Medicaid or the Children's Health Insurance Program (CHIP), a basic program requirement, is serving the program's purpose.

Amendments to Section 23.67 regarding application ranking criteria are proposed to strengthen the priority given to applications from primary care physicians practicing in HPSAs. Currently, initial applications from subspecialists practicing in HPSAs are considered only after priority has been given to primary care physicians practicing in HPSAs. However, once enrolled in the program, renewal applications from subspecialists receive the same priority as renewal applications from primary care physicians. The proposed changes to this section require that subspecialists receive consideration each year only after priority is given to all applications from primary care physicians practicing in HPSAs. Additionally, an amendment to Section 23.67 adds the requirement that primary care physicians seeking to qualify for the program by meeting specified Medicaid



service levels must have provided outpatient care in meeting those service levels. This tier of applicants is considered the last priority for funding.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 23. EDUCATION LOAN REPAYMENT PROGRAMS

## SUBCHAPTER C. THE PHYSICIAN EDUCATION LOAN REPAYMENT PROGRAM

## Sections

§23.62 Authority and Purpose  
 §23.63 Administration  
 §23.64 Dissemination of Information  
 §23.65 Definitions  
 §23.66 Eligibility  
 §23.67 Application Ranking Criteria  
 §23.68 Applications Based on Services to Medicaid or Texas Women's Health Program Enrollees  
 §23.69 Eligible Lender and Eligible Education Loan  
 §23.70 Amount of Repayment Assistance  
 §23.71 Limitations  
 §23.72 Disbursement of Loan Repayment Assistance  
 §23.73 Reporting and Data Collection

§§23.62 - 23.64. No change.

§23.65. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1)-(4). No changes.

(5) Full-time Service--An average of at least 32 ~~[32-5]~~ hours of direct patient care per week during the service period at the practice site.

(6)-(9) No changes

(9) Primary Care Physician ~~[Specialty]~~—Physicians practicing family [Family] medicine, family practice, general practice, obstetrics/gynecology, general internal medicine, general pediatrics, combined internal medicine and pediatrics (medicine-pediatrics) in an outpatient setting, psychiatry, or geriatrics [or hospitalists who practice in HPSAs]. With the exception of psychiatrists and geriatricians, physicians must provide services in an outpatient setting to be considered primary care.

(10)-(15) No changes.

§23.66. Eligibility.

(a) To be eligible for the Board to reserve loan repayment funds, a physician must:

(1) ensure that the Board or its designee has received the completed application by the established deadline, which will be posted on the program web page;

(2) be a U.S. citizen or a Legal Permanent Resident and, at the time of application, hold a Full Physician License from the Texas Medical Board, with no restrictions;

(3) not be in postgraduate training, including fellowship;

(4) [(3)] not be currently fulfilling another obligation to provide medical services as part of a scholarship agreement, a student loan agreement, or another student loan repayment agreement;

(5) [(4)] at the time of the initial application ~~[during the first, second, and third service period]~~, if the physician has not earned and maintained board certification, be eligible to take the exam for board certification from:

(A) an American Specialty Board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists in a primary care specialty; or

(B) an American Specialty Board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists ~~[in a specialty other than primary care if the DSHS determines there is a critical need for the applicant's specialty].~~

(6) [(5)] in the case of physicians qualifying on the basis of practice in a HPSA, agree to provide four consecutive service periods in a HPSA.

(b) To be eligible to receive loan repayment assistance, a physician must:

(1) have completed one, two, three, or four consecutive service periods in a:

(A) HPSA, serving persons who are:

(i) enrolled in Medicaid or CHIP or both;

(ii) uninsured; and

(iii) enrolled in Medicare, except in the case of pediatricians.

(B) secure correctional facility operated by or under contract with the Texas Juvenile Justice Department or its successor or in a secure correctional facility operated by or under contract with any division of the Texas Department of Criminal Justice or its successor, or

(C) location other than a HPSA, if the physician practices primary (outpatient) care and during the service period has provided health care

services to a designated number of Medicaid or Texas Women's Health Program enrollees, established in the Board's Memorandum of Understanding with the Texas Health and Human Services Commission and posted on the program web page.

(2) for loan repayment based on the fourth service period, have earned certification from an American Specialty Board that is a member of the American Board of Medical Specialties or the Bureau of Osteopathic Specialists in a primary care specialty, or in a specialty other than primary care if the practice is located in a HPSA.

#### §23.67. Application Ranking Criteria.

(a) Application deadlines will be established throughout the fiscal year and will be posted on the program web page. Primary care physicians practicing in HPSAs whose initial applications have been approved are considered to be enrolled in the program. Applications from all other physicians are considered annually. If there are not sufficient funds to offer ~~[award]~~ loan repayment assistance for all eligible physicians whose applications are received by the stated deadline, applications shall be ranked according to the following criteria, in priority order:

(1) applications from physicians practicing in HPSAs, in the following priority order:

(A) renewal applications from primary care physicians ~~[-, with first priority assigned to those for primary care];~~

(B) applications from primary care physicians practicing in rural HPSAs;

(C) applications from primary care physicians practicing in non-rural areas whose HPSA scores reflect the highest degrees of shortage;

(2) renewal applications from non-primary care physicians practicing in HPSAs;

(3) ~~[(2)]~~ initial applications from non-primary care physicians practicing in HPSAs;

(b) the first ten applications received each year from eligible physicians serving persons committed to a secure correctional facility operated by or under contract with the Texas Juvenile Justice Department or its successor or persons confined to a secure correctional facility operated by or under contract with any division of the Texas Department of Criminal Justice or its successor;

(c) applications from primary care physicians who have provided outpatient health care services to a designated number of Medicaid or Texas Women's Health Program enrollees, as established annually by methods outlined in the Board's Memorandum of Understanding with the Texas Health and Human Services Commission, in the following order of priority:

(1) renewal applications;

(2) applications from physicians practicing in a rural county;

(3) applications from geriatricians;

(4) applications from physicians having the greatest amount of student loan debt.

§§23.68. - 23.73. No change.

## AGENDA ITEM VII-I (7)

### Consideration of adopting proposed amendments to Chapter 23, Subchapter H, Sections 23.211 and 23.214 of Board rules, concerning the Peace Officer Loan Repayment Assistance Program

RECOMMENDATION: Approval

#### Background Information:

In keeping with legislative intent, Sections 23.211 and 23.214 are amended to align with the updated program design, which will allow peace officers to receive loan repayment based on the initial year of service as a peace officer provided after September 1, 2019, rather than requiring applicants to wait another year to qualify for an initial award.

Dr. Charles W. Contéro-Puls, Deputy Assistant Commissioner for Student Financial Aid Programs, will be available to answer questions.

Date Published in the *Texas Register*: August 21, 2020.

The 30-day comment period with the *Texas Register* ended on: September 20, 2020.

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## CHAPTER 23. EDUCATION LOAN REPAYMENT PROGRAMS

## SUBCHAPTER H. THE PEACE OFFICER LOAN REPAYMENT PROGRAM

## Sections

- §23.209. Authority and Purpose
- §23.210. Definitions
- §23.211. Initial Eligibility
- §23.212. Selection of Eligible Applicants
- §23.213. Eligibility for Disbursement of Loan Repayment Assistance
- §23.214. Eligible Lender and Eligible Education Loan
- §23.215. Amount of Repayment Assistance
- §23.216. Rules

§§23.209. – 23.210. No change.

§23.211. Initial Eligibility.

To be eligible for the Board to ~~[conditionally]~~ approve an initial application ~~for enrollment in the program and for~~ ~~[and encumber]~~ loan repayment funds, a peace officer must:

(1) ~~have been~~ ~~[be]~~ initially appointed ~~[employed]~~ as a peace officer on or after September 1, 2019;

(2) submit to the Board by the published deadline an initial application for enrollment in the program that requires:

(A) employer verification of the person's employment as a full-time peace officer in Texas for at least one year and the person's current full-time employment in Texas as of the date of the application;

(B) documentation of the peace officer's unrestricted license as a peace officer;

(C) a transcript of the person's postsecondary course work demonstrating at least 60 semester credit hours, or the equivalent, earned at an eligible institution before the person's initial appointment ~~[employment]~~ as a peace officer;

(D) a statement of the total amount of principal, accrued interest, fees, and other charges due on unpaid eligible loans obtained for attendance at an eligible institution for a semester or other term that ended in the five years immediately preceding the person's initial appointment ~~[employment]~~ as a peace officer;

(E) a statement that the peace officer will submit to the Board an application for payment immediately upon completion of each year of service for which the peace officer is applying for repayment assistance; and (F) a statement that the individual agrees to continuous full-time employment as a peace officer in this state for four additional [five] consecutive years after the date of the initial application.

§§23.212. – 23.213. No change.

§23.214. Eligible Lender and Eligible Education Loan.

(a) The Board shall retain the right to determine the eligibility of lenders and holders of education loans to which payments may be made. An eligible lender or holder shall, in general, make or hold education loans made to qualifying students to pay for their higher education costs and shall not be any private individual. An eligible lender or holder may be, but is not limited to, a bank, savings and loan association, credit union, institution of higher education, secondary market, governmental agency, or private foundation.

(b) To be eligible for repayment, an education loan must:

(1) be evidenced by a promissory note for loans to pay for the cost of the individual's attendance at an eligible institution for a semester or other term that ended in the five years immediately preceding the person's initial appointment [employment] as a peace officer;

(2) not be in default at the time of the peace officer's application;

(3) not have an existing obligation to provide service for loan forgiveness through another program;

(4) not be subject to repayment through another student loan repayment or loan forgiveness program or as a condition of employment; and

(5) if the eligible loan was consolidated with ineligible loans or included in a repayment schedule with ineligible loans, the applicant must provide documentation of the eligible loans, disaggregated from the ineligible loans.

(c) Credit card debt is not considered an educational loan eligible for repayment.

§§23.215 – 23.216. No change.



## AGENDA ITEM IX-A

### Committee Chair's meeting overview

Fred Farias III, O.D., Chair of the Committee on Academic and Workforce Success, will provide the Board an overview of the items on the agenda.

## AGENDA ITEM IX-B

Consideration of adopting the report on Access to Higher Education for Persons with Intellectual and Developmental Disabilities (*Texas Education Code, Section 61.06641*)

RECOMMENDATION: Approval

### Background Information:

Texas Education Code, Section 61.06641 requires that the Texas Higher Education Coordinating Board (THECB) establish an advisory council on postsecondary education for persons with intellectual and developmental disabilities. It further requires THECB, with the assistance of the advisory council, to periodically review the policies and practices that increase access to higher education opportunities and distribute educational outreach materials developed by the advisory council.

The report on the Access to Higher Education for Persons with Intellectual and Developmental Disabilities is based on the advisory council activities and findings from examining the field. It includes historic and current higher education data and recommendations for changes to support success and achievement.

The report is provided under separate cover and should be submitted to the Governor and members of the Legislature by December 1 of each even-numbered year.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

## AGENDA ITEM IX-C

Consideration of adopting the report on the Recruitment of Persons with Intellectual and Developmental Disabilities at Institutions of Higher Education (*Texas Education Code, Section 61.0664*)

RECOMMENDATION: Approval

### Background Information:

Texas Education Code, Section 61.0664 requires that the Texas Higher Education Coordinating Board (THECB) collect and study data on the participation of persons with intellectual and developmental disabilities (IDD) at public institutions of higher education (IHE). It further requires the Board to conduct an ongoing study on the college recruitment of persons with IDD. The study is to "identify previously made recruitment efforts, limitations on recruitment and possible methods for recruitment." The purpose of the report is to identify previously made recruitment efforts, limitations on recruitment and possible methods for recruitment. The report is to be submitted to the Governor and members of the Legislature by November 1 of each year.

House Bill 1807 mandates that the THECB maintain an inventory of postsecondary educational programs and services provided for persons with IDD by IHEs. Senate Bill (SB) 1017, 86th Legislature, requires the inventory to be updated annually. The data from public institutions of higher education will be posted by institution on the Coordinating Board's website and updated annually.

On July 28, 2020, the THECB notified the IDD reporting contacts of all Texas public higher education institutions with instructions for accessing the survey and a request that survey responses be submitted to the THECB by August 28, 2020.

The report on the Recruitment of Persons with Intellectual and Developmental Disabilities at Institutions of Higher Education is based on the results of that survey. It includes the number of institutions responding to the survey, a list of the survey questions, and, for those institutions reporting recruitment activities, a summary of their responses. In addition to the study on recruitment, SB 37 also required that the THECB collect administrative data on students with IDD enrolled in public IHEs. Texas Administrative Code, Section 4.12 requires all IHEs to indicate whether an enrolled student is identified as having an IDD, which allows the agency to track their academic success. The report also includes summary information obtained through those data collection efforts. The report is provided under separate cover.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

## AGENDA ITEM IX-D

Consideration of adopting the report on The Effectiveness of the Advise TX Program (General Appropriations Act, House Bill 1, Article III, Section 51, 86th Texas Legislature)

RECOMMENDATION: Approval

### Background Information:

The Texas Higher Education Coordinating Board (THECB) staff request approval of the report to the Governor and Legislative Budget Board in response to Rider 51, 86th Texas Legislature, Regular Session, which requires the THECB to evaluate the effectiveness of the Advise TX program.

Advise TX is a partner program of the national College Advising Corps (CAC) and a priority program of the current Texas higher education plan, *60x30TX*. Advise TX places recent university graduates on high school campuses as near-peer college advisers to lead low-income and first-generation students to postsecondary education.

Currently, the THECB contracts with Texas A&M University, Texas Christian University, The University of Texas at Austin, and Trinity University, to hire 112 near-peer college advisers to serve 110 high schools. Each chapter recruits, hires, and trains its own graduates to serve as advisers in selected partner high schools.

Advise TX advisers receive intensive training that focuses on college access, financial aid, and other student services. Advisers provide admissions and financial aid advising to students and their families and help identify the college that best fits their career aspirations and academic preparation.

In response to Rider 51, the THECB, in coordination with CAC, worked with Dr. Eric Bettinger, Associate Professor at Stanford University and Evaluation and Assessment Solutions for Education (EASE), to prepare a report on the impact of the Advise TX program on college-going rates. The report provides the program's impact on college enrollment and persistence.

During the 2019-2020 school year, Advise TX advisers met with over 50,000 Texas high school seniors and assisted with more than 41,000 college applications and more than 34,000 FAFSA submissions.

Recently published Advise TX results from a randomized control trial study<sup>1</sup> conducted between 2011-12 and 2013-14 found that low-income and Hispanic students who met with an

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<sup>1</sup> Bettinger, Eric & Brent J. Evans. "[College guidance for all: A randomized experiment in pre-college advising.](#)" *Journal of Policy Analysis and Management* 38, no. 3 (March 2019): 579-599.

<sup>2</sup> This is the most recent graduating class for which full first-year enrollment data are available, given lags on enrollment data availability.

Advise TX adviser saw statistically significant college enrollment increases of 2 to 3 percentage points in the fall after high school graduation. Our annual report on college enrollment outcomes for the graduating class of 2017 found similar impacts. Overall, college enrollment rates for the 2018 graduating class<sup>2</sup> improved by 0.6 percentage points for the low-income population when served by Advise TX. Further, African American students saw a 1.9 percentage point increase in four-year college attendance when served by Advise TX, and Hispanic students saw a positive increase in two-year college attendance.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

## AGENDA ITEM IX-E

Consideration of adopting the Graduate Medical Education Report: An Assessment of Opportunities for Graduates of Texas Medical Schools to Enter Residency Programs in Texas (Texas Education Code, Section 61.0661(b))

RECOMMENDATION:           Approval

### Background Information:

Texas Education Code, Section 61.0661 requires the Texas Higher Education Coordinating Board to conduct an assessment of the adequacy of opportunities for graduates of medical schools in the state to enter graduate medical education in the state, and to report the results of the assessment to the Texas Legislature by December 1 of each even-numbered year. The report presents the required data and analysis, including:

- 1) a comparison of the number of first-year graduate medical education positions available with the number of medical school graduates;
- 2) a statistical analysis of recent trends in and projections of the number of medical school graduates and first-year graduate medical education positions;
- 3) methods and strategies for achieving a ratio for the number of first-year graduate medical education positions to the number of medical school graduates in the state of at least 1.1:1;
- 4) an evaluation of current and projected physician workforce needs of the state, by total number and by specialty, for the development of additional first-year graduate medical education positions; and
- 5) an examination of whether the state should ensure that a first-year graduate medical education position is created for each new medical student position established by a medical or dental unit.

The report is provided under separate cover.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

## AGENDA ITEM IX-F

### Consideration of adopting the Aerospace and Aviation Report (Texas Government Code, Section 481.0066(d-2))

RECOMMENDATION:           Approval

#### Background Information:

The Aerospace and Aviation Office, part of the Texas Economic Development and Tourism Office, Office of the Governor, partners with the Texas Higher Education Coordinating Board (THECB) for its charge to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities as directed by Texas Government Code, Chapter 481, Subchapter A, Section 481.0066.

The Aerospace and Aviation Office is to submit a report to the legislature and governor by December 1 of each even-numbered year. As part of the partnership, the THECB provides a summary report of research in aerospace technology research conducted by public senior colleges or universities.

The report is provided under separate cover.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

## AGENDA ITEM IX-G

Consideration of adopting the Study and Report on Core Curriculum (Senate Bill 25, 86th Texas Legislature, Regular Session; Texas Education Code, Section 61.8221)

RECOMMENDATION: Approval

### Background Information:

Senate Bill 25, passed by the 86th Texas Legislature, directed the Texas Higher Education Coordinating Board (THECB) to conduct a study and make recommendations to the Legislature regarding the feasibility of implementing statewide meta majors for institutions of higher education. In conducting the study, the THECB was directed to establish an Advisory Committee, consider specific meta majors by academic disciplines, and report findings to the Legislature by November 1, 2020.

In fall 2019, THECB solicited institutions for representatives to serve on an Advisory Committee. Membership on the committee included faculty and administrators from each Texas higher education region with an equal number of members from public community colleges and universities, with a majority of university representatives from institutions that had at least 25% of students enrolled in the 2018 fall semester classified as transfer students. Additionally, members were appointed with consideration of their institution's mission, system affiliation, and institutional groupings under the THECB's Accountability System.

In fall 2020, the Advisory Committee members completed a qualitative data survey that asked for details about how the core curriculum worked for their respective institutions. The survey responses served as the basis for the report. Coordinating Board staff analysis of the response data is presented in the report.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.



## AGENDA ITEM IX-H

Consideration of adopting the Texas General Academic Institutions: Increasing Successful Community College Transfer Report (General Appropriations Act, House Bill 1, Article III, Section 49, 86th Texas Legislature, Regular Session)

RECOMMENDATION: Approval

### Background Information:

The General Appropriations Act, House Bill 1, Article III, Special Provisions Relating Only to State Agencies of Higher Education, Section 49, 86th Texas Legislature, Regular Session for the 2020-2021 biennium directs the public universities to submit an annual report to the Coordinating Board that details institutional efforts to increase the number, success, and persistence of community college transfer students. Section 49 also requires the Coordinating Board to collect and analyze the institutional reports and institutional performance data. The Coordinating Board then submits an annual report to the Texas Legislature that summarizes the actions taken by the public universities to increase the number, success, and persistence of community college transfer students and make recommendations. This is the tenth report since the report began 2010. The report is to be delivered to the governor, House Appropriations Committee, Senate Finance Committee, and the Legislative Budget Board by November 1 of each year.

A survey was developed and distributed to the public universities in June 2019. The survey asked for information regarding institutional efforts to serve current and future transfer students. These efforts include local and regional articulation agreements with faculty collaboration, community college program enhancements, student outreach and advising, website information development, targeted financial aid, university student success programs, degree program alignment, and participation in statewide initiatives. Board staff collected the survey responses which serve as the institutional reports required by Section 49. The Coordinating Board staff conducted the required analysis of the institutional responses and institutional data from existing Coordinating Board Management (CBM) reports.

The report is provided under separate cover.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present the update on this item and be available to answer questions.

## AGENDA ITEM IX-I

### Consideration of adopting the Texas Application for State Financial Aid (TASFA) Advisory Committee report set out in Texas Education Code Section 61.07762

RECOMMENDATION: Approval

#### Background Information:

Texas Education Code, Section 61.07762 requires that the Texas Higher Education Coordinating Board (THECB) adopt procedures whereby the Texas Application for State Financial Aid (TASFA) may be completed and submitted through the same internet website through which the THECB provides the common admission application form required by Texas Education Code , Section 51.762 (i.e. ApplyTexas). The THECB is required to appoint an advisory committee of financial aid personnel and stakeholders who represent the needs of students to assist in developing procedures and recommendations for implementing the requirement.

In response to the legislation, the THECB appointed the Texas Application for State Financial Aid Advisory Committee (TASFAAC). The purpose of the committee is to assist the board in adopting the procedures to allow a person to complete and submit the TASFA or similar application for state student financial assistance by electronic submission.

The TASFAAC recommendations include considerations on relevant statute changes, procedure, development, and associated costs for an online application for state financial aid. The recommendations are based on feedback from stakeholders including institutions of higher education, students, and other state agencies with a similar online application for state financial aid. The online TASFA should be available to students beginning with applications for state student financial assistance submitted for the 2022-23 academic year.

The recommendations are provided under separate cover and should be submitted to the standing committee of each house of the Legislature with jurisdiction over higher education not later than January 1, 2021.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

## AGENDA ITEM IX-J

### Consideration of adopting the Study regarding Streamlining Physician Licensing Requirements for Advanced Practice Registered Nurses (*Texas Education Code, Section 61.06693*)

RECOMMENDATION: Approval

#### Background Information:

Texas Education Code, Section 61.06693 requires the Coordinating Board to collaborate with at least one institution of higher education, the Texas Medical Board (TMB), and the Texas Board of Nursing (BON) to conduct a study regarding the feasibility of a pilot program to streamline the requirements for Advanced Practice Registered Nurses (APRN) to become eligible for a license to practice medicine. Texas Occupations Code, Section 301.152 defines an APRN as a nurse practitioner, nurse midwife, nurse anesthetist, or clinical nurse specialist.

The report must be submitted not later than December 1, 2020, to the governor, the lieutenant governor, the speaker of the house of representatives, and each legislative standing committee with primary jurisdiction over matters relating to higher education or occupational licensing.

In March 2020, Coordinating Board staff prepared to convene a stakeholder workgroup of representatives from Texas institutions that offer a Doctor of Medicine or Doctor of Osteopathic Medicine degree and a graduate professional nursing program with tracks leading to APRN certification and licensure. However, the Coronavirus Disease 2019 (COVID-19) pandemic interrupted that plan. The institutions that would have participated were confronted with caring for COVID-19 patients, while also transitioning their students to online learning.

Coordinating Board staff consulted with BON and TMB and received information from representatives of Texas institutions of higher education. The report describes the education and licensure requirements for APRNs, and those required of medical students and residents. The study also includes input from the Texas Nurse Practitioners (TNP) and the Texas Medical Association (TMA) and incorporates data from the Texas Center for Nursing Workforce Studies (TCNWS) and the Texas Medical and Dental Schools Application Services (TMDSAS).

The report is provided under separate cover.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present the update on this item and be available to answer questions.

## AGENDA ITEM IX-K (1)

### Consideration of approving the request from The University of Texas at Arlington for a Bachelor of Science (BS) degree with a major in Data Science

RECOMMENDATION: Approval, beginning spring 2021

#### **Rationale:**

The University of Texas at Arlington (UT-Arlington) is proposing a Bachelor of Science (BS) in Data Science to begin spring 2021. The proposed face-to-face Data Science degree program would approach data science from a scientific and disciplinary specific domain. The proposed program would focus on teaching project management and communication skills, and technical data science skills, while also allowing students to pursue a minor in a particular scientific discipline (biology, chemistry, biochemistry, earth and environmental sciences, mathematics, physics, or psychology).

Data from the U.S. Bureau of Labor Statistics and the Texas Workforce Commission indicate a need for data science skills at the national and state levels. Fields related to data science which require a bachelor's degree for entry (such as Operations Research Analyst and Database Administrator) are growing at a faster rate than the national average for all occupations. Texas institutions are not graduating a sufficient quantity of students to meet the need for data science skills in the state at the bachelor's level.

UT-Arlington currently has related bachelor's programs in Mathematics, Computer Science, and Information Systems that could support the proposed program. There are currently four bachelor's programs in data science in Texas. The proposed program approaches data science from a scientific, disciplinary domain. This differs from other data science programs in the state, which tend to approach data science from a business analytics approach or a data analytics approach. The proposed program will be the only program in the state using the new 2020 CIP code for multi/interdisciplinary data science (30.7001.00). Other data science programs are listed in business or mathematics CIP codes.

In accordance with the institution's proposed hiring schedule, UT-Arlington will reallocate 1.0 FTE of faculty time in Year 2 and will hire one core faculty member to start in Year 3. By June 1 of that year, the institution will provide documentation of the hire through submission of a letter of intent, curricula vitae, and list of data science courses to be taught.

**The University of Texas at Arlington** (*Accountability Peer Group: Emerging Research*)*Related Programs*

The institution has degree programs within the same two-digit CIP code: **Yes**

UT-Arlington has two interdisciplinary degree programs with the same two-digit CIP 30:  
 BA in Critical Languages and Interdisciplinary Studies (2012)  
 BAIS in Interdisciplinary Studies (1990)

**Proposed Program:**

The proposed face-to-face program represents 120 semester credit hours of instruction that would begin in spring 2021. The proposed BS approaches data science from a scientific, disciplinary domain and would focus on teaching project management and communication skills, as well as technical data science skills, while allowing for students to pursue a minor in a particular scientific discipline (biology, chemistry, biochemistry, earth and environmental sciences, mathematics, physics, or psychology). The proposed BS would include data science core courses in statistics programming, database systems, data mining, and data science applications. Data science is predicted to be a growth field, in Texas and nationally.

The institution estimates that five-year costs would total \$5,571,801, and formula funding would represent 6% of all funding, totaling \$345,594.

<b>FIVE-YEAR COSTS</b>	
Personnel	
Faculty	\$ 3,483,437
Clerical/Staff	\$ 458,690
Graduate Assistants	\$ 768,375
Other	\$
Facilities and Equipment	\$ 0
Library, Supplies, and Materials	\$ 90,000
Other	\$ 771,299
<b>Total</b>	<b>\$ 5,571,801</b>

<b>FIVE-YEAR FUNDING</b>	
Formula Funding (Years 3-5)	\$ 345,594
Reallocation	\$ 533,964
Other State Funding	\$ 0
Tuition and Fees	\$ 9,846,959
Other	\$ 0
<b>Total</b>	<b>\$ 10,726,517</b>

**Evidence of Duplication, Workforce Need, and Student Demand:**

<i>Duplication of Program: <b>No duplication of programs in the region</b></i>					
Number of institutions with degree programs in the state with the same 6-digit CIP (30.7001.00): <b>0</b>					
Number of degree programs within a 60-minute drive with the same 6-digit CIP: <b>0</b>					
<i>Job Market Need: <b>Strong</b></i>					
Advertisements for job openings	<u><b>Yes</b></u>	No	N/A		
Employer surveys	<u><b>Yes</b></u>	No	N/A		
Projections from government agencies, professional entities, etc.	<u><b>Yes</b></u>	No	N/A		
<i>Student Demand: <b>Moderate</b></i>					
Increased enrollment in related programs at the institution	Yes	<u><b>No</b></u>	N/A		
High enrollment in similar programs at other institutions	<u><b>Yes</b></u>	No	N/A		
Applicants turned away at similar programs at other institutions	<u><b>Yes</b></u>	No	N/A		
Student surveys	Yes	<u><b>No</b></u>	N/A		
<i><b>Start-Up Projections:</b></i>					
	<i><b>Yr. 1</b></i>	<i><b>Yr. 2</b></i>	<i><b>Yr. 3</b></i>	<i><b>Yr. 4</b></i>	<i><b>Yr. 5</b></i>
<i>Student Headcount</i>	62	111	180	328	474
<i>Student FTE</i>	54	96	155	283	409
<i>Core Faculty Headcount</i>	7.0	9.0	10.0	10.0	10.0
<i>Core Faculty FTE</i>	3.5	4.5	5.0	5.0	5.0

**Major Commitments:**

In accordance with the institution's proposed hiring schedule, UT-Arlington will reallocate 1.0 FTE of faculty time in Year 2 and will hire one core faculty member to start in Year 3. By June 1 of that year, the institution will provide documentation of the hire through submission of a letter of intent, curricula vitae, and list of data science courses to be taught.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

# Online Resume for Legislators and Other Policymakers

## THE UNIVERSITY OF TEXAS AT ARLINGTON

Location: Arlington, Metroplex Region

Emerging Research Accountability Peer Group: Texas State Univ, Texas Tech Univ, UT Dallas, UT El Paso, UT San Antonio, Univ of Houston, Univ of North Texas

Out-Of-State Peers: Arizona State University-Tempe, Florida International University, Georgia State University, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

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Enrollment						
Race/Ethnicity	Fall 2014		Fall 2018		Fall 2019	
	Number	Percent	Number	Percent	Number	Percent
White	13,151	37.7%	14,231	33.5%	13,668	31.9%
Hispanic	7,891	22.6%	11,615	27.3%	12,201	28.5%
African American	5,176	14.8%	6,457	15.2%	6,342	14.8%
Asian	3,482	10.0%	4,533	10.7%	4,828	11.3%
International	4,140	11.9%	4,467	10.5%	4,667	10.9%
Other & Unknown	1,028	2.9%	1,193	2.8%	1,157	2.7%
<b>Total</b>	<b>34,868</b>	<b>100.0%</b>	<b>42,496</b>	<b>100.0%</b>	<b>42,863</b>	<b>100.0%</b>
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	3,459	14.1%	3,616	12.8%	3,883	13.6%
Other Institutions	497	2.0%	483	1.7%	505	1.8%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2015	\$9,380	.0%	\$9,598	.0%
2016	\$9,380	.0%	\$9,777	1.9%
2017	\$9,616	2.5%	\$10,201	4.3%
2018	\$9,952	3.5%	\$10,443	2.4%
2019	\$10,250	3.0%	\$10,712	2.6%
2020	\$11,040	7.7%	\$11,011	2.8%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
<b>Federal Student Loans</b>						
2017	42%	\$7,856	46%	\$7,469	40%	\$6,917
2018	41%	\$7,473	45%	\$7,437	41%	\$6,842
<b>Federal, State, Institutional or Other Grants Known by Institutions</b>						
2017	54%	\$6,271	57%	\$7,502	75%	\$7,500
2018	56%	\$6,611	59%	\$7,729	77%	\$7,786
<b>Federal (Pell) Grants</b>						
2017	34%	\$3,977	37%	\$4,226	37%	\$4,201
2018	36%	\$4,327	39%	\$4,482	37%	\$4,438

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Cohort	Peer Group
Cohort		2,624	3,163	3,395	Fall 2010 4-year	28.4%
Total		85.6%	86.6%	87.7%	Fall 2014 4-year	36.7%
Same		68.0%	73.3%	74.5%	Fall 2015 4-year	38.4%
Other		17.5%	13.2%	13.3%	Fall 2009 5-year	50.1%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2013 5-year	55.9%	
		Enter Fall 2012	Enter Fall 2016	Enter Fall 2017	Fall 2014 5-year	57.9%
Institution Persistence				Fall 2008 6-year	59.1%	
Cohort				Fall 2012 6-year	62.6%	
Total				Fall 2013 6-year	63.5%	
Same				National Comparison (IPEDS Definition)		
Other				Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence				Fall 2009 4-year	17.0%	18.7%
Cohort				Fall 2013 4-year	22.0%	31.4%
Total				Fall 2014 4-year	23.0%	34.2%
Same				Fall 2008 5-year	33.0%	41.3%
Other				Fall 2012 5-year	42.0%	52.0%
				Fall 2013 5-year	43.0%	54.0%
				Fall 2007 6-year	40.0%	51.0%
				Fall 2011 6-year	50.0%	57.6%
				Fall 2012 6-year	49.0%	59.2%

Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution			Peer Group Average		
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2015	3,207	12.04	144.01	3,544	10.86	141.45
FY 2018	3,586	12.20	143.00	4,194	10.62	138.12
FY 2019	3,805	12.00	142.00	4,447	10.52	136.87

Six-year Graduation & Persistence Rate, Fall 2013		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	73	45.2%
Peer Group	258	45.7%
<i>For Students NOT Needing Dev Ed</i>		
Institution	2,551	71.2%
Peer Group	3,351	72.0%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2014 Amount	Pct of Total	FY 2018 Amount	Pct of Total	FY 2019 Amount	Pct of Total
Appropriated Funds	\$136,962,296	27.8%	\$148,858,657	24.0%	\$154,511,028	22.8%
Federal Funds	\$81,696,900	16.6%	\$107,234,648	17.3%	\$114,055,253	16.8%
Tuition & Fees	\$210,712,249	42.8%	\$301,692,413	48.6%	\$311,918,978	46.1%
<b>Total Revenue</b>	<b>\$492,543,829</b>	<b>100.0%</b>	<b>\$621,133,198</b>	<b>100.0%</b>	<b>\$677,192,012</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## THE UNIVERSITY OF TEXAS AT ARLINGTON

Location: Arlington, Metroplex Region

Emerging Research Accountability Peer Group: Texas State Univ, Texas Tech Univ, UT Dallas, UT El Paso, UT San Antonio, Univ of Houston, Univ of North Texas

Out-Of-State Peers: Arizona State University-Tempe, Florida International University, Georgia State University, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

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Enrollment		
Race/Ethnicity	Fall 2019 Number	Percent
White	13,668	31.9%
Hispanic	12,201	28.5%
African American	6,342	14.8%
Asian	4,828	11.3%
International	4,667	10.9%
Other & Unknown	1,157	2.7%
<b>Total</b>	<b>42,863</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	3,883	13.6%
Other Institutions	505	1.8%

Baccalaureate Success

Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2015	34.6%
Same Institution		27.9%
Other Institutions		6.7%
5-year Rate Total	2014	55.6%
Same Institution		46.2%
Other Institutions		9.4%
6-year Rate Total	2013	63.2%
Same Institution		51.1%
Other Institutions		12.1%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2018	
Total	87.7%
Same	74.5%
Other	13.3%
2-Year Persistence, Fall 2017	
Total	81.0%
Same	65.7%
Other	15.3%

Avg Number SCH for Bachelor's Degree		
FY 2019 Average		
Sem	SCH	
All	12.00	142.00

Degrees Awarded	
Type	FY 2019
Bachelor's	8,866
Master's	4,614
Doctoral	225
Professional	0
<b>Total</b>	<b>13,705</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2019 Rate
Education*	96.00%
Law	%
Pharmacy	%
Nursing	91.3%
Engineering	49.0%

\*Data for FY 2018

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2019		
Test Section	ACT	SAT
Composite		
Math		<a href="http://www.collegeportraits.org">http://www.collegeportraits.org</a>
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2019			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	2,401	91.8%	36.8%
African American	1,946	72.5%	34.9%
Hispanic	5,429	78.0%	31.8%
Asian	1,685	93.2%	43.9%
International	902	89.1%	18.5%
Other	286	91.3%	34.5%
<b>Total</b>	<b>12,649</b>	<b>82.9%</b>	<b>34.1%</b>

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2020
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	Type of Cost
2015	\$9,380	.0%	\$9,629	.0%	Total Academic Cost
2016	\$9,380	.0%	\$9,834	2.1%	On-campus Room & Board
2017	\$9,616	2.5%	\$10,284	4.4%	Books & Supplies
2018	\$9,952	3.4%	\$10,513	2.2%	Off-Campus Transportation & Personal Expenses
2019	\$10,250	2.9%	\$10,778	2.5%	Total Cost
2020	\$11,040	7.2%	\$11,007	2.1%	

[Rates of Tuition per SCH](#)  
[Mandatory Fees](#)

Instruction		
Measure of Excellence	Fall 2019	
Undergraduate Classes with < 20 Students	33.8%	
Undergraduate Classes with > 50 Students	24.6%	
% of Teaching Faculty Tenured/Tenure-track *	44.0%	
Student/Faculty Ratio *	0:1	

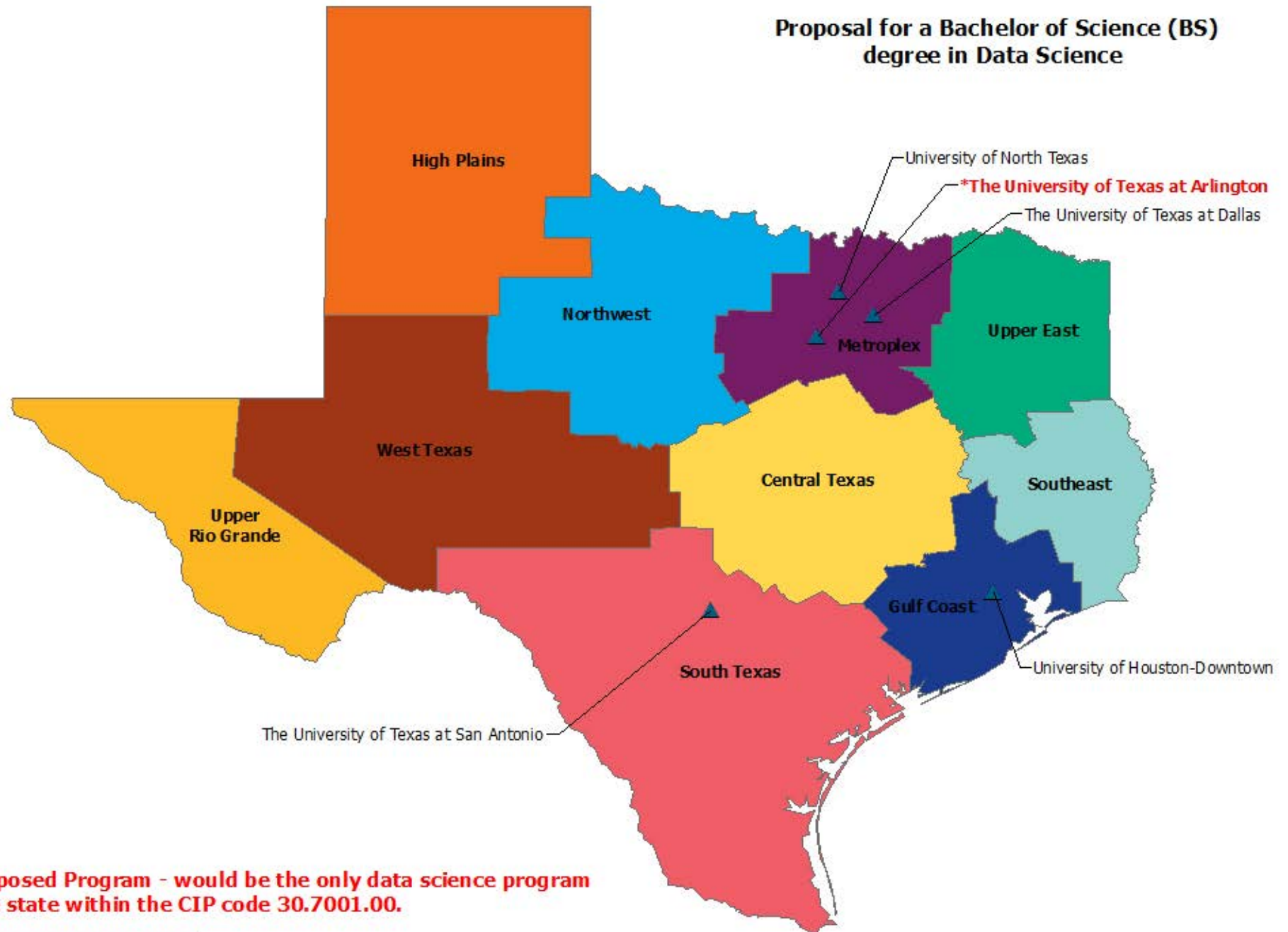
\* Fall 2018 Data

Financial Aid		
Enrolled in FY 2018		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	56%	\$6,611
Federal (Pell) Grants	36%	\$4,327
Federal Student Loans	41%	\$7,473

Funding		
Source	FY 2019 Amount	Pct of Total
Appropriated Funds	\$154,511,028	22.8%
Federal Funds	\$114,055,253	16.8%
Tuition & Fees	\$311,918,978	46.1%
<b>Total Revenue</b>	<b>\$677,192,012</b>	<b>100.0%</b>



## Proposal for a Bachelor of Science (BS) degree in Data Science



**\* Proposed Program - would be the only data science program  
in the state within the CIP code 30.7001.00.**

▲ Public Universities

## AGENDA ITEM IX-K (2)

### Consideration of approving the request from The University of Texas at Austin for a Bachelor of Science (BS) and Bachelor of Arts (BA) degree with a major in Informatics

RECOMMENDATION: Approval, beginning fall 2021

#### **Rationale:**

The University of Texas at Austin (UT-Austin) is proposing a Bachelor of Science (BS) and Bachelor of Arts (BA) in Informatics to begin fall 2021. The proposed face-to-face program would be offered at UT-Austin and would be available to undergraduate students who are interested in either a liberal arts-based or scientific-based approach to the rapidly growing intersection of people, information, technology, and data. Some specializations within the informatics discipline place greater emphasis on a broad understanding of humanities and social sciences, while others require a more technical and/or scientific foundation. Offering both a BS and a BA degree would allow students to pursue the most appropriate degree option for their academic and professional interests. Based on staff research of undergraduate informatics programs, currently there is only one other public institution in Texas that offers a bachelor's degree in informatics.

Data from the U.S. Bureau of Labor Statistics (BLS) estimates a national average of 149,700 openings for related jobs for the proposed program in informatics each year from 2018 to 2028. The Texas Workforce Commission (TWC) indicates a state average of 9,733 annual job openings for related jobs for the proposed program in informatics. There is a shortage of informatics graduates based on the projected available jobs.

In accordance with the institution's proposed hiring schedule, UT-Austin will hire 10 core faculty members. Two core faculty will be hired in Year 2 and Year 3 of the proposed program. Three core faculty will be hired in Year 4 and Year 5 of the proposed program. By June 1, prior to the academic year in which faculty are hired, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of informatics courses to be taught.

**The University of Texas at Austin** (*Accountability Peer Group: Research*)*Related Programs*

The institution has degree programs within the same two-digit CIP code: **Yes**

The University of Texas at Austin has four related degree programs with the same two-digit CIP 11

BS, MS, PhD in Computer Science (1974, 1965, 1966)  
 MS in Information Security and Privacy (2015)  
 MS, PhD in Information Studies (1969)  
 MS in Information Technology and Management (2018)

**Proposed Program:**

The proposed face-to-face program in informatics represents 120 semester credit hours (SCH) of instruction. The institution anticipates beginning the proposed program in fall 2021. The proposed BS/BA in Informatics is meant to prepare students for success in the digital university and in digital organizations, and provide preparation in programming, research methods, ethics, and a foreign language. This preparation would provide students with a deep understanding and knowledge of how data, information, and technology can benefit society. In addition, students completing the BA would complete additional coursework in liberal arts, while students completing the BS would complete additional coursework in science, technology, engineering, and math (STEM).

The institution estimates that five-year costs would total \$10,603,810.77. Formula Funding would represent 11% of all funding at \$2,046,575.55. Total funding is estimated to be \$18,003,747.43.

Estimated Five-Year Costs		Estimated Five-Year Funding	
Personnel		Formula Funding (Years 3-5 Only)	\$ 2,046,575.55
Faculty (New)	\$ 5,111,950.02	Other State Funding	\$ 0
Faculty (Reallocated)	\$ 433,798.82	Reallocated Funds	\$ 543,891.54
Program Administration (New)	\$ 1,339,074.45	Federal Funding (In-Hand Only)	\$ 0
Program Administration (Reallocated)	\$ 453,210.16	Tuition and Fees	\$ 15,413,280.64
Graduate Assistants (New)	\$ 718,485.30	Other	\$ 0
Graduate Assistants (Reallocated)	\$ 232,080.44		
Clerical/Staff (New)	\$ 801,855.58		
Clerical/Staff (Reallocated)	\$ 0		
Student Support	\$ 317,856		
Supplies & Materials	\$ 65,500		
Library & IT Resources	\$ 0		
Equipment	\$ 100,000		
Facilities	\$ 30,000		
Other	\$ 1,000,000		
<b>Total</b>	<b>\$ 10,603,810.77</b>	<b>Total</b>	<b>\$ 18,003,747.43</b>

**Evidence of Duplication, Workforce Need, and Student Demand:**

*Duplication of Programs: No duplication of programs in the region.*

Number of institutions with bachelor's degree programs in the state with the same 6-digit CIP (11.0104): **1**

Number of degree programs within a 60-minute drive with the same 6-digit CIP (11.0104): **0**

***Job Market Need: Strong***

Advertisements for job openings	<u>Yes</u>	No	N/A
Employer surveys	<u>Yes</u>	No	N/A
Projections from government agencies, professional entities, etc.	<u>Yes</u>	No	N/A

***Student Demand: Moderate***

Increased enrollment in related programs at the institution	Yes	<u>No</u>	N/A
High enrollment in similar programs at other institutions	Yes	<u>No</u>	N/A
Applicants turned away at similar programs at other institutions	Yes	<u>No</u>	N/A
Student surveys	<u>Yes</u>	No	N/A

<i><b>Start-Up Projections:</b></i>	<i><b>Yr. 1</b></i>	<i><b>Yr. 2</b></i>	<i><b>Yr. 3</b></i>	<i><b>Yr. 4</b></i>	<i><b>Yr. 5</b></i>
<i>Student Headcount</i>	50	100	100	100	100
<i>Student FTE</i>	50	150	250	350	400
<i>Core Faculty Headcount</i>	13	15	17	20	23
<i>Core Faculty FTE</i>	7	8	9	10.5	12

### **Major Commitments:**

In accordance with the institution's proposed hiring schedule, UT-Austin will hire 10 core faculty members. Two core faculty will be hired in Year 2 and Year 3 of the proposed program. Three core faculty will be hired in Year 4 and Year 5 of the proposed program. By June 1, prior to the academic year in which faculty are hired, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of informatics courses to be taught.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

# Online Resume for Legislators and Other Policymakers

## THE UNIVERSITY OF TEXAS AT AUSTIN

Location: Austin, Central Region

Research Accountability Peer Group: Texas A&M Univ

Out-Of-State Peers: Ohio State University-Main Campus, University Of California-Berkeley, University Of Illinois At Urbana-Champaign, University Of Michigan-Ann Arbor, University Of Minnesota-Twin Cities

Degrees Offered: Bachelor's, Master's, Doctoral, Professional

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

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Enrollment						
Race/Ethnicity	Fall 2014		Fall 2018		Fall 2019	
	Number	Percent	Number	Percent	Number	Percent
White	24,087	46.9%	21,247	41.1%	20,301	39.9%
Hispanic	10,210	19.9%	11,296	21.9%	11,478	22.6%
African American	2,270	4.4%	2,484	4.8%	2,501	4.9%
Asian	8,861	17.3%	10,354	20.0%	10,450	20.5%
International	3,977	7.8%	4,240	8.2%	4,120	8.1%
Other & Unknown	1,907	3.7%	2,063	4.0%	2,044	4.0%
<b>Total</b>	<b>51,312</b>	<b>100.0%</b>	<b>51,684</b>	<b>100.0%</b>	<b>50,894</b>	<b>100.0%</b>
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	692	1.8%	354	.9%	454	1.1%
Two-Year Institutions	Number	% of UG	Number	% of UG	Number	% of UG
	1,108	2.8%	656	1.6%	651	1.6%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2015	\$9,798	.0%	\$9,520	.0%
2016	\$9,810	.1%	\$9,652	1.4%
2017	\$9,810	.0%	\$9,758	1.1%
2018	\$10,092	2.9%	\$9,987	2.3%
2019	\$10,398	3.0%	\$10,357	3.7%
2020	\$10,314	-.8%	\$10,438	.8%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2017	34%	\$6,523	33%	\$6,430	33%	\$6,239
2018	36%	\$6,242	34%	\$6,254	32%	\$6,207
Federal, State, Institutional or Other Grants Known by Institutions						
2017	50%	\$10,590	52%	\$9,421	57%	\$13,178
2018	49%	\$10,671	52%	\$9,620	56%	\$14,266
Federal (Pell) Grants						
2017	24%	\$4,372	22%	\$4,358	20%	\$4,444
2018	23%	\$4,545	22%	\$4,623	21%	\$4,640

Student Success										
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Graduation Rates					
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Cohort	Institution Rate	Peer Group Rate			
Cohort		7,105	8,238	8,816	Fall 2010 4-year	54.5%	54.8%			
Total		95.8%	97.1%	95.4%	Fall 2014 4-year	70.6%	63.7%			
Same		93.0%	95.0%	93.5%	Fall 2015 4-year	70.4%	65.7%			
Other		2.8%	2.1%	1.9%	Fall 2009 5-year	76.8%	78.6%			
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Fall 2013 5-year	85.2%	83.8%			
		Enter Fall 2012	Enter Fall 2016	Enter Fall 2017	Fall 2014 5-year	86.9%	85.3%			
Institution Persistence					Fall 2008 6-year	83.6%	84.5%			
Cohort		7,939	8,560	8,228	Fall 2012 6-year	85.8%	86.0%			
Total		92.0%	94.4%	93.9%	Fall 2013 6-year	88.8%	87.4%			
Same		86.8%	90.3%	90.6%	National Comparison (IPEDS Definition)					
Other		5.1%	4.0%	3.3%	Cohort	Institution Rate	OOS Peers Rate			
Peer Group Persistence					Fall 2009 4-year	51.0%	65.8%			
Cohort		7,552	8,530	8,939	Fall 2013 4-year	57.0%	69.2%			
Total		92.7%	94.2%	93.7%	Fall 2014 4-year	61.0%	69.8%			
Same		86.7%	88.4%	88.2%	Fall 2008 5-year	75.0%	82.4%			
Other		5.9%	5.8%	5.5%	Fall 2012 5-year	80.0%	83.6%			
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree					Fall 2013 5-year	80.0%	83.8%			
					Fall 2007 6-year	79.0%	84.6%			
					Fall 2011 6-year	83.0%	86.2%			
					Fall 2012 6-year	83.0%	86.2%			
					Institution			Peer Group Average		
					Grads	Sem	SCH	Grads	Sem	SCH

Six-year Graduation & Persistence Rate, Fall 2013		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	93	79.6%
Peer Group	91	71.4%
<i>For Students NOT Needing Dev Ed</i>		
Institution	7,012	91.0%
Peer Group	7,708	90.0%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2014 Amount	Pct of Total	FY 2018 Amount	Pct of Total	FY 2019 Amount	Pct of Total
Appropriated Funds	\$622,324,610	25.9%	\$743,879,747	28.7%	\$786,909,961	28.9%
Federal Funds	\$425,604,074	17.7%	\$499,875,880	19.3%	\$495,487,912	18.2%
Tuition & Fees	\$444,317,943	18.5%	\$471,826,602	18.2%	\$477,601,226	17.5%
<b>Total Revenue</b>	<b>\$2,398,352,329</b>	<b>100.0%</b>	<b>\$2,592,679,781</b>	<b>100.0%</b>	<b>\$2,727,447,644</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## THE UNIVERSITY OF TEXAS AT AUSTIN

Location: Austin, Central Region

Research Accountability Peer Group: Texas A&M Univ

Out-Of-State Peers: Ohio State University-Main Campus, University Of California-Berkeley, University Of Illinois At Urbana-Champaign, University Of Michigan-Ann Arbor, University Of Minnesota-Twin Cities

Degrees Offered: Bachelor's, Master's, Doctoral, Professional

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2019	
	Number	Percent
White	20,301	39.9%
Hispanic	11,478	22.6%
African American	2,501	4.9%
Asian	10,450	20.5%
International	4,120	8.1%
Other & Unknown	2,044	4.0%
<b>Total</b>	<b>50,894</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	454	1.1%
Other Institutions	651	1.6%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2015	70.4%
Same Institution		69.4%
Other Institutions		1.0%
5-year Rate Total	2014	86.9%
Same Institution		85.1%
Other Institutions		1.8%
6-year Rate Total	2013	88.8%
Same Institution		85.5%
Other Institutions		3.3%
<a href="#">Grad Rates by Ethnicity</a>		

1-Year Persistence, Fall 2018	
Total	95.4%
Same	93.5%
Other	1.9%
2-Year Persistence, Fall 2017	
Total	93.9%
Same	90.6%
Other	3.3%

Avg Number SCH for Bachelor's Degree		
FY 2019 Average		
Sem	SCH	
All	8.80	123.00

Degrees Awarded	
Type	FY 2019
Bachelor's	10,114
Master's	2,969
Doctoral	855
Professional	433
<b>Total</b>	<b>14,371</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2019 Rate
Education*	99.60%
Law	92.1%
Pharmacy	93.5%
Nursing	96.5%
Engineering	92.1%

\*Data for FY 2018

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2019		
Test Section	ACT	SAT
Composite		
Math		<a href="http://www.collegeportraits.org">http://www.collegeportraits.org</a>
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2019			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	17,782	32.4%	50.8%
African American	3,117	29.1%	43.3%
Hispanic	12,539	38.6%	44.9%
Asian	10,670	39.2%	51.4%
International	4,070	15.8%	23.1%
Other	2,035	33.9%	46.6%
<b>Total</b>	<b>50,213</b>	<b>33.9%</b>	<b>47.6%</b>

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2015	\$9,798	.0%	\$9,242	.0%
2016	\$9,810	.1%	\$9,494	2.7%
2017	\$9,810	.0%	\$9,707	2.2%
2018	\$10,092	2.8%	\$9,882	1.8%
2019	\$10,398	2.9%	\$10,316	4.2%
2020	\$10,314	-8%	\$10,562	2.3%

Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2020	
Type of Cost	Average Amount
Total Academic Cost	\$10,314
On-campus Room & Board	\$11,812
Books & Supplies	\$700
Off-Campus Transportation & Personal Expenses	\$4,392
<b>Total Cost</b>	<b>\$27,218</b>

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

Instruction	
Measure of Excellence	Fall 2019
Undergraduate Classes with < 20 Students	36.0%
Undergraduate Classes with > 50 Students	24.8%
% of Teaching Faculty Tenured/Tenure-track *	66.1%
Student/Faculty Ratio *	0:1

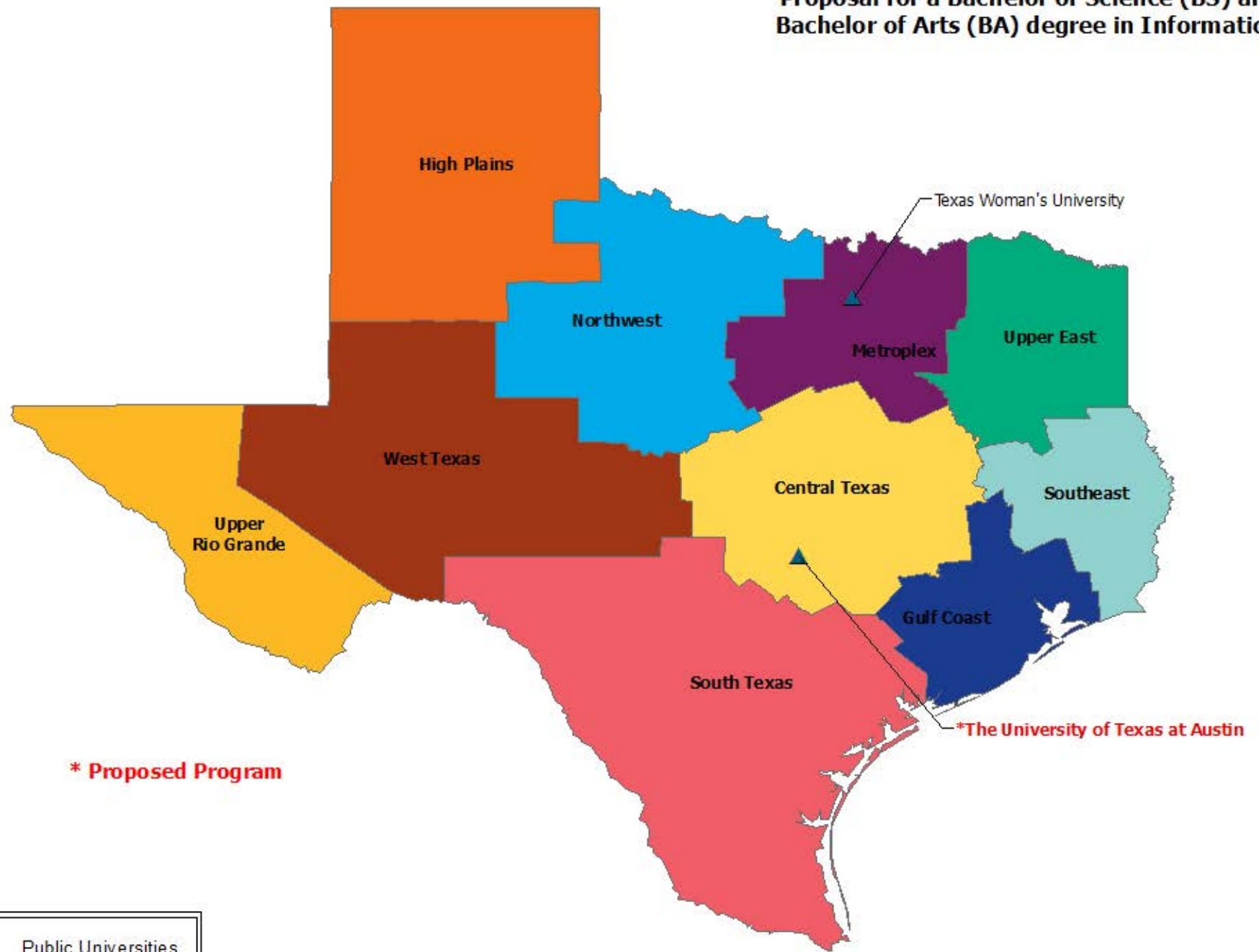
\* Fall 2018 Data

Financial Aid		
Enrolled in FY 2018		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	49%	*****
Federal (Pell) Grants	23%	\$4,545
Federal Student Loans	36%	\$6,242

Funding		
Source	FY 2019 Amount	Pct of Total
Appropriated Funds	\$786,909,961	28.9%
Federal Funds	\$495,487,912	18.2%
Tuition & Fees	\$477,601,226	17.5%
<b>Total Revenue</b>	<b>\$2,727,447,644</b>	<b>100.0%</b>



## Proposal for a Bachelor of Science (BS) and Bachelor of Arts (BA) degree in Informatics





### AGENDA ITEM IX-K (3)

#### Consideration of approving the request from The University of Texas Rio Grande Valley for a Doctor of Occupational Therapy (OTD) degree with a major in Occupational Therapy

RECOMMENDATION: Approval, beginning summer 2021

#### **Rationale:**

The University of Texas Rio Grande Valley (UT-RGV) is proposing a Doctor of Occupational Therapy (OTD) degree in Occupational Therapy. UT-RGV currently offers a master's degree program in Occupational Therapy that would be phased out as the proposed entry-level doctoral degree is initiated. The proposed OTD program would prepare students for professional practice and scholarly work in occupational therapy. The proposed program would enroll up to 32 students annually. The proposed face-to-face program would require 99 semester credit hours (SCH) post-bachelor's degree beginning in summer 2021. Students would engage in required coursework, two levels of fieldwork, and a doctoral capstone experience.

Workforce data suggest that there is a need for occupational therapists. According to the United States Bureau of Labor Statistics (BLS), the employment rate for occupational therapy as a field is expected to grow at a much greater rate (17.9%) than the average for all occupations (5.2%). Texas Workforce Commission (TWC) recognizes occupational therapy as one of the fastest growing careers requiring a master's degree in Texas and expects the state employment rate for occupational therapists to grow at a faster rate (30.2%) than the average for all occupations (16.6%).

While workforce projections consider a master's degree to be sufficient for occupational therapists, the accrediting body, the Accreditation Council of Occupational Therapy Education (ACOTE) of the American Occupational Therapy Association, had been considering changing the entry-level requirement for occupational therapists to a doctoral degree. However, this change was considered, but not passed at their 2019 ACOTE meeting. Nationally, many institutions are moving toward offering the entry-level OTD degrees. There are currently seven institutions in Texas offering master's programs in occupational therapy and five offering doctoral programs. Three of those doctoral programs are entry-level, the rest are post-professional.

In accordance with the institution's proposed hiring schedule, UT-RGV will hire one core faculty member per year for the first five years of the program. By June 1 of each of these years, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of occupational therapy courses to be taught.

The institution will seek ACOTE accreditation for its OTD program.

**The University of Texas Rio Grande Valley** (*Accountability Peer Group: Doctoral University*)

**The University of Texas Rio Grande Valley** (*Accountability Peer Group: Doctoral University*)

<i>Completion Measures</i>		<i>Institution</i>	<i>State</i>
<i>Graduate</i>	Master's 5-Year Graduation Rate	73%	77%
	Doctoral 10-Year Graduation Rate	N/A*	65%
<i>Status of Recently Approved Doctoral Programs</i>	The institution has met its projected enrollments for all new doctoral program(s) approved in the last five years: <u>Yes</u> No N/A		
	Recently Approved Doctoral Programs: <ul style="list-style-type: none"> <li>• Medicine (MD, 2016) enrollments met</li> <li>• Clinical Psychology (PhD, 2018) enrollments met</li> <li>• Physical Therapy (DPT, 2020) recently approved program</li> </ul>		
	The institution has met its resource commitments for new doctoral program(s) approved in the last five years: <u>Yes</u> No N/A		

\*Institution has not been in existence for 10 years.

**Proposed Program:**

The proposed face-to-face program would require 99 SCH post-bachelor's degree and would be available beginning in summer 2021 at the campus in Edinburg. The program would be the sixth doctoral occupational therapy program offered in Texas. The proposed program would prepare students for clinical practice and research in occupational therapy, which is a profession in high demand in Texas and nationally.

The institution estimates that five-year costs would total \$7,883,405.

**Existing Programs:**

There are currently four public institutions and one independent institution offering doctoral programs in occupational therapy.

Public Universities:

Texas Tech University Health Sciences Center  
 Texas Woman's University  
 The University of Texas Health Science Center at San Antonio  
 The University of Texas Medical Branch at Galveston

Independent Colleges and Universities:

Baylor University

The nearest institution to UT-RGV offering an entry-level doctoral program in occupational therapy is The University of Texas Health Science Center at San Antonio, more than 200 miles away.

In 2018, there were a total of 85 declared majors at the public universities.

<b><i>Start-Up Projections:</i></b>	<b><i>Yr. 1</i></b>	<b><i>Yr. 2</i></b>	<b><i>Yr. 3</i></b>	<b><i>Yr. 4</i></b>	<b><i>Yr. 5</i></b>
<i>Students Enrolled</i>	23	49	79	110	141
<i>Graduates</i>	0	0	0	23	26
<i>Avg. Financial Assistance</i>	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
<i>Students Assisted</i>	3	6	9	9	9
<i>Core Faculty (FTE)</i>	4.0	5.0	6.0	8.0	9.0
<i>Total Costs</i>	\$968,189	\$1,533,676	\$1,805,902	\$1,781,955	\$1,793,683
<i>Total Funding</i>	\$968,189	\$1,533,676	\$2,091,696	\$2,142,982	\$2,200,035
<i>% From Formula Funding</i>	0	0	14%	42%	41%

FIVE-YEAR COSTS	
Personnel	
Faculty (New)	\$ 2,549,723
Faculty (Reallocated)	\$ 1,856,682
Program Administration (New)	\$ 25,000
Program Administration (Reallocated)	\$ 0
Graduate Assistants (New)	\$ 1,296,000
Graduate Assistants (Reallocated)	\$ 0
Clerical/Staff (New)	\$ 468,000
Clerical/Staff (Reallocated)	\$ 0
Other	\$ 0
Student Support	\$ 0
Supplies and Materials	\$ 75,000
Library and IT Resources	\$ 80,000
Equipment	\$ 1,418,000
Facilities	\$ 0
Other (Marketing, Accreditation)	\$ 115,000
<b>Total</b>	<b>\$ 7,883,405</b>

FIVE-YEAR FUNDING	
Formula Funding (Years 3-5)	\$ 2,073,613
Other State Funding	\$ 0
Reallocation of Existing Resources	\$ 1,856,683
Federal Funding (In-Hand Only)	\$ 0
Tuition and Fees	\$ 5,006,282
Other	\$ 0
<b>Total</b>	<b>\$ 8,936,578</b>

### Major Commitments:

In accordance with the institution's proposed hiring schedule, UT-RGV will hire one core faculty member per year for the first five years of the program. By June 1 of each of these

years, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of occupational therapy courses to be taught.

The institution will seek accreditation for its OTD program from the Accreditation Council of Occupational Therapy Education (ACOTE) of the American Occupational Therapy Association (AOTA) according to its schedule.

The institution will submit three reports in Years 1, 3, and 5 confirming institutional commitments and assessing the progress of program implementation.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

# Online Resume for Legislators and Other Policymakers

## THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2014		Fall 2018		Fall 2019	
	Number	Percent	Number	Percent	Number	Percent
White	0	.0%	892	3.1%	919	3.2%
Hispanic	0	.0%	25,131	88.2%	25,943	89.7%
African American	0	.0%	236	.8%	215	.7%
Asian	0	.0%	386	1.4%	407	1.4%
International	0	.0%	779	2.7%	774	2.7%
Other & Unknown	0	.0%	1,065	3.7%	651	2.3%
<b>Total</b>	<b>0</b>	<b>.0%</b>	<b>28,489</b>	<b>100.0%</b>	<b>28,909</b>	<b>100.0%</b>
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
Two-Year Institutions	0	.0%	1,142	4.6%	1,228	4.9%
Other Institutions	0	.0%	587	2.4%	609	2.4%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2016	\$7,292	.0%	\$0	.0%
2017	\$7,448	2.1%	\$0	.0%
2018	\$7,587	1.9%	\$0	.0%
2019	\$7,813	3.0%	\$0	.0%
2020	\$8,132	4.1%	\$0	.0%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
<b>Federal Student Loans</b>						
2017	38%	\$5,032	0%	\$0	45%	\$6,540
2018	37%	\$5,046	0%	\$0	43%	\$5,650
<b>Federal, State, Institutional or Other Grants Known by Institutions</b>						
2017	74%	\$7,351	0%	\$0	68%	\$8,117
2018	75%	\$7,721	0%	\$0	67%	\$9,130
<b>Federal (Pell) Grants</b>						
2017	62%	\$4,455	0%	\$0	41%	\$4,465
2018	63%	\$5,083	0%	\$0	42%	\$5,181

Student Success			
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates			
	Enter Fall 2013	Enter Fall 2017	Enter Fall 2018
<b>Cohort</b>	.	4,197	4,234
<b>Total</b>	.	82.8%	83.2%
<b>Same</b>	.	75.9%	76.0%
<b>Other</b>	.	6.9%	7.2%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates			
	Enter Fall 2012	Enter Fall 2016	Enter Fall 2017
Institution Persistence			
<b>Cohort</b>	.	3,590	4,149
<b>Total</b>	.	77.7%	75.0%
<b>Same</b>	.	68.5%	65.1%
<b>Other</b>	.	9.2%	9.8%

National Comparison (IPEDS Definition)		
Cohort	Institution Rate	OOS Peers Rate
Fall 2009 4-year	16.0%	19.5%
Fall 2013 4-year	22.0%	26.0%
Fall 2014 4-year	21.0%	28.0%
Fall 2008 5-year	31.0%	38.5%
Fall 2012 5-year	38.0%	45.2%
Fall 2013 5-year	38.0%	47.2%
Fall 2007 6-year	39.0%	45.0%
Fall 2011 6-year	45.0%	50.8%
Fall 2012 6-year	46.0%	52.6%

Six-year Graduation & Persistence Rate, Fall 2013		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	596	44.6%
<i>For Students NOT Needing Dev Ed</i>		
Institution	2,673	60.6%

\*Peer Group data is average for peer group.

Funding				
FY 2019 <del>2018</del>	FY 2014 Amount	Pct of Total	FY 2018 Amount	Pct of Total
Appropriated Funds	\$156,972,828	41.6%	\$149,918,157	38.2%
Federal Funds	\$115,663,435	30.7%	\$126,932,586	32.3%
Tuition & Fees	\$81,836,302	21.7%	\$90,949,003	23.2%
<b>Total Revenue</b>	<b>\$377,256,754</b>	<b>100.0%</b>	<b>\$392,381,065</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

[Accountability System](#)

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Enrollment		
Race/Ethnicity	Fall 2019 Number	Percent
White	919	3.2%
Hispanic	25,943	89.7%
African American	215	.7%
Asian	407	1.4%
International	774	2.7%
Other & Unknown	651	2.3%
<b>Total</b>	<b>28,909</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	1,228	4.9%
Other Institutions	609	2.4%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2015	25.3%
Same Institution		23.9%
Other Institutions		1.3%
5-year Rate Total		.0%
Same Institution		.0%
Other Institutions		.0%
6-year Rate Total		.0%
Same Institution		.0%
Other Institutions		.0%
<a href="#">Grad Rates by Ethnicity</a>		

1-Year Persistence, Fall 2018	
Total	83.2%
Same	76.0%
Other	7.2%
2-Year Persistence, Fall 2017	
Total	75.0%
Same	65.1%
Other	9.8%

Avg Number SCH for Bachelor's Degree	
FY 2019 Average	
Sem	SCH
All	10.00 140.00

Degrees Awarded	
Type	FY 2019
Bachelor's	4,550
Master's	1,206
Doctoral	32
Professional	0
<b>Total</b>	<b>5,788</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2019 Rate
Education*	88.10%
Law	%
Pharmacy	%
Nursing	92.5%
Engineering	44.2%

\*Data for FY 2018

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2019		
Test Section	ACT	SAT
Composite		
Math		<a href="http://www.collegeportraits.org">http://www.collegeportraits.org</a>
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2019			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	410	78.5%	26.7%
African American	16	100.0%	81.3%
Hispanic	10,382	80.1%	50.6%
Asian	57	100.0%	96.5%
International	71	98.6%	82.9%
Other	181	74.0%	47.0%
<b>Total</b>	<b>11,117</b>	<b>80.2%</b>	<b>50.3%</b>

Instruction	
Measure of Excellence	Fall 2019
Undergraduate Classes with < 20 Students	22.1%
Undergraduate Classes with > 50 Students	14.9%
% of Teaching Faculty Tenured/Tenure-track *	43.4%
Student/Faculty Ratio *	0:1

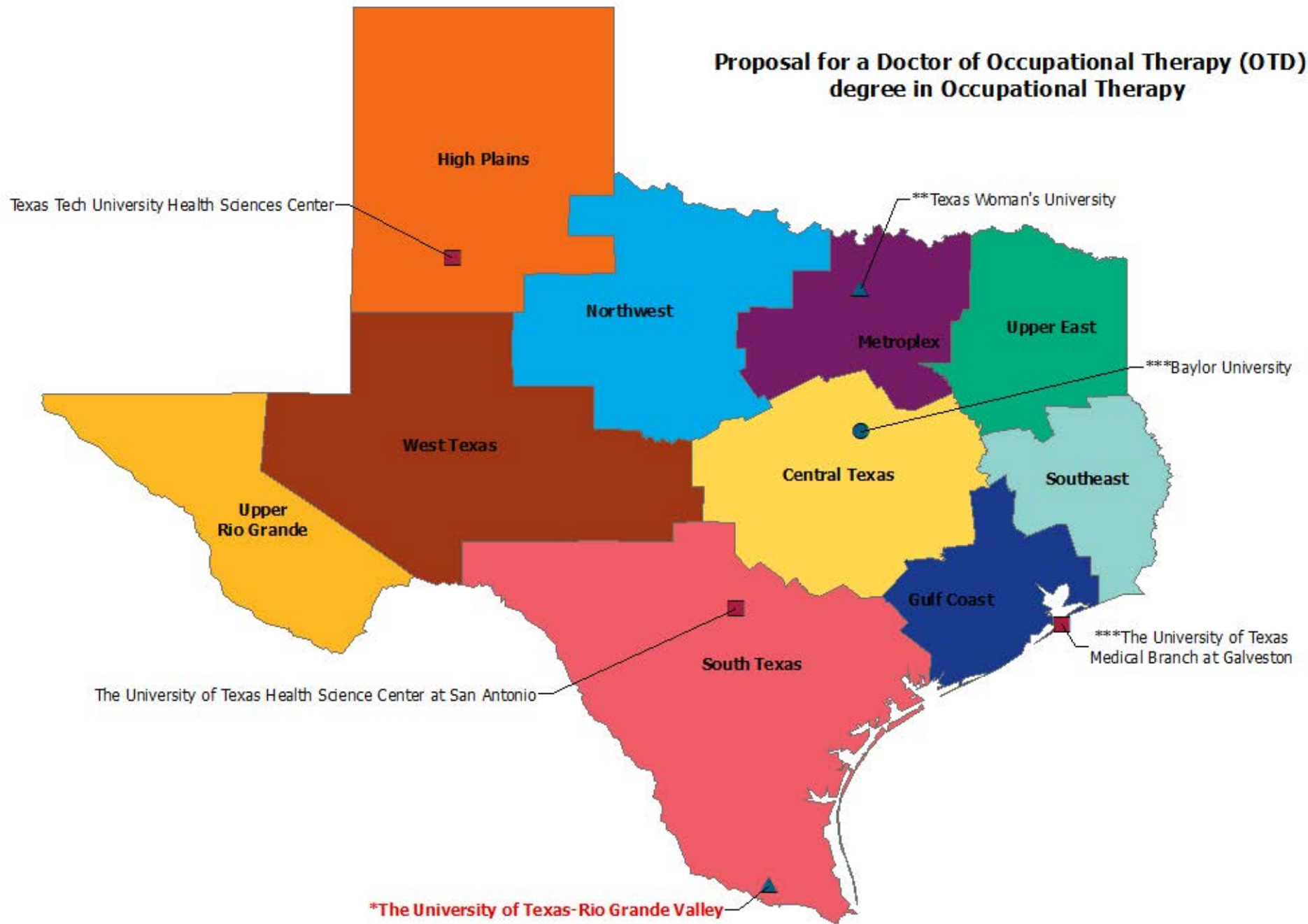
\* Fall 2018 Data

Costs	
Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2020	
Type of Cost	Average Amount
Total Academic Cost	\$8,132
On-campus Room & Board	\$8,252
Books & Supplies	\$1,237
Off-Campus Transportation & Personal Expenses	\$3,324
<b>Total Cost</b>	<b>\$20,945</b>
<a href="#">Rates of Tuition per SCH</a>	
<a href="#">Mandatory Fees</a>	

Financial Aid		
Enrolled in FY 2018		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	75%	\$7,721
Federal (Pell) Grants	63%	\$5,083
Federal Student Loans	37%	\$5,046

Funding		
Source	FY 2019 Amount	Pct of Total
Appropriated Funds	\$149,918,157	38.2%
Federal Funds	\$126,932,586	32.3%
Tuition & Fees	\$90,949,003	23.2%
<b>Total Revenue</b>	<b>\$392,381,065</b>	<b>100.0%</b>

## Proposal for a Doctor of Occupational Therapy (OTD) degree in Occupational Therapy



### \* Proposed Program (entry-level)

\*\* TWU's OTD program is post-professional, not entry level.

\*\*\* Baylor and UTMB have both post-professional and entry-level programs.

- |                                     |                             |
|-------------------------------------|-----------------------------|
| <span style="color: red;">■</span>  | Health-Related Institutions |
| <span style="color: blue;">●</span> | Independent Institutions    |
| <span style="color: blue;">▲</span> | Public Universities         |



#### AGENDA ITEM IX-K (4)

##### Consideration of approving the request from The University of Texas Rio Grande Valley for a Doctor of Podiatric Medicine degree

RECOMMENDATION: Approval, beginning fall 2022

##### **Rationale:**

The University of Texas Rio Grande Valley (UT-RGV) is proposing a Doctor of Podiatric Medicine (DPM) to begin fall 2022. The DPM would prepare students for licensure and entry into the practice of Podiatry. Doctors of Podiatric Medicine are physicians specifically trained to examine, diagnose, and treat any disease, disorder, physical injury, deformity, or ailment of the human foot. The DPM would be a four-year, full-time, face-to-face program aligned with UT-RGV's allopathic medical (MD) degree program. Podiatric medicine students would spend the first two years of the DPM program fully integrated with medical students.

If approved, the UT-RGV DPM would be the tenth program in the U.S. and the first program in Texas. The Bureau of Labor Statistics anticipates an increased need for podiatrists through 2028, estimating 700 job openings per year. In 2018, podiatry schools across the U.S. produced 543 graduates, indicating a need for additional podiatrists.

Minority physicians are underrepresented in the field of podiatry. UT-RGV would establish a diversity pipeline program with area schools and colleges aimed at recruiting underrepresented populations to the proposed DPM program. The institution also would focus recruitment efforts on underrepresented students enrolled in existing degree programs.

In accordance with the institution's proposed hiring schedule, UT-RGV will hire three core faculty members prior to enrolling students for fall 2022. By June 1, 2022, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of courses to be taught.

The institution will seek accreditation for the DPM program from the Council on Podiatric Medical Education (CPME), a national accreditation agency recognized by the U.S. Department of Education and the Council for Higher Education Accreditation. CPME is the accrediting body for schools of podiatric medicine and residency training programs for the profession. UT-RGV has developed a timeline to ensure full CPME accreditation in time for the first graduating cohort.



**The University of Texas Rio Grande Valley** (*Accountability Peer Group: Doctoral University*)

<i>Completion Measures</i>	<i>Institution</i>	<i>State</i>
<i>Graduate</i>	Master's 5-Year Graduation Rate	73%
	Doctoral 10-Year Graduation Rate	NA*
<i>Status of Recently Approved Doctoral Programs</i>	The institution has met its projected enrollments for all new doctoral program(s) approved in the last five years: <u>Yes</u> No N/A  Recently Approved Doctoral Programs: <ul style="list-style-type: none"> <li>• Medicine (MD, 2016) enrollments met</li> <li>• Clinical Psychology (PhD, 2018) enrollments met</li> <li>• Physical Therapy (DPT, 2020) recently approved program</li> </ul> The institution has met its resource commitments for new doctoral program(s) approved in the last five years: <u>Yes</u> No N/A	

\*Institution has not been in existence for 10 years.

**Proposed Program:**

This proposed face-to-face program would be an accredited four-year program aligned with the School of Medicine curriculum and would require 204 semester credit hours for completion. The proposed curriculum would meet accreditation guidelines established by CPME, and graduates would be prepared for residency training and licensure examinations.

The institution estimates that five-year costs would total \$36,037,000.

**Existing Programs:**

There are no other universities offering a podiatric medicine degree in Texas.

<i>Start-Up Projections:</i>	<i>Yr. 1</i>	<i>Yr. 2</i>	<i>Yr. 3</i>	<i>Yr. 4</i>	<i>Yr. 5</i>
<i>Students Enrolled</i>	40	78	116	152	152
<i>Graduates</i>	0	0	0	38	38
<i>Avg. Financial Assistance</i>	0	0	0	0	0
<i>Students Assisted</i>	0	0	0	0	0
<i>Core Faculty (FTE)</i>	4	4	4	4	4
<i>Total Costs</i>	\$5,103,500	\$6,818,000	\$8,038,500	\$8,038,500	\$8,038,500
<i>Total Funding</i>	\$5,103,500	\$6,818,000	\$8,038,500	\$8,038,500	\$9,475,083
<i>% From Formula Funding</i>	0	0	43%	43%	72%

FIVE-YEAR COSTS		FIVE-YEAR FUNDING	
Personnel		Formula Funding (Years 3-5)	\$ 13,806,227
Faculty	\$ 30,602,000	Other State Funding	\$ 0
Faculty (Reallocated)	\$ 0	Reallocation of Existing Resources	\$ 0
Program Administration (New)	\$ 0	Federal Funding (In-Hand Only)	\$ 0
Program Administration (Reallocated)	\$ 0	Tuition and Fees	\$ 9,315,600
Graduate Assistants (New)	\$ 0	Other (institutional funds, net patient care collections)	\$ 14,351,716
Graduate Assistants (Reallocated)	\$ 0		
Clerical/Staff (New)	\$ 2,756,000		
Clerical/Staff (Reallocated)	\$ 0		
Other	\$ 0		
Student Support	\$ 0		
Supplies and Materials	\$ 125,000		
Library and IT Resources	\$ 0		
Equipment	\$ 0		
Facilities	\$ 0		
Other (accreditation, faculty recruitment)	\$ 2,554,000		
<b>Total</b>	<b>\$ 36,037,000</b>	<b>Total</b>	<b>\$ 37,473,583</b>

### Major Commitments:

In accordance with the institution's proposed hiring schedule, UT-RGV will hire three core faculty members prior to enrolling students for fall 2022. By June 1, 2022, the institution will provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of courses to be taught.

The institution will seek accreditation for the DPM program from the Council on Podiatric Medical Education (CPME) according to its schedule.

The institution shall submit three reports in Years 1, 3, and 5 confirming institutional commitments and assessing the progress of program implementation.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

# Online Resume for Legislators and Other Policymakers

## THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2014		Fall 2018		Fall 2019	
	Number	Percent	Number	Percent	Number	Percent
White	0	.0%	892	3.1%	919	3.2%
Hispanic	0	.0%	25,131	88.2%	25,943	89.7%
African American	0	.0%	236	.8%	215	.7%
Asian	0	.0%	386	1.4%	407	1.4%
International	0	.0%	779	2.7%	774	2.7%
Other & Unknown	0	.0%	1,065	3.7%	651	2.3%
Total	0	.0%	28,489	100.0%	28,909	100.0%
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
Two-Year Institutions	0	.0%	1,142	4.6%	1,228	4.9%
Other Institutions	0	.0%	587	2.4%	609	2.4%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2016	\$7,292	.0%	\$0	.0%
2017	\$7,448	2.1%	\$0	.0%
2018	\$7,587	1.9%	\$0	.0%
2019	\$7,813	3.0%	\$0	.0%
2020	\$8,132	4.1%	\$0	.0%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2017	38%	\$5,032	0%	\$0	45%	\$6,540
2018	37%	\$5,046	0%	\$0	43%	\$5,650
Federal, State, Institutional or Other Grants Known by Institutions						
2017	74%	\$7,351	0%	\$0	68%	\$8,117
2018	75%	\$7,721	0%	\$0	67%	\$9,130
Federal (Pell) Grants						
2017	62%	\$4,455	0%	\$0	41%	\$4,465
2018	63%	\$5,083	0%	\$0	42%	\$5,181

Student Success			
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates			
	Enter Fall 2013	Enter Fall 2017	Enter Fall 2018
Cohort	.	4,197	4,234
Total	.	82.8%	83.2%
Same	.	75.9%	76.0%
Other	.	6.9%	7.2%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates			
	Enter Fall 2012	Enter Fall 2016	Enter Fall 2017
Institution Persistence			
Cohort	.	3,590	4,149
Total	.	77.7%	75.0%
Same	.	68.5%	65.1%
Other	.	9.2%	9.8%

National Comparison (IPEDS Definition)		
Cohort	Institution Rate	OOS Peers Rate
Fall 2009 4-year	16.0%	19.5%
Fall 2013 4-year	22.0%	26.0%
Fall 2014 4-year	21.0%	28.0%
Fall 2008 5-year	31.0%	38.5%
Fall 2012 5-year	38.0%	45.2%
Fall 2013 5-year	38.0%	47.2%
Fall 2007 6-year	39.0%	45.0%
Fall 2011 6-year	45.0%	50.8%
Fall 2012 6-year	46.0%	52.6%

Six-year Graduation & Persistence Rate, Fall 2013		
Student Group	Cohort	Rate
For Students Needing Dev Ed		
Institution	596	44.6%
For Students NOT Needing Dev Ed		
Institution	2,673	60.6%

\*Peer Group data is average for peer group.

Funding				
FY 2019 Amount	FY 2014 Amount	Pct of Total	FY 2018 Amount	Pct of Total
Appropriated Funds	\$156,972,828	41.6%	\$149,918,157	38.2%
Federal Funds	\$115,663,435	30.7%	\$126,932,586	32.3%
Tuition & Fees	\$81,836,302	21.7%	\$90,949,003	23.2%
Total Revenue	\$377,256,754	100.0%	\$392,381,065	100.0%

# Online Resume for Prospective Students, Parents and the Public

## THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

Location: Edinburg, South Texas Region

Out-Of-State Peers: East Carolina University, East Tennessee State University, Florida Atlantic University-Boca Raton, New Mexico State University, University Of North Carolina At Greensboro

Degrees Offered: Bachelor's, Master's, Doctoral

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2019 Number	Percent
White	919	3.2%
Hispanic	25,943	89.7%
African American	215	.7%
Asian	407	1.4%
International	774	2.7%
Other & Unknown	651	2.3%
<b>Total</b>	<b>28,909</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	1,228	4.9%
Other Institutions	609	2.4%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2015	25.3%
Same Institution		23.9%
Other Institutions		1.3%
5-year Rate Total		.0%
Same Institution		.0%
Other Institutions		.0%
6-year Rate Total		.0%
Same Institution		.0%
Other Institutions		.0%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2018	
Total	83.2%
Same	76.0%
Other	7.2%

2-Year Persistence, Fall 2017	
Total	75.0%
Same	65.1%
Other	9.8%

Avg Number SCH for Bachelor's Degree	
FY 2019 Average	
Sem	SCH
All	10.00 140.00

Degrees Awarded	
Type	FY 2019
Bachelor's	4,550
Master's	1,206
Doctoral	32
Professional	0
<b>Total</b>	<b>5,788</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2019 Rate
Education*	88.10%
Law	%
Pharmacy	%
Nursing	92.5%
Engineering	44.2%

\*Data for FY 2018

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2019		
Test Section	ACT	SAT
Composite		
Math		<a href="http://www.collegeportraits.org">http://www.collegeportraits.org</a>
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2019			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	410	78.5%	26.7%
African American	16	100.0%	81.3%
Hispanic	10,382	80.1%	50.6%
Asian	57	100.0%	96.5%
International	71	98.6%	82.9%
Other	181	74.0%	47.0%
<b>Total</b>	<b>11,117</b>	<b>80.2%</b>	<b>50.3%</b>

Instruction	
Measure of Excellence	Fall 2019
Undergraduate Classes with < 20 Students	22.1%
Undergraduate Classes with > 50 Students	14.9%
% of Teaching Faculty Tenured/Tenure-track *	43.4%
Student/Faculty Ratio *	0:1

\* Fall 2018 Data

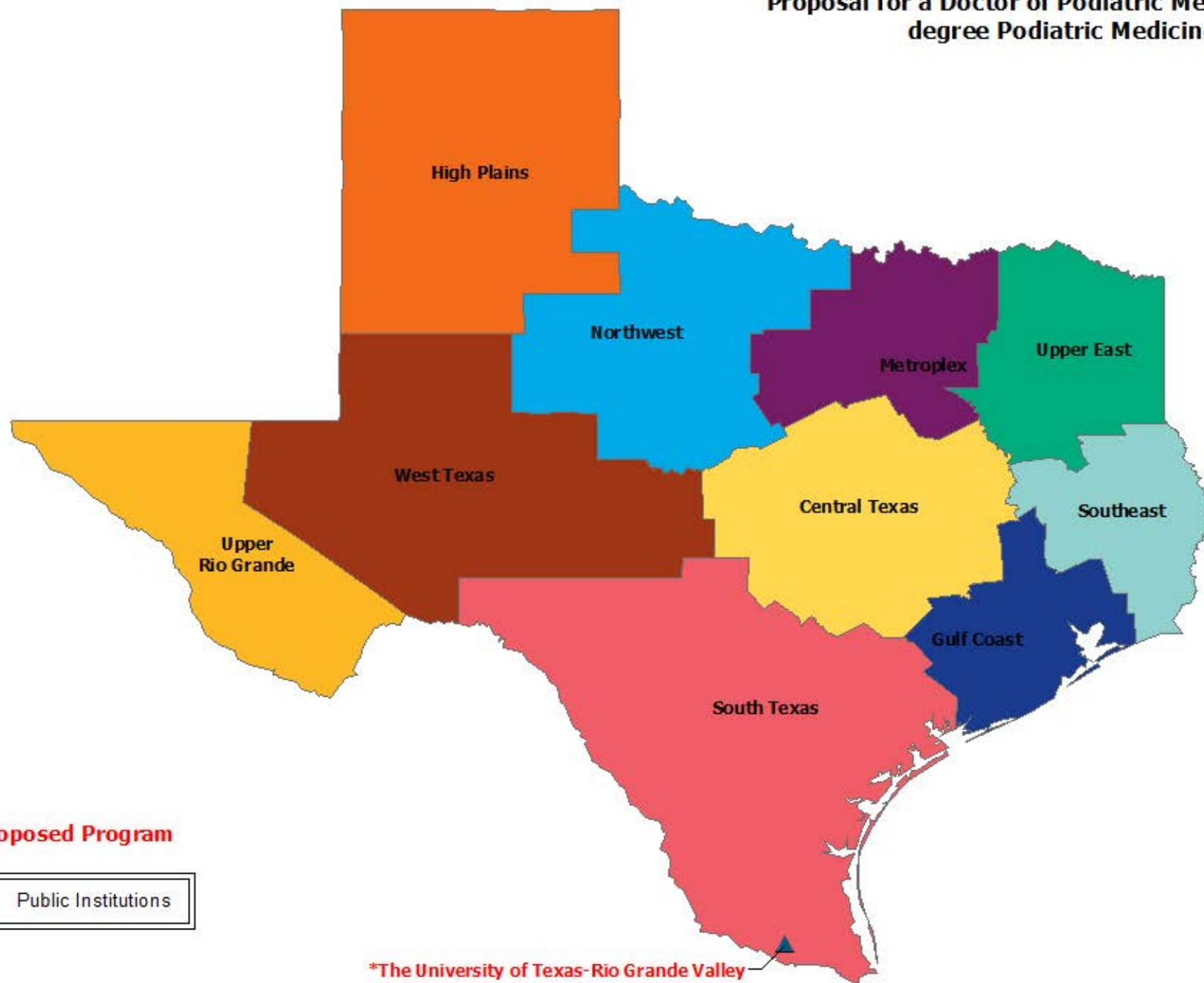
Costs	
Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2020	
Type of Cost	Average Amount
Total Academic Cost	\$8,132
On-campus Room & Board	\$8,252
Books & Supplies	\$1,237
Off-Campus Transportation & Personal Expenses	\$3,324
<b>Total Cost</b>	<b>\$20,945</b>

[Rates of Tuition per SCH](#)  
[Mandatory Fees](#)

Financial Aid		
Enrolled in FY 2018		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	75%	\$7,721
Federal (Pell) Grants	63%	\$5,083
Federal Student Loans	37%	\$5,046

Funding		
Source	FY 2019 Amount	Pct of Total
Appropriated Funds	\$149,918,157	38.2%
Federal Funds	\$126,932,586	32.3%
Tuition & Fees	\$90,949,003	23.2%
<b>Total Revenue</b>	<b>\$392,381,065</b>	<b>100.0%</b>

## Proposal for a Doctor of Podiatric Medicine (DPM) degree Podiatric Medicine



## AGENDA ITEM IX-L

### Consideration of approving the issuance of a Request for Applications for the Minority Health Research and Education Grant Program

RECOMMENDATION:           Approval

#### Background Information:

The Minority Health Research and Education Grant Program (MHGP) was established in 1999, as a result of the state's Tobacco Lawsuit Settlement, and as codified in the Texas Education Code, Sections 63.301 through 63.302. Grants are funded by the interest earnings from the permanent fund for the program. To award grants, the Texas Higher Education Coordinating Board (THECB) requests applications from public and independent accredited general academic and health-related institutions.

Consistent with the goals of *60x30TX*, MHGP prioritizes student completion, program enrollment, and acquisition of marketable skills. Through the Academic-Clinical Partnerships (ACP) Request for Applications (RFA), MHGP helps address challenges related to clinical site shortages and has expanded students' clinical training in Texas communities with health disparities. Through four grant awards under the first RFA released in 2017, ACP supported approximately 130 clinical placements for students in degree programs, including counseling, occupational therapy, physical therapy, physician assistant studies, rehabilitation counseling, respiratory care, and social work. Another four ACP awards started in September 2019 and included the additional disciplines of clinical psychology, nursing, nutrition/metabolism, and optometry. The 2019 awards are ongoing, with a total of nearly 100 clinical placements projected by August 31, 2021.

Approximately \$2.5 million is currently available for additional ACP awards. The Board of the THECB, at its October 2019 meeting, approved the release of an RFA in spring 2020. The escalation of the Coronavirus Disease 2019 (COVID-19) in spring 2020 led to institutions' intense focus on providing distance education and restricted access to healthcare facilities. THECB staff requests that the spring 2020 RFA release be postponed to spring 2021. Pending approval by the Board, awards will be announced in summer 2021. Applications will be evaluated by agency staff based on a standard set of criteria, after which applications will be recommended for grant awards. The Board, through the Commissioner as its delegate and with approval of the Board Chair, Board Vice Chair, and Chair of the Committee on Academic Workforce and Success, will award grants based upon the highest scores.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

## AGENDA ITEM IX-M

### Consideration of approving the issuance of a Request for Applications to solicit employers to offer internships through the Texas WORKS Internship Program

Total Project Cost: up to \$2,000,000  
Source of Funds: C.1.7. Strategy: College Work Study Program  
Texas College Work Study Program  
Authority: Texas Education Code, Chapter 56,  
Subchapter E-1, Section 56.0851-56.0857  
Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS)  
Internship Program, 86th Texas Legislature, Regular Session

RECOMMENDATION: Approval

#### Background Information:

Texas Working Off-Campus: Reinforcing Knowledge and Skills (TXWORKS) Internship Program was created by Senate Bill 3808 during the 86th Texas Legislature. TXWORKS provides undergraduate students with paid-off campus internships to strengthen their marketable skills and support their transition to the workforce.

The Texas Higher Education Coordinating Board (THECB) staff requests approval to issue a Request for Applications (RFA) to solicit employers to offer internships through the TXWORKS Internship Program, Texas Education Code, Chapter 56, Subchapter E-1, Sections 56.0851-56.0857. Interested employers will submit an application to offer an internship through the Texas WORKS Program. Employers will be selected based on eligibility requirements in Texas Administrative Code, Title 19, Part 1, Chapter 21, Subchapter W, Section 21.703, including:

- administrative and financial capacity to carry out the employer's responsibilities under the program;
- financial capacity - ability to pay full wages and benefits to a student employed through the program;
- ability to properly administer the Texas WORKS Internship program - comply with reporting requirements; and
- adequate internal system of checks and balances, monitoring and evaluating marketable skills, authorizing, and disbursing funds, and reporting data accurately and in a timely manner.

The RFA will remain open until enough qualified employers have been accepted or until all funding has been obligated. The RFA process will ensure a transparent and equitable process for selecting participating employers.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.



## AGENDA ITEM IX-N

### Consideration of approving a request to establish a contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi)

Total Project Cost: up to \$1,000,000  
Source of Funds: A.1.1. Strategy, College Readiness and Success and GEER funds  
Authority: Texas Education Code, Section 61.0762(a)(5)  
Programs to Enhance Student Success

#### RECOMMENDATION: Approval

The Texas Higher Education Coordinating Board (THECB) staff requests approval to award up to \$1,000,000 to a higher education artificial intelligence vendor to fund the continued support and development of the Virtual Advising Project.

#### Background Information:

The Virtual Advising project pairs artificial intelligence (AI) – a chatbot named “ADVi” – with knowledgeable advisers to help Texans get answers to questions about attending college, returning to college, financial aid, and more. This project enables the THECB to provide support to Texans looking to attend or return to higher education and supports the educated population goal of *60x30TX*.

The chatbot responds to student questions via text message or online chat, drawing from a growing database of over 1,200 questions. When an individual’s question cannot be answered by the chatbot, they are routed to near-peer advisers to respond. These advisers receive intensive training, similar to Advise TX advisers, that focuses on college access, financial aid, and other student services.

This project is currently entering a rapid expansion phase in response to the coronavirus pandemic. Advising students via ADVi at this critical time is a safe and cost-effective way that the state of Texas can help protect our students from the potentially devastating impacts of the pandemic on educational attainment.

Coordinating Board staff requests approval to expend additional funds for the continuation and enhancement of the Virtual Advising Project. These funds will enable a rapid scale-up of the project to reach students statewide and provide critical advising during this unprecedented time, with a vendor contract length that enables the project to come to full maturation and to serve over 300,000 Texans.

Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

## AGENDA ITEM IX-O

### Report on institutional requests acted on by the Commissioner or Assistant Commissioner since the last Board meeting

RECOMMENDATION: No action required

#### Background Information:

The Board authorized the Commissioner or the Assistant Commissioner of Academic Quality and Workforce to act on institutional requests. Coordinating Board rule, Chapter 5, Section 5.50 (j) directs the Commissioner to provide a list to Board members of all institutional requests acted on by the Commissioner and Assistant Commissioner.

Requests for new degree and certificate programs were reviewed by staff to ensure they met the standards established by Coordinating Board rules, Sections 5.50, 9.93 (c), and 7.4 before receiving approval from the Commissioner or the Assistant Commissioner of Academic Quality and Workforce. The standards address the institution's mission, overall program quality, student demand and job market needs, duplication with existing programs at other institutions, funding, and institutional effectiveness.

Since the last report to the Board, the Assistant Commissioner approved 41 new degree and certificate programs; approved 8 institutional requests to phase out programs; issued 2 Certificate of Authorization (new, renewed, revised, or cancelled); and received 10 planning notifications. Detailed information is provided in the tables on the following pages.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

**REPORT ON INSTITUTIONAL REQUESTS ACTED ON BY THE  
COMMISSIONER OR ASSISTANT COMMISSIONER SINCE THE PREVIOUS BOARD MEETING**

June 6, 2020 – September 1, 2020

**NEW DEGREE AND CERTIFICATE PROGRAMS**

<b>Institution</b>	<b>Degree</b>	<b>Program</b>	<b>Date Approved</b>
<b>Community &amp; Technical Colleges</b>			
Alamo District-San Antonio College	BSN	Nursing	7/28/2020
Amarillo College	AAS, Level 1 and Level 2 Certificate	Construction Technology	7/24/2020
Amarillo College	AAS and Level 1 Certificate	Visual Effects	7/24/2020
Austin Community College	AAS	AAS Health Sciences-Vocational Nursing Specialty	7/15/2020
Collin College	Level 2 Certificate	Vocational Nursing	6/26/2020
Dallas College	AAS	Surveying Technician	7/24/2020
Del Mar College	BSN	Nursing	6/6/2020
Galveston College	BSN	Nursing	8/31/2020
Kilgore College	AAS	Homeland Security and Emergency Preparedness Leadership	7/07/2020
Lamar Institute of Technology	AA	Teacher Education	7/15/2020
Lamar Institute of Technology	AS	Health Science	7/07/2020
Laredo College	AAS and Level 1 Certificate	Homeland Security Studies	8/24/2020
Midland College	Level 1 Certificate	Pharmacy Technician	6/08/2020
Navarro College	AAS	Mental Health Degree	7/07/2020
North Central Texas College	AAS and Level 1 Certificate	Cosmetology	7/07/2020
Temple College	Level 1 Certificate	Construction Drafting and Design Engineering Technology	7/24/2020
Temple College	Level 2 Certificate	Mechanical Engineering Technology	7/24/2020

Texas Southmost College	AAS	Cybersecurity	7/07/2020
Victoria College	AAS	Network Engineering Technology with Cloud Concepts	7/07/2020
<b>Universities &amp; Health-Related</b>			
Angelo State University	BCA	Commercial Aviation	7/9/2020
Lamar University	MS	Geospatial Sciences	6/18/2020
Sam Houston State University	MPH	Public Health	7/13/2020
Stephen F. Austin State University	BBA	Entrepreneurship	7/23/2020
Stephen F. Austin State University	MA	Teaching College Social Sciences	8/14/2020
Sul Ross State University	BSN	Nursing	7/20/2020
Tarleton State University	BS	Secondary Teacher Education	7/9/2020
Texas A&M University-Commerce	BS	Cybersecurity	7/9/2020
Texas A&M University-Commerce	MPH	Public Health	7/9/2020
Texas A&M University-Commerce	BS	Sustainable Agriculture and Food Systems	6/9/2020
Texas Tech University	BAA	Commercial Music	6/10/2020
University of Houston-Victoria	BS	Digital Gaming and Simulation	7/15/2020
University of North Texas	BS	Construction Management	7/9/2020
The University of Texas at Arlington	MED	Special Education	8/26/2020
The University of Texas at Arlington	BS	Business Analytics	7/17/2020
The University of Texas at Austin	MSDS	Data Science	7/20/2020
The University of Texas at San Antonio	BBA	Business Analytics	6/26/2020
The University of Texas at San Antonio	BA	Computer Science	7/13/2020
The University of Texas at San Antonio	BS	Mathematics in Data and Computing	9/1/2020
The University of Texas Permian Basin	BBA	Land Management	7/9/2020
The University of Texas Rio Grande Valley	MS	Dietetics	7/10/2020
The University of Texas Rio Grande Valley	BS	Cybersecurity	8/10/2020

**PHASE-OUT OF PROGRAMS**

<b>Institution</b>	<b>Degree</b>	<b>Program</b>	<b>Phase out Date</b>
<b>Community &amp; Technical Colleges</b>			
(None)			
<b>Universities &amp; Health-Related</b>			
Midwestern State University	MA	Political Science	7/17/2020
Midwestern State University	MED	Instructional Design and Technology	7/17/2020
Midwestern State University	MSN	Nurse Educator	7/17/2020
Tarleton State University	MS	History	8/7/2020
Texas A&M University	JM	Health Care Law	7/17/2020
Texas State University	MED	Middle School Mathematics Teaching	7/13/2020
Texas State University	BS	Technology Management	7/13/2020
The University of Texas Health Science Center at San Antonio	MOT	Occupational Therapy	8/25/2020

**PLANNING NOTIFICATIONS**

<b>Institution</b>	<b>Authority Level</b>	<b>Program</b>	<b>Date Notified</b>
<b>Universities, Health-Related, &amp; Community &amp; Technical Colleges</b>			
Angelo State University	Doctoral	Counseling Psychology	7/17/2020
Angelo State University	Doctoral	Social Work	7/22/2020
Angelo State University	Doctoral	Educational Leadership and Administration, General	8/26/2020
Texas State University	Bachelor	Mechanical Engineering	7/10/2020
Trinity Valley Community College	Bachelor	Registered Nursing/Registered Nurse	7/31/2020
University of Houston	Doctoral	Business Administration and Management, General	7/16/2020

The University of Texas at Austin	Bachelor	Information Science/Studies	7/10/2020
The University of Texas at El Paso	Doctoral	Sociology, General	7/13/2020
The University of Texas Southwestern Medical Center	Doctoral	Computational Biology	8/26/2020
Weatherford College	Bachelor	Organizational Leadership	7/20/2020

**CERTIFICATES OF AUTHORIZATION**

<b>Non-Public and Out-of-State Institution</b>	<b>Authorization Type</b>	<b>Certificate of Authorization Issue Date</b>
University of Maryland Global Campus – San Antonio	Certificate of Authorization to grant associate, bachelor's, and master's degrees, grant credits toward degrees, and to use certain protected academic terms	August 11, 2020
New England College – Dallas	Provisional Certificate of Authorization to grant bachelor's degrees, grant credits toward degrees, and to use certain protected academic terms	August 11, 2020

## AGENDA ITEM IX-P (1)

### Consideration of adopting the proposed amendment to Chapter 1, Subchapter T, Section 1.223 of Board Rules, concerning the Workforce Education Course Manual Advisory Committee

RECOMMENDATION: Approval

#### Background Information:

The intent of the proposed amendment to Chapter 1, Subchapter T, Section 1.223 of Board Rules is to allow the Workforce Education Course Manual Advisory Committee to continue in existence until January 31, 2025. It is recommended that the Board continue the committee in order for the Board to be provided with the committee's advice and recommendation(s) regarding content, structure, currency, and presentation of the Workforce Education Course Manual (WECM) and its courses; recommendations regarding field engagement in processes, maintenance, and use of the WECM; and assistance in identifying new programs of study, developments within existing programs represented by courses in the manual, vertical and horizontal alignment of courses within programs, and obsolescence of programs of study and courses.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

Date published in the *Texas Register* : August 21, 2020

The 30-day comment period with the Texas Register ended on: September 20, 2020

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## Chapter 1. Agency Administration

## Subchapter T. Workforce Education Course Manual Advisory Committee

- 1.220 Authority and Specific Purposes of the Workforce Education Course Manual Advisory Committee
- 1.221 Definitions
- 1.222 Committee Membership and Officers
- 1.223 Duration
- 1.224 Meetings
- 1.225 Tasks Assigned to the Committee
- 1.226 Report to the Board, Evaluation of Council Costs and Effectiveness

## 1.220 Authority and Specific Purposes of the Workforce Education Course Manual Advisory Committee

(a) Authority: The authority for this subchapter is provided in the Texas Education Code, §130.001.

(b) Purposes. The Workforce Education Course Manual (WECM) Advisory Committee is created to provide the Board with advice and recommendation(s) regarding content, structure, currency and presentation of the Workforce Education Course Manual (WECM) and its courses; recommendations regarding field engagement in processes, maintenance, and use of the WECM; and assistance in identifying new programs of study, developments within existing programs represented by courses in the manual, vertical and horizontal alignment of courses within programs, and obsolescence of programs of study and courses.

## 1.221 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Board--The Texas Higher Education Coordinating Board.

(2) Commissioner--The Commissioner of Higher Education, the Chief Executive Officer of the Board.

## 1.222 Committee Membership and Officers

(a) Membership shall consist of faculty and administrators from public community, state, and technical colleges with demonstrated leadership in workforce education.

(b) Membership on the committee shall include: representatives from public community, state, and technical colleges as defined in TEC, §61.003 and

(1) one (1) ex-officio representative from the Texas Association of College Technical Educators (TACTE), nominated by the TACTE Board; and

(2) one (1) ex-officio representative from the Texas Administrators of Continuing Education (TACE), nominated by the TACE Board; and



(3) one (1) ex-officio representative from the Texas Association of College Registrars and Admissions Officers (TACRAO), nominated by the TACRAO Board.

(c) The number of committee members shall not exceed twenty-four (24).

(d) Members of the committee shall select:

(1) the presiding officer, who will be responsible for conducting meetings and conveying committee recommendations to the Board; and

(2) the vice chair, who will succeed the presiding officer at the end of the presiding officer's year of service.

(e) Members shall serve staggered terms of up to three years.

#### 1.223 Duration

The committee shall be abolished no later than January 31, ~~2021~~ 2025 in accordance with Texas Government Code, § 2110.008 It may be reestablished by the Board.

#### 1.224 Meetings

The committee shall meet at least twice yearly. Special meetings may be called as deemed appropriate by the presiding officer. Meetings shall be open to the public and broadcast via the web, unless prevented by technical difficulties. Minutes shall be available to the public after they have been prepared by the Board staff and reviewed by members of the committee.

#### 1.225 Tasks Assigned to the Committee

Tasks assigned the committee include recommendations concerning:

- (1) the addition of courses to the workforce education course manual;
- (2) the deletion of courses from the workforce education course manual;
- (3) the revision of courses in the workforce education course manual;
- (4) the approval of local need course requests; and
- (5) other activities necessary for the maintenance of the workforce education course manual.

#### 1.226 Report to the Board; Evaluation of Committee Costs and Effectiveness

The committee chairperson shall report any recommendations to the Board on no less than an annual basis. The committee shall also report committee activities to the Board to allow the Board to properly evaluate the committee's work, usefulness, and the costs related to the committee's existence. The Board shall report its evaluation to the Legislative Budget Board in its biennial Legislative Appropriations Request.

## AGENDA ITEM IX-P (2)

Consideration of adopting the proposed amendments to Chapter 4, Subchapter S, Section 4.314 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Public Institutions of Higher Education

RECOMMENDATION:            Approval

### Background Information:

The proposed amendments to Chapter 4, Subchapter S, Section 4.314 of Board Rules would change the appeal process for institutions that have been denied membership in the State Authorization Reciprocity Agreement (SARA) by the Texas Higher Education Coordinating Board (THECB). The current process allows institutions to appeal a THECB denial to the Southern Regional Education Board and the National Council for SARA (NC-SARA). New [NC-SARA policy](#) requires SARA member states to develop and implement an in-state appeal process, giving states the final authority to deny institutions for SARA membership. The new appeal process must be in place by January 1, 2021. The proposed amendments clarify that if the Board of the THECB denies SARA membership to an institution, the institution may appeal to Texas' SARA Signatory. This appeal will provide additional in-state due process before the institution takes an appeal to the Southern Regional Education Board consistent with NC-SARA's revised policy.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

Date published in the *Texas Register* : August 21, 2020

The 30-day comment period with the Texas Register ended on: September 20, 2020

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## Chapter 4. Rules Applying to All Public Institutions in Texas

## Subchapter S. Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Public Institutions of Higher Education

- 4.310 Purpose
- 4.311 Authority
- 4.312 Definitions
- 4.313 Eligibility Criteria
- 4.314 Admission to SARA
- 4.315 Maintaining Eligibility
- 4.316 Complaint Resolution
- 4.317 Out-of-state SARA Participants

## 4.310 Purpose

The purpose of this subchapter is to establish the coordinating board's oversight for public institutions of higher education regarding participation in State Authorization Reciprocity Agreements.

## 4.311 Authority

Authority for this subchapter is provided by Texas Education Code §§61.05121, which provides the board with the authority to administer state participation in State Authorization Reciprocity Agreements.

## 4.312 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Accredited--Holding institutional accreditation by name as a U.S.-based institution from an accreditor recognized by the U.S. Department of Education.
- (2) Board or Coordinating Board--The Texas Higher Education Coordinating Board.
- (3) Commissioner--Commissioner of Higher Education.
- (4) C-RAC Guidelines--Refers to the *Interregional Guidelines for the Evaluation of Distance Education Programs (Online Learning)* for best practices in postsecondary distance education developed by leading practitioners of distance education and adopted by the Council of Regional Accrediting Commissions (C-RAC).
- (5) Distance Education--Instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video or correspondence courses or programs.

- (6) Home State--A member state where the institution holds its legal domicile. To operate under SARA an institution must have a single home state.
- (7) Host State--A member state in which an institution operates under the terms of this agreement, other than the home state.
- (8) Institution--A degree-granting postsecondary entity.
- (9) Member State--Any state, district or territory that has joined SARA.
- (10) NC SARA--National Council for State Authorization Reciprocity Agreements.
- (11) SARA--State Authorization Reciprocity Agreement is an agreement among its member states, districts and U.S. territories that establishes comparable national standards for interstate offering of postsecondary distance education courses and programs.
- (12) SREB--Southern Regional Education Board

#### 4.313 Eligibility Criteria

- (a) Any public degree granting institution of higher education may apply to participate in SARA if its principle campus is located in Texas.
- (b) All distance education content provided by SARA participants must originate in the United States or a U.S. territory.
- (c) The institution must be accredited by an accrediting body recognized by the U.S. Department of Education.

#### 4.314 Admission to SARA

All eligible institutions may apply to the Coordinating Board for admission to SARA under the signature of the institution's chief academic officer. Coordinating Board staff will review the application and make a determination to approve or deny the request to participate in SARA. Within the application, an institution shall make assurances that it:

- (1) Agrees to abide by the C-RAC Guidelines for the Evaluation of Distance Education.
- (2) Agrees to be responsible for the actions of any third-party providers used by the institution to engage in operations under SARA.
- (3) Agrees to notify the board of any negative changes to its accreditation status.
- (4) Agrees to provide data requested by the board.
- (5) Agrees to cooperate with the board in the investigation of any complaints arising from the students its serves in other states through SARA and to abide by investigating authority's resolution of any such complaint.

- (6) All complaints must follow the institution's customary resolution procedure prior to being referred to the Coordinating Board. Grade appeals and student conduct appeals will be resolved at the institutional level without further appeal through SARA.
- (7) Agrees to notify all students in a course or program that customarily leads to professional licensure, or which a student could reasonably believe leads to such licensure, whether or not the course or program meets requirements for licensure in the state where the student resides. If an institution does not know whether the course or program meets licensure requirements in the student's state of residence, the institution may meet this SARA requirement by informing the student in writing and providing the student the contact information for the appropriate state licensing board(s). An email dedicated solely to this purpose and sent to the student's best known email address meets this requirement.
- (8) Agrees, in cases where the institution cannot fully deliver the instruction for which a student has contracted, to provide a reasonable alternative for delivering the instruction or reasonable financial compensation for the education the student did not receive.
- (9) Agrees to pay an annual fee to NC-SARA. This fee replaces any state fees that the institution would normally pay to other SARA member states. If an institution offers distance education to students in non-SARA participating states, it must pay required state fees.
- (10) If the Coordinating Board's SARA Coordinator denies an institution's application for membership in SARA, a written reason for denial will be provided. The institution may reapply at any time, having corrected any deficiencies, or may appeal the denial within 30 calendar days to the Coordinating Board's SARA Signatory. SARA director of SREB. If the denial is upheld by SREB, the institution may appeal to NC SARA. The Coordinating Board's SARA Signatory will review the appeal and render a final decision. If the SARA Signatory upholds the denial, the institution may appeal to the SREB to determine if the board has met the requirements of SARA, but the SREB cannot overturn the final decision made by the Coordinating Board's SARA Signatory.
- ~~(10) If institutional membership is denied, the board will provide a written reason for denial. The institution may reapply at any time, having corrected any deficiencies, or may appeal the denial to the SARA director of SREB. If the denial is upheld by SREB, the institution may appeal to NC SARA.~~

#### 4.315 Maintaining Eligibility

To remain eligible for participation in SARA, an institution must renew its participation agreement with the board and pay its required SARA fees annually. At the time of renewal, board staff will determine whether the institution still meets SARA requirements. An institution may be removed at any time by the board for violation of SARA standards.

#### 4.316 Complaint Resolution

Institutions operating under SARA shall make their resolution policies and procedures readily available to students taking courses under SARA provisions.

- (1) Complaints against an institution operating under SARA must first go through the institution's own procedures for resolution grievances.
- (2) If a person bringing a complaint is not satisfied with the outcome of the institutional process for handling complaints, the complainant may appeal, within two years of the incident, to the board.
- (3) Coordinating Board staff will review the appeal, determine a resolution to the appeal, and notify the complainant and the institution of the decision.

#### 4.317 Out-of-state SARA Participants

The board shall serve as point of contact for all other SARA states. If a public out-of-state SARA participant provides courses in Texas and is in apparent violation of the SARA agreement or with Texas Education Code or Administration Code, the board shall take appropriate action to terminate the institution's operation within Texas.

### AGENDA ITEM IX-P (3)

Consideration of adopting the proposed amendments to Chapter 7, Subchapter B, Section 7.54 of Board Rules, concerning the Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Private or Independent Institutions of Higher Education and Private Postsecondary Educational Institutions

RECOMMENDATION:            Approval

#### Background Information:

The proposed amendments to Chapter 7, Subchapter B, Section 7.54 of Board Rules would change the appeal process for institutions that have been denied membership in the State Authorization Reciprocity Agreement (SARA) by the Texas Higher Education Coordinating Board (THECB). The current process allows institutions to appeal a THECB denial to the Southern Regional Education Board and the National Council for SARA (NC-SARA). New NC-SARA policy requires SARA member states to develop and implement an in-state appeal process, giving states the final authority to deny institutions SARA membership. The new appeal process must be in place by January 1, 2021.

Dr. Stacey Silverman, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

Date published in the *Texas Register* : August 21, 2020

The 30-day comment period with the Texas Register ended on: September 20, 2020

No comments were received during the public comment period.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## Chapter 7. Degree Granting Colleges and Universities Other Than Texas Public Institutions

### Subchapter B. Approval for Participation in the State Authorization Reciprocity Agreement (SARA) for Private or Independent Institutions of Higher Education and Private Postsecondary Educational Institutions

#### 7.50 Purpose

#### 7.51 Authority

#### 7.52 Definitions

#### 7.53 Eligibility Criteria

#### 7.54 Admission to SARA

#### 7.55 Maintaining Eligibility

#### 7.56 Complaint Resolution

#### 7.57 Out-of-state SARA Participants

#### 7.50 Purpose

The purpose of this subchapter is to establish the coordinating board's oversight for private or independent institutions of higher education and private postsecondary educational institutions regarding participation in State Authorization Reciprocity Agreements.

#### 7.51 Authority

Authority for this subchapter is provided by Texas Education Code §§61.05121, which provides the board with the authority to administer state participation in State Authorization Reciprocity Agreements.

#### 7.52 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Accredited--Holding institutional accreditation by name as a U.S.-based institution from an accreditor recognized by the U.S. Department of Education.
- (2) Board or Coordinating Board--The Texas Higher Education Coordinating Board.
- (3) Commissioner--Commissioner of Higher Education.
- (4) C-RAC Guidelines--Refers to the *Interregional Guidelines for the Evaluation of Distance Education Programs (Online Learning)* for best practices in postsecondary distance education developed by leading practitioners of distance education and adopted by the Council of Regional Accrediting Commissions (C-RAC).
- (5) Distance Education--Instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video or correspondence courses or programs.



- (6) Home State--A member state where the institution holds its legal domicile. To operate under SARA an institution must have a single home state.
- (7) Host State--A member state in which an institution operates under the terms of this agreement, other than the home state.
- (8) Institution--A degree-granting postsecondary entity.
- (9) Member State--Any state, district or territory that has joined SARA.
- (10) NC SARA--National Council for State Authorization Reciprocity Agreements.
- (11) SARA--State Authorization Reciprocity Agreement is an agreement among its member states, districts and U.S. territories that establishes comparable national standards for interstate offering of postsecondary distance education courses and programs.
- (12) SREB--Southern Regional Education Board

#### 7.53 Eligibility Criteria

- (a) Any private or independent degree granting institution of higher education or private postsecondary educational institutions may apply to participate in SARA if its principle campus located in Texas.
- (b) All distance education content provided by SARA participants must originate in the United States or a U.S. territory.
- (c) The institution must be accredited by an accrediting body recognized by the U.S. Department of Education.

#### 7.54 Admission to SARA

All eligible institutions may apply to the Coordinating Board for admission to SARA under the signature of the institution's chief academic officer. Coordinating Board staff will review the application and make a determination to approve or deny the request to participate in SARA. Within the application, an institution shall make assurances that it:

- (1) Agrees to abide by the C-RAC Guidelines for the Evaluation of Distance Education.
- (2) Agrees to be responsible for the actions of any third-party providers used by the institution to engage in operations under SARA.
- (3) Agrees to notify the board of any negative changes to its accreditation status.
- (4) Agrees to provide data requested by the board.

- (5) Agrees to cooperate with the board in the investigation of any complaints arising from the students its serves in other states through SARA and to abide by investigating authority's resolution of any such complaint.
- (6) All complaints must follow the institution's customary resolution procedure prior to being referred to the Coordinating Board. Grade appeals and student conduct appeals will be resolved at the institutional level without further appeal through SARA.
- (7) Agrees to notify all students in a course or program that customarily leads to professional licensure, or which a student could reasonably believe leads to such licensure, whether or not the course or program meets requirements for licensure in the state where the student resides. If an institution does not know whether the course or program meets licensure requirements in the student's state of residence, the institution may meet this SARA requirement by informing the student in writing and providing the student the contact information for the appropriate state licensing board(s). An email dedicated solely to this purpose and sent to the student's best known email address meets this requirement.
- (8) Agrees, in cases where the institution cannot fully deliver the instruction for which a student has contracted, to provide a reasonable alternative for delivering the instruction or reasonable financial compensation for the education the student did not receive.
- (9) Agrees to pay an annual fee to NC-SARA. This fee replaces any state fees that the institution would normally pay to other SARA member states. If an institution offers distance education to students in non-SARA participating states, it must pay required state fees.
- (10) If institutional membership is denied, the board will provide a written reason for denial. The institution may reapply at any time, having corrected any deficiencies, or may appeal the denial within 30 calendar days to the Coordinating Board's SARA signatory. [SARA director of SREB. If the denial is upheld by SREB, the institution may appeal to NC-SARA.] The Coordinating Board's SARA signatory will review the appeal and render a final decision. If the denial is upheld, the institution may appeal to the SREB to determine if the board has met the requirements of SARA, but the SREB cannot overturn the final decision made by the Coordinating Board's SARA signatory.

#### 7.55 Maintaining Eligibility

To remain eligible for participation in SARA, an institution must renew its participation agreement with the board and pay its required SARA fees annually. At the time of renewal, board staff will determine whether the institution still meets SARA requirements. An institution may be removed at any time by the board for violation of SARA standards.

#### 7.56 Complaint Resolution

Institutions operating under SARA shall make their resolution policies and procedures readily available to students taking courses under SARA provisions.

- (1) Complaints against an institution operating under SARA must first go through the institution's own procedures for resolution grievances.

- (2) If a person bringing a complaint is not satisfied with the outcome of the institutional process for handling complaints, the complainant may appeal, within two years of the incident, to the board.
- (3) Coordinating Board staff will review the appeal, determine a resolution to the appeal, and notify the complainant and the institution of the decision.

7.57 Out-of-state SARA Participants

- (a) The board shall serve as point of contact for all other SARA states.
- (b) If a private or independent out-of-state SARA participant provides courses in Texas and is in apparent violation of the SARA agreement or with Texas Education Code or Administration Code, the board shall take appropriate action to terminate the institution's operation within Texas.

## AGENDA ITEM IX-P (4)

Consideration of adopting the proposed amendments for Chapter 4, Subchapter C, Sections 4.56, 4.57, and 4.62 of Board Rules, concerning the Texas Success Initiative

RECOMMENDATION: Approval

### Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to the Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter C, Sections 4.56, 4.57, and 4.62, concerning the Texas Success Initiative. Specifically, these amendments will provide college readiness benchmarks for the revised assessment approved by the Board under this title and provide the final phase for implementation of Corequisite models supporting underprepared students.

The amendment to Section 4.56 replaces the TSI Assessment, which expires in January 2021, with the TSI Assessment, Version 2.0 (TSIA2), as the Board-approved assessment instrument under this title. The amendment to Section 4.57 adds the college readiness benchmarks, based on faculty-driven, psychometric standard setting processes, for the TSIA2 and clarifies that results from both assessment instruments remain valid for the purposes of this title for five (5) years from date of testing. With regard to Section 4.62(8)(A)(iv), statewide developmental education (DE) outcomes data continue to demonstrate that underprepared students enrolled in corequisite models consistently and significantly outperform students in traditional stand-alone DE with regard to meeting college readiness and first college-level course completions. The amendment to Section 4.62 provides the final phase of corequisite implementation for 2021 and thereafter, ensuring eligible underprepared students are afforded the best opportunity in building momentum towards important milestones leading to certificate/degree completions and transfers.

Dr. Luz Bay, College Board, will present a brief overview of the standard setting process used to inform the proposed TSIA2 college readiness benchmarks. In addition, Jerel Booker, J.D., Assistant Commissioner for College Readiness and Success, will be available to answer questions.

Date Published in the *Texas Register*: September 4, 2020

The 30-day comment period with the *Texas Register* ends on: October 4, 2020

Supplemental materials with public comments and staff response will be provided prior to the Committee on Academic and Workforce meeting on October 21, 2020.

The amendments have been prepared in the following format:

- New language is in lowercase, underlined, and shaded.
- Deleted language is bracketed and struck through.
- When new language replaces deleted language, the new language precedes the deleted language.

## Chapter 4 - Rules Applying To All Public Institutions Of Higher Education In Texas

## Subchapter C – Texas Success Initiative

§4.51	Purpose
§4.52	Authority
§4.53	Definitions
§4.54	Exemptions, Exceptions, and Waivers
§4.55	Assessment and Placement
§4.56	Assessment Instrument
§4.57	College Ready Standards
§4.58	Advisement and Plan for Academic Success
§4.59	Determination of Readiness to Perform Entry-Level Freshman Coursework
§4.60	Evaluation and Reporting
§4.61	Limited Waiver of Rules
§4.62	Required Components of Developmental Education Programs
§4.63	Privacy of Student Information

§§4.51 – 4.55 No changes

§4.56 Assessment Instrument

Effective fall 2013, the Texas Success Initiative Assessment (TSIA) is the only Board-approved assessment instrument used under this title. The TSIA, Version 2.0 (TSIA2) will replace the TSIA on January 11, 2021, at which time the TSIA2 will be the only Board-approved assessment instrument offered under this title. ~~[Beginning with the institution's first class day of Academic Year (fall) 2013, an institution of higher education shall use the TSI Assessment offered by the College Board as the only Board-approved assessment instrument under this title. Any previously employed assessments (ACCUPLACER, Compass, THEA, Asset, Compass ESL, ACCUPLACER ESL) can no longer be used under this title for entering students who initially enroll in any course on or after the institution's first class day in fall 2013 or for any students retesting for TSI purposes.]~~ Test administrators of the TSI Assessment must follow the requirements and processes for test administration as set forth by the THECB and the test vendor.

4.57 College Ready Standards

(a) Effective the institution's first class day of fall 2017, the following minimum college readiness ~~[passing]~~ standards (also known as "cut scores") for reading, mathematics, and writing on the TSI Assessment (TSIA) shall be used by an institution to determine a student's readiness to enroll in entry-level freshman coursework:

- (1) Reading 351;
- (2) Mathematics 350; and
- (3) Writing:

(A) a placement score of at least 340, and an essay score of at least 4; or

(B) a placement score of less than 340 and an ABE Diagnostic level of at least 4 and an essay score of at least 5.

(b) Effective January 11, 2021, the following minimum college readiness standards (also known as "cut scores") for English Language Arts Reading (ELAR) and mathematics on the TSI Assessment, Version 2.0 (TSIA2) shall be used by an institution to determine a student's readiness to enroll in entry-level freshman coursework:

(1) Mathematics (for college-level coursework with mathematics-intensive designation by the offering institution):

(A) a College Readiness Classification (CRC) score of at least 950; or

(B) a CRC score below 950 and a Diagnostic level of 6.

(2) ELAR (for college-level coursework with reading, writing, or reading and writing-intensive designation by the offering institution):

(A) a College Readiness Classification (CRC) score of at least 945 and an essay score of at least 5; or

(B) a CRC score below 945 and a Diagnostic level of 5 or 6 and an essay score of at least 5.

(c) [(b)] Institutions must use the TSI Assessment (TSIA or TSIA2) diagnostic results, along with other holistic factors, in their consideration of courses and/or interventions addressing the educational and training needs of undergraduate students not meeting the college readiness standards as defined in subsection (a) or (b) of this section.

(d) [(c)] An institution shall not require higher or lower college readiness standards on any or all portions of the TSI Assessment (TSIA or TSIA2) to determine a student's readiness to enroll in entry-level freshman coursework.

(e) [(d)] For a student with an existing plan for academic success as required in §4.58 of this title (relating to Advisement and Plan for Academic Success), the institution must revise the plan as needed to align with the college readiness standards as defined in subsections (a) or (b), as applicable, of this section.

(f) [(e)] Both TSI Assessment (TSIA and TSIA2) results are valid for the purposes of this title for five (5) years from date of testing.

§§4.58 – 4.61 No changes

## §4.62 Required Components of Developmental Education Programs

- (a) an institution of higher education must base developmental coursework on research-based best practices that include all of the following components:
- (1) assessment;
  - (2) differentiated placement and instruction;
  - (3) faculty development;
  - (4) support services;
  - (5) program evaluation;
  - (6) integration of technology with an emphasis on instructional support programs;
  - (7) non-course-based developmental education interventions; and
- (8) Each institution of higher education shall develop and implement corequisite model(s) as defined in §4.53(7) of this title (relating to Definitions) for developmental mathematics and integrated reading/writing (IRW) courses and interventions, and each institution must ensure that a minimum percentage of its undergraduate students other than those exempt as outlined in subparagraph (B) of this paragraph must be enrolled in such corequisite model(s).
- (A) Each public institution of higher education must ensure that the institution's developmental courses and interventions comply with the requirements of this section according to the following schedule:
- (i) for the 2018-2019 academic year, at least 25 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);
  - (ii) for the 2019-2020 academic year, at least 50 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);
  - (iii) for the 2020-2021 academic year, at least 75 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);
  - (iv) for the 2021-2022 academic year and thereafter, 100 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s).
- (B) The following students are exempt by subject area(s) from this requirement:

- (i) students assessed at ABE Diagnostic levels 1-4 on the TSI Assessment;
  - (ii) students who are college ready;
  - (iii) students enrolled in adult education;
  - (iv) students enrolled in degree plans not requiring a freshman-level academic mathematics course;
  - (v) students who meet one or more of the exemptions as outlined in §4.54 (relating to Exemptions, Exceptions, and Waivers);
- (C) Institutions of higher education must adhere to developmental education funding limitations per TAC §13.107 (relating to Limitation on Formula Funding for Remedial and Developmental Courses and Interventions).
- (b) As part of subsection (a)(2) of this section, institutions shall offer Integrated Reading and Writing (IRW) course/intervention at the highest level (just below college-readiness as determined by the institution) by spring 2015.
- (c) As part of subsection (a)(7) of this section, institutions shall offer at least one section of non-course competency-based intervention (NCBO) per developmental education subject area by spring 2015.

§4.63 No changes



## AGENDA ITEM X-A

### Welcome and Committee Chair's Opening Remarks

Mr. Ricky Raven, Chair of the Agency Operations Committee, will provide the Board an overview of the items on the agenda.

## AGENDA ITEM X-B

### Report on grants and contracts

RECOMMENDATION: No action required

#### Background Information:

Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter A, Section 1.16(j) establishes that any contract for the purchase of goods or services that exceeds \$1 million may be entered into only if the contract is approved and signed by the Commissioner, to whom the Board of the Texas Higher Education Coordinating Board (THECB), by virtue of this rule, delegates such approval and signature authority. In addition to the Board receiving a quarterly report on *Contracts Executed by the Agency in Accordance with Board Rule 1.16*, the THECB staff also provides the Board a quarterly report highlighting and listing all grants and contracts exceeding \$1 million.

Nichole Bunker-Henderson, General Counsel, will be available to answer questions.

## AGENDA ITEM X-C

Consideration of adopting a resolution authorizing the issuance of State of Texas College Student Loan Bonds in one or more series; and delegation of the authority for administration and approval of the activities necessary to complete the sale of the private activity bonds

RECOMMENDATION: Approval

### Background Information:

Texas Higher Education Coordinating Board (THECB) staff is requesting approval to issue up to \$274 million in aggregate par and premium of private activity bonds in Fiscal Year 2021 to fund College Access Loans (CAL) to eligible students under Texas Education Code, Chapter 52, Subchapter C and to refund the 2011 bond series. THECB staff has determined that it will be necessary to issue these bonds in one or more series to provide adequate funding to maintain the student loan program. The refunding bonds will be sold if interest rates for municipal bonds remain favorable at the time of closing.

### Key Points:

- An application to the Bond Review Board will be submitted for a portion of the state's allocation of private activity tax exempt volume cap for each bond series.
- Up to \$180 million of volume cap will be utilized to issue new bonds to support new student loans during the 2021/2022 academic year.
- Up to \$94 million of volume cap will be utilized to refund the 2011 bond series that is callable on August 1, 2021.
- The THECB is a state voted issuer of private activity bonds.
- These bonds are authorized under the Texas Constitution, Sections 50b-4 through 50b-7.
- Total bond debt outstanding is approximately \$1.3 billion.
- Total bond-funded student loans outstanding is \$1.5 billion.
- The THECB has \$935 million of bonding authority remaining.
- 10% of state ceiling is reserved for state voter issuers, and the THECB is authorized up to \$200 million or 6.80% for new bonds (Texas Government Code, Section 1372). Refunding bonds are authorized in this statute under sub-ceiling 5.
- The agency sells tax exempt private activity bonds.
- The agency is required to maintain compliance with various state statutes, Securities Exchange Commission rules, and Internal Revenue Service regulations.
- These bonds are general obligation and are backed by the full credit of the State (Moody's AAA rating April 2020).
- The Office of the Attorney General is required to approve the final sale.

### **Historical Bond Sales**

<b><u>Series</u></b>	<b><u>Par</u></b>	<b><u>Net Premium</u></b>	<b><u>Par + Net Premium</u></b>
2014	\$ 68,130,000	\$ 13,014,804	\$ 81,144,804
2015	\$ 150,000,000	\$ 19,502,971	\$ 169,502,971
2016	\$ 158,065,000	\$ 21,930,090	\$ 179,995,090
2017	\$ 155,720,000	\$ 14,893,632	\$ 170,613,632
2018R	\$ 94,915,000	\$ 8,933,967	\$ 103,848,967
2019	\$ 159,965,000	\$ 10,310,723	\$ 170,275,723
2019R	\$ 45,965,000	\$ 8,890,263	\$ 54,855,263
2020A	\$ 88,865,000	\$ 10,849,446	\$ 99,714,446
2020B	\$ 73,340,000	\$ 14,151,173	\$ 87,491,173

### **College Access Loan Disbursement History**

	<b><u># of Students</u></b>	<b><u>Total Gross Disbursed</u></b>
<b>PY 04</b>	5,994	\$38,044,856.45
<b>PY 05</b>	6,243	\$41,442,307.08
<b>PY 06</b>	7,040	\$49,470,079.89
<b>PY 07</b>	11,944	\$102,756,666.88
<b>PY 08</b>	7,999	\$74,181,871.12
<b>PY 09</b>	8,702	\$79,778,517.38
<b>PY 10</b>	8,911	\$86,157,023.17
<b>PY 11</b>	8,378	\$87,521,197.15
<b>PY 12</b>	8,655	\$97,407,152.08
<b>PY 13</b>	8,102	\$100,585,758.18
<b>PY 14</b>	7,533	\$98,925,759.26
<b>PY 15</b>	9,080	\$118,877,752.87
<b>PY 16</b>	10,615	\$148,242,100.06
<b>PY 17</b>	11,921	\$172,867,455.17
<b>PY 18</b>	9,056	\$148,466,342.93

Ken Martin, Assistant Commissioner for Financial Services/CFO, will present this item. Richard Donoghue, Partner with McCall, Parkhurst & Horton, and Lee Donner, Managing Director with Hilltop Securities, Inc., will be available to answer any questions regarding the proposed resolution authorizing the issuance of the bonds, the delegation the authority to approve all final terms of the bonds, or the delegation of authority to file for the state's allocation of private activity volume cap.