

# **TEXAS HIGHER EDUCATION COORDINATING BOARD**



**Regular Quarterly Meeting**

**October 21, 2021**

# **SCHEDULE OF QUARTERLY COORDINATING BOARD MEETINGS**

January 27, 2022

April 28, 2022

July 28, 2022

October 27, 2022

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

BOARD MEMBER	ADDRESS/PHONE	TERM ENDS
Fred Farias III, O.D <i>Chair</i> <b>MCALLEN</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/25
Donna N. Williams <i>Vice Chair</i> <b>ARLINGTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/23
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) 427-6566</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) 427-6566</b>	08/31/21*
Richard L. Clemmer <b>AUSTIN</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/23
Robert P. Gauntt <b>AUSTIN</b>	/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/27
Emma W. Schwartz <b>EL PASO</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/25
R. Sam Torn <b>HOUSTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/25
Welcome W. Wilson, Jr. <b>HOUSTON</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	08/31/23
Matthew B. Smith <i>Student Representative</i> <b>COPPERAS COVE</b>	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 <b>Phone: (512) 427-6566</b>	05/31/22

Dated 09/13/21

\*Members continue serving on the Board until the governor appoints their replacement

**Standing Committee Membership**  
**Effective September 22, 2021**

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

Donna N. Williams, Chair

VACANT, Vice Chair

Richard L. Clemmer

Fred Farias III, O.D.

Emma W. Schwartz

R. Sam Torn

Welcome W. Wilson, Jr.

Matthew B. Smith (Student Representative), Ex-Officio

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

S. Javaid Anwar, Chair

Welcome W. Wilson, Jr., Vice Chair

Fred Farias III, O.D.

Ricky A. Raven

R. Sam Torn

Donna N. Williams

Matthew B. Smith (Student Representative), Ex-Officio

**Agency Operations Committee (AOC)**

Ricky A. Raven, Chair

Emma W. Schwartz, Vice Chair

S. Javaid Anwar

Fred Farias III, O.D.

Robert P. Gauntt

VACANT

Matthew B. Smith (Student Representative), 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**

**1200 EAST ANDERSON LANE, BOARD ROOM 1.170  
AUSTIN, TEXAS**

**9:00 A.M., Thursday, October 21, 2021**

This meeting is conducted in person or via video-conference pursuant to Tex. Gov't Code §551.127. A quorum of the Board may be present in the Board Room, which is open to the public.

**I. Call to order: Opening remarks**

- A. Introduction of new Board members Richard Clemmer and Robert Gauntt
- B. Committee assignments
- C. Commissioner's remarks

**II. Public testimony**

- A. Public testimony

**III. Approval of minutes**

- A. Quarterly Board Meeting, July 22, 2021

**IV. Approval of the consent calendar**

- A. Consent calendar

**V. Major Policy Discussion**

- A. *60x30TX* revision update, discussion, and possible action on revision of the plan

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

- A. Update on the Texas Higher Education Foundation
- B. Gifts and donations to the Board
- C. Update on Texas Transfer Initiatives
- D. Star Award Program

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

- E. Consideration and possible action to approve a Memorandum of Understanding between the Texas Higher Education Coordinating Board and the Texas Higher Education Foundation to Implement General Appropriations Act, Rider 53

F. Consideration and approval of contracts over \$1 million:

- (1) Strategic Planning and Funding Daman Consulting Incorporated Temporary Personnel Data Modernization Staff Augmentation Project July 28, 2021, \$2,867,067.00.

- G. Consideration and possible action on the performance evaluations of the Commissioner of Higher Education, General Counsel, and Internal Auditor

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

- A. Committee chair's overview

- B. Consideration of approving the replacement of a member on the General Academic Institutions Formula Funding Advisory Committee and a member on the Health-Related Institutions Formula Funding Advisory Committee for the 2024-2025 biennium

- C. Review of facilities projects that were submitted to the Coordinating Board, pursuant to Texas Education Code, Sections 61.0572 and 61.058

- D. Consideration of adopting the "Report on Student Financial Aid in Texas Higher Education, Fiscal Year 2020" (General Appropriations Act, Senate Bill 1, Article III, Section 24, 87th Texas Legislature)

- E. Consideration of approving the appointment of members to the Financial Aid Advisory Committee

- F. Proposed rules

- (1) Consideration of the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 17, Subchapters A-F, I, K, and L, concerning Resource Planning and the possible adoption of new rules in Chapter 17 of Board rules concerning changes to the administration of Facilities Audit, Facilities Inventory, Energy Savings Performance Contracts, Board Reports, Institutional Reporting on facilities programs, and the organization of the aforementioned programs

**VIII. Lunch**

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

- A. Committee chair's overview

- B. Consideration of adopting the Certification Advisory Council's recommendation relating to a request from Burrell College of Osteopathic Medicine for a Second Certificate of Authority to grant degrees in Texas

- C. Report to the Board on school closures and/or teach-outs pursuant to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Section 7.7 (5)

- D. Consideration of adopting the "Texas General Academic Institutions: Increasing Successful Community College Transfer Report" (General Appropriations Act, Senate Bill 1, Article III, Section 47, 87th Texas Legislature, Regular Session)

- E. Report on activities of the Apply Texas Advisory Committee

- F. Report on activities of the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities

- G. 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)

- H. Consideration of approving the following requests for new degree programs:

TEXAS A&M UNIVERSITY

- (1) Doctor of Nursing Practice (DNP) in Nursing Practice

TEXAS STATE UNIVERSITY

- (2) Bachelor of Science (BS) in Mechanical Engineering

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

- (3) Doctor of Science (ScD) in Rehabilitation Sciences

TEXAS WOMAN'S UNIVERSITY

- (4) Doctor of Philosophy (PhD) in Education, Leadership, and Organization

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

- (5) Doctor of Philosophy (PhD) in School Psychology

- I. Report on institutional requests related to new degree and certificate programs acted on by the commissioner or assistant commissioners since the last Board meeting

- J. Proposed rules:

- (1) Consideration of adopting proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Rule 4.8 of Board rules concerning the excused absence for a person called to required military service

- (2) Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Section 4.9 of Board rules, concerning limitations on the number of courses that may be dropped under certain circumstances by undergraduate students

- (3) Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, Section 4.84 of Board rules concerning institutional agreements for dual credit programs
- (4) Consideration of adopting the proposed repeal to Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, Section 5.51 of Board rules concerning Publishing of Doctoral Program Data
- (5) Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Sections 7.7 and 7.8 of Board rules, incorporating restrictions added by Texas Education Code, Title 3, Subtitle B, Chapter 61, Section 61.303(c) and (c-1) and Section 61.306(a), (c), (c-1), and (d), enacted by the 87th Texas Legislature, Regular Session
- (6) Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 9, Subchapter N, Section 9.673 of Board rules, concerning baccalaureate degree programs at public junior colleges

## **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**

**Executive Session:** *The Texas Higher Education Coordinating Board (Board) may convene in Executive Session at any point in this meeting, concerning any item listed in the agenda as authorized by the Open Meetings Act, including the following:*

- 551.071 Consultation with Attorney and 551.129 if such attorney consultation is via conference call
- 551.073 Deliberation regarding Prospective Gift
- 551.074 Personnel Matters
- 551.0821 Confidential Student Information

*All final votes, actions, or decisions will be taken in open meeting.*

**Public Testimony:** *The 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 Chair. For procedures on testifying please go to <http://www.highered.texas.gov/public-testimony>.*

**Weapons Prohibited:** *Pursuant to Penal Code § 46.03(a)(14) a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon listed in Section 46.05 in the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Government Code, and if the entity provided notice as required by that chapter.*



AGENDA ITEM I-A

Introduction of new Board Members Richard L. Clemmer and Robert P. Gauntt

RECOMMENDATION: No action required

Background Information:

The Board Chair will introduce Richard L. Clemmer and Robert P. Gauntt.

## AGENDA ITEM I-B

### Committee appointments

RECOMMENDATION: No action required

### Background Information:

The Board Chair will announce committee appointments.

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

Donna N. Williams, Chair

VACANT, Vice Chair

Richard L. Clemmer

Fred Farias III, O.D.

Emma W. Schwartz

R. Sam Torn

Welcome W. Wilson, Jr.

Matthew B. Smith (Student Representative), Ex-Officio

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

S. Javaid Anwar, Chair

Welcome W. Wilson, Jr., Vice Chair

Fred Farias III, O.D.

Ricky A. Raven

R. Sam Torn

Donna N. Williams

Matthew B. Smith (Student Representative), Ex-Officio

### **Agency Operations Committee (AOC)**

Ricky A. Raven, Chair

Emma W. Schwartz, Vice Chair

S. Javaid Anwar

Fred Farias III, O.D.

Robert P. Gauntt

VACANT

Matthew B. Smith (Student Representative), Ex-Officio

AGENDA ITEM I-C

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:

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 22, 2021, Quarterly Board Meeting

RECOMMENDATION: Approval

**TEXAS HIGHER EDUCATION COORDINATING BOARD**

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

**July 22, 2021**

**Regular Quarterly Meeting**

**The Texas Higher Education Coordinating Board convened at 9:00 a.m. on July 22, 2021, with the following members present: Fred Farias, presiding; Donna Williams; Emma Schwartz; Sam Torn; and Welcome Wilson.**

**Matthew Smith (ex-officio) joined the meeting at 9:03 a.m.**

**Ricky Raven joined the meeting at 9:05 a.m. via video conference.**

**Members absent: Javaid Anwar**

<b>AGENDA ITEM</b>	<b>ACTION</b>
<b>I. Call to order: Opening Remarks</b>	<p>Dr. Farias announced that Governor Abbott had appointed him as Chair, and Donna Williams as Vice-Chair, of the Coordinating Board. He then called the meeting of the Coordinating Board to order. All members, except for Mr. Anwar were present. Mr. Smith joined the meeting at 9:03 a.m. Mr. Raven joined at 9:05 a.m. via video conference. A quorum was met for this board meeting.</p> <p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the Board excused the absence of Mr. Anwar. The vote was unanimous.</p>
A. Introduction of new board member	No action required. The Board Members welcomed Mr. Matthew Smith to the Board.
B. Committee Appointments	No action required. Dr. Farias announced the following committee appointments: Matthew Smith, as ex-officio member of IDEA, CAWS, and AOC; Dr. Farias as regular member of IDEA, CAWS, and AOC; and Ms. Williams as Chair of CAWS, and regular member of AOC.
C. Commissioner's Remarks	No action required. Commissioner Keller provided remarks on some of today's agenda items.
<b>II. Public Testimony</b>	
A. Public Testimony	No action required

AGENDA ITEM	ACTION
<b>III. Approval of Minutes</b>	
A. Quarterly Board Meeting, April 22, 2021	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>IV. Major Policy Discussion</b>	
A. Moving Forward with Digital Learning	No action required. Ray Martinez, Deputy Commissioner for Academic Affairs and Workforce Education, and Dr. Michelle Singh, Assistant Commissioner for Digital Learning, presented this item and were available for questions
<b>V. Matters relating to the Full Board</b>	
A. Gifts and Donations to the Board	<p>On a motion by Mr. Wilson, seconded by Mr. Torn, the Board approved the acceptance of Gifts and Donations to the Board. The vote was unanimous.</p> <p>Ms. Nichole Bunker-Henderson, General Counsel, presented this item and was available for questions.</p>
B. <i>60x30TX</i> revision update, discussion, and possible action on process for ongoing revision of the plan	No action required. Ms. Melissa Henderson, Associate Commissioner, presented this item and was available to answer questions.
C. Update on Texas Transfer Initiatives	No action required. Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.
D. Update on Star Award Program	No action required. Ray Martinez, Deputy Commissioner for Academic Affairs and Workforce Education, and Dr. Ginger Gossman, Senior Director for Innovation and Policy Development, presented this item and were available for questions.
E. Update on the Governor's Emergency Education Relief (GEER) Fund and consideration and possible action to delegate full Board and Board committee authority of Rule1.16(a)-(c) to the Commissioner of Higher Education to approve all grant awards and any contract awards under \$1 million to carry out all	On a motion by Mr. Torn, seconded by Ms. Schwartz, the Board approved the motion to delegate full Board and Board committee authority of Rule1.16(a)-(c) to the Commissioner of Higher Education to approve all grant awards and any contract awards under \$1 million to carry out all

AGENDA ITEM	ACTION
<p>program elements approved in 2020 and 2021 for expenditure of the GEER Fund.</p>	<p>program elements approved in 2020 and 2021 for expenditure of the GEER Fund. The vote was unanimous.</p> <p>Dr. Farias asked whether there was any objection to withdrawing agenda items 7-C(2) through 7-C(10), 9-P (1), 9-P (2), 9-P(6) through 9-P(10), and 10-C, from the agenda. Hearing none, these agenda items were withdrawn.</p> <p>Dr. Harrison Keller, Commissioner of Higher Education provided an update on the GEER projects and Nichole Bunker-Henderson, General Counsel, presented the motion to delegate contract approval. Both were available for questions.</p>
<b>VI. Approval of the Consent Calendar</b>	
<p>A. Consent Calendar</p>	<p>On a motion by Ms. Williams, seconded by Mr. Wilson, the Board approved the non-rule Consent Calendar. The vote was unanimous.</p> <p>Items approved on the non-rule consent calendar were: VII-B; VII-D; VII-E; VII-F; VII-G; VII-H; IX-B; IX-D; IX-F; IX-H; IX-I; IX-J; IX-K; IX-L; IX-N; IX-O; IX-P (1-2); IX-Q (1-4); IX-R (1-6); and X-B.</p> <p>On a motion by Ms. Schwartz, seconded by Mr. Torn, the Board approved the rule Consent Calendar. The vote was unanimous.</p> <p>Items approved on the rule consent calendar as amended were: VII-I (1-4) and IX-S (1).</p> <p>Ms. Nichole Bunker-Henderson, General Counsel, presented an overview of the rules on consent and was available for questions.</p>
<b>VII. Matters Relating to the Committee on Innovation, Data, and Educational Analytics</b>	
<p>A. Committee Chair's Overview</p>	<p>No action required.</p>
<p>B. Consideration of approval of the 60x30TX Progress Report</p>	<p>This item was approved on the Consent Calendar.</p>



AGENDA ITEM	ACTION
<p>C. Proposed Contract and Grant Approval:</p> <p>(1) Consideration and possible action to solicit and/or enter into technology services contracts, totaling up to \$1.5 million, to support creation and implementation of the student/public portal in furtherance of both the GradTX 2.0 initiative, associated labor market tool and other future agency initiatives, to be funded by federal Wagner-Peyser 7(b) funds granted to the Texas Higher Education Coordinating Board by the Texas Workforce Commission</p> <p>(2) Consideration and possible action to approve the solicitation and/or procurement of contracts or award of grants using up to \$4 million in Governor's Emergency Education Relief (GEER) funds to expand outreach and engagement of adult learners statewide to meet workforce demands through the GradTX 2.0 project</p> <p>(3) Consideration and possible action to approve the solicitation and/or procurement of contracts or award of grants using up to \$600,000 in Governor's Emergency Education Relief (GEER) funds to support institution grants, marketing campaigns and the design development of the <i>My Texas Future</i> student portal in support of the GradTX 2.0 project</p> <p>(4) Consideration and possible action to solicit and enter into contracts or award grants, totaling up to \$10 million, to support the <i>My Texas Future</i> initiative, providing comprehensive advising resources and supports to students and adult learners statewide, to be funded by the Governor's Emergency Education Relief (GEER) fund</p> <p>(5) Consideration and possible action to enter into interagency contracts or grant agreements with Texas public universities, totaling up to \$9 million, relating to the issuance of funds for transfer grants, to be funded by the Governor's Emergency Education Relief (GEER) Fund</p>	<p>On a motion by Ms. Williams, seconded by Dr. Farias, the Board approved entering into technology services contracts, totaling up to \$1.5 million, to support creation and implementation of the student/public portal in furtherance of both the GradTX 2.0 initiative, associated labor market tool and other future agency initiatives, to be funded by federal Wagner-Peyser 7(b) funds granted to the Texas Higher Education Coordinating Board by the Texas Workforce Commission. The vote was unanimous.</p> <p>Ms. Tiffani Tatum, Director for Strategic Initiatives, was available for questions.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p>

AGENDA ITEM	ACTION
<p>(6) Consideration and possible action to solicit and/or enter into contracts and award grants, totaling up to \$8 million, to design and implement user interfaces and support institutions to implement or enhance learning analytics and systems and to support connecting to the agency's new data pipeline, to be funded by the Governor's Emergency Education Relief (GEER) Fund</p> <p>(7) Consideration and possible action to approve the solicitation and/or procurement of contracts, interagency contracts, or award of grants using up to \$5 million in Governor's Emergency Education Relief (GEER) funds to establish a centralized credential repository in partnership with Texas Workforce Investment Council and Texas Workforce Commission</p> <p>(8) Consideration and possible action to solicit and/or enter into contracts, totaling up to \$1 million, to support development and implementation of secure progress to credential dashboards for institutional use, to be funded by the Governor's Emergency Education Relief (GEER) Fund</p> <p>(9) Consideration and possible action to solicit and/or enter into contracts, totaling less than \$1 million, for the selection of a vendor to design and implement user interfaces and related services required for a centralized grant system, to be funded by the Governor's Emergency Education Relief (GEER) Fund</p> <p>(10) Consideration and possible action to solicit and/or enter into contracts and award grants, totaling up to \$700,000, to support technical analyses as input to deliberations of the Texas Commission on Community College Finance and Community and Technical Colleges Formula Advisory Committee, to be funded by the Governor's Emergency Education Relief (GEER) Fund</p>	<p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p>
<p>D. Consideration of adopting the recommendation relating to approval of the nominated members of the Formula Funding Advisory Committee for the 2024-2025 biennium</p>	<p>This item was approved on the Consent Calendar.</p>

AGENDA ITEM	ACTION
E. Consideration of adopting the recommendation relating to the certification of gifts that are fundable through the Texas Research Incentive Program (TRIP) for emerging research universities	This item was approved on the Consent Calendar.
F. Consideration of adopting the recommendation relating to approval of the Facilities Audit Report	This item was approved on the Consent Calendar.
G. Review of facilities projects that were submitted to the Coordinating Board, pursuant to Texas Education Code, Sections 61.0572 and 61.058	This item was approved on the Consent Calendar.
H. Consideration of adopting the TEXAS Grant Program report (Texas Education Code, Section 56.311(c-1))	This item was approved on the Consent Calendar.
<p>I. Proposed rules</p> <p>(1) Consideration of adopting proposed amendments to Chapter 1, Subchapter J, Sections 1.151 and 1.152 of Board rules, concerning the Financial Aid Advisory Committee</p> <p>(2) Consideration of adopting the proposed repeal of Chapter 22, Subchapter AA, Sections 22.729–22.736, concerning the Kenneth H. Ashworth Fellowship Program</p> <p>(3) Consideration of adopting the proposed amendments to Chapter 22, Subchapter C, Section 22.53 of Board rules, concerning the Repayment of Loans</p> <p>(4) Consideration of adopting the proposed repeal of Chapter 22, Subchapter M, Section 22.265, concerning the Authority to Transfer Funds</p>	<p>This item was approved on the Consent Calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>This item was approved on the Consent Calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>This item was approved on the Consent Calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>This item was approved on the Consent Calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p>
<b>VIII. Lunch</b>	The Board adjourned at 11:14 a.m. and reconvened at 11:49 a.m.
<b>IX. Matters relating to the Committee on Academic and Workforce Success</b>	
A. Committee Chair’s Overview	No action required.
B. Consideration of adopting the recommendation relating to the report on the effectiveness of the Open Educational Resources Grant Program (Senate Bill 810, 85th Texas Legislature, Regular Session, and Rider 55, 86th Texas Legislature, Regular Session)	This item was approved on the Consent Calendar.

AGENDA ITEM	ACTION
C. Consideration of adopting the report on Initial Review of Texas Education Code, Chapter 51, Subchapter E-3 (House Bill 1735, 86th Texas Legislature, Regular Session) Policy Compliance Requirements at Institutions of Higher Education	<p>On a motion by Mr. Raven, seconded by Mr. Torn, the Board adopted the report on Initial Review of Texas Education Code, Chapter 51, Subchapter E-3 Policy Compliance Requirements at Institutions of Higher Education. The vote was unanimous.</p> <p>Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available for questions.</p>
D. Report on activities of the Joint Admission Medical Program	This item was approved on the Consent Calendar.
E. Consideration of adopting the recommendation relating to funding appropriated to the Joint Admission Medical Program for Fiscal Years 2022-23	<p>On a motion by Ms. Schwartz, seconded by Mr. Wilson, the Board adopted the recommendation relating to funding appropriated to the Joint Admission Medical Program for Fiscal Years 2022-23. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>
F. Report on activities of the Family Practice Residency Advisory Committee, including the report on trustee funds distributed in Fiscal Year 2021	This item was approved on the Consent Calendar.
G. Consideration of adopting the recommendation relating to the distribution of funds trustee to the Coordinating Board to support Family Practice Residency Programs for Fiscal Year 2022	<p>On a motion by Mr. Wilson, seconded by Dr. Farias, the Board adopted the recommendation relating to the distribution of funds trustee to the Coordinating Board to support Family Practice Residency Programs for Fiscal Year 2022. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>
H. Report on activities of the Lower-Division Academic Course Guide Manual Advisory Committee	This item was approved on the Consent Calendar.
I. Report on activities of the Lower-Division Academic Course Guide Manual Advisory Committee	This item was approved on the Consent Calendar.
J. Report on activities of the Medical Education and Graduate Medical Education Programs	This item was approved on the Consent Calendar.

AGENDA ITEM	ACTION
K. Report on activities of the Autism Grant Program	This item was approved on the Consent Calendar.
L. Report on activities of the Learning Technology Advisory Committee	This item was approved on the Consent Calendar.
<p>M. Consideration of approving requests for new degree programs:</p> <p>TEXAS A&amp;M UNIVERSITY (1) Doctor of Philosophy (PhD) in Construction Science</p> <p>TEXAS A&amp;M UNIVERSITY-KINGSVILLE (2) Bachelor of Science (BS) in Computer Engineering</p> <p>THE UNIVERSITY OF TEXAS AT EL PASO (3) Bachelor of Science (BS) in Aerospace and Aeronautical Engineering</p> <p>THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY (4) Doctor of Philosophy (PhD) in Physics</p> <p>ANGELO STATE UNIVERSITY (5) Doctor of Psychology (PsyD) in Counseling Psychology</p>	<p>On a motion by Mr. Torn, seconded by Mr. Wilson, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p> <p>On a motion by Mr. Raven, seconded by Mr. Torn, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p> <p>On a motion by Ms. Schwartz, seconded by Mr. Wilson, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p> <p>On a motion by Dr. Farias, seconded by Mr. Raven, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p> <p>On a motion by Mr. Raven, seconded by Ms. Schwartz, the Board approved the new degree program. The vote was unanimous.</p> <p>Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>

AGENDA ITEM	ACTION
N. Report on institutional requests related to new degree and certificate programs acted on by the Commissioner or Assistant Commissioners since the last Board meeting	This item was approved on the Consent Calendar.
O. Consideration of adopting the January 2021 Annual Compliance Reports for institutions under a Certificate of Authorization (names beginning with "A" through "O")	This item was approved on the Consent Calendar.
<p>P. Proposed Contract and Grant Approval:</p> <p>(1) Consideration of adopting the request to extend the current contract with a higher education artificial intelligence vendor for the Virtual Advising Project (ADVi) for a term of one year</p> <p>(2) Consideration and possible action to extend the current contract with an open educational resources repository vendor for the OERTX Repository for a term of one year</p> <p>(3) Consideration of adopting the request to extend the current contract for the Texas Success Initiative Pre-Assessment Activity (PAA)</p> <p>(4) Consideration of adopting the request to establish an interagency contract (IAC) with The University of Texas at Austin for continued research and data services for Texas OnCourse</p> <p>(5) Consideration and possible action to enter into agreements with Texas A&amp;M University, The University of Texas at Austin, Texas Christian University, and Trinity University to allocate funding to continue the Advise TX College Advising Program</p>	<p>This item was approved on the Consent Calendar.</p> <p>This item was approved on the Consent Calendar.</p> <p>On a motion by Mr. Raven, seconded by Dr. Farias, the Board adopting the request to extend the current contract for the Texas Success Initiative Pre-Assessment Activity. The vote was unanimous.</p> <p>Mr. Jerel Booker, Assistant Commissioner for College Readiness and Success, presented this item and was available for questions.</p> <p>On a motion by Dr. Farias, seconded by Mr. Wilson, the Board adopted the request to establish an interagency contract with The University of Texas at Austin for continued research and data services for Texas OnCourse. The vote was unanimous.</p> <p>Mr. Jerel Booker, Assistant Commissioner for College Readiness and Success, and Ms. Laura Brennan, Deputy Assistant Commissioner for College and Career Readiness, presented this item and were available for questions.</p> <p>On a motion by Mr. Torn, seconded by Ms. Schwartz, the Board approved entering into agreements with Texas A&amp;M University, The University of Texas at Austin, Texas Christian University, and Trinity University to allocate funding</p>

AGENDA ITEM	ACTION
<p>(6) Consideration and possible action to solicit and/or enter into contracts or grants, totaling up to \$42.5 million, to establish or expand programs that address current workforce needs in high-priority sectors, job families, and occupations for regional and state economic development, to be funded by the Governor’s Emergency Education Relief (GEER) Fund</p> <p>(7) Consideration and possible action to fund portable scholarships totaling up to \$7,000,000 for leadership development opportunities to encourage high-achieving students who are low-income to take advantage of premier educational opportunities available through public colleges and universities and develop students as emerging leaders for the state of Texas</p> <p>(8) Consideration and possible action to transfer up to \$6M to the Texas Reskilling Support Fund for the purpose of establishing a set of awards to eligible students attending Texas higher education institutions</p> <p>(9) Consideration and possible action, to spend up to \$4 million, to fund the expansion of the Advise TX College Advising Program and ADVi through contracts, grants, or interagency contracts with Historically Black Colleges and Universities, Hispanic Serving Institutions, and college and universities with large low-income student populations</p> <p>(10) Consideration and possible action to solicit and/or enter into contracts, totaling up to \$1.5 million, with researchers and service providers to create an inventory of student success interventions and initiatives, to be funded by the Governor’s Emergency Education Relief (GEER) Fund</p>	<p>to continue the Advise TX College Advising Program. The vote was unanimous.</p> <p>Mr. Jerel Booker, Assistant Commissioner for College Readiness and Success, presented this item and was available for questions</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda.</p> <p>This item was withdrawn from the agenda</p>

AGENDA ITEM	ACTION
<p>Q. Consideration of approving the appointment of member(s) to:</p> <ul style="list-style-type: none"> <li>(1) Apply Texas Advisory Committee</li> <li>(2) Certification Advisory Council</li> <li>(3) Learning Technology Advisory Committee</li> <li>(4) Lower-Division Academic Course Guide Manual Advisory Committee</li> </ul>	<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> <p>This item was approved on the Consent Calendar.</p>
<p>R. Consideration of approving the issuance of a Request for Applications for the:</p> <ul style="list-style-type: none"> <li>(1) Autism Grant Program</li> <li>(2) Carl D. Perkins Career and Technical Education Leadership Grant</li> <li>(3) Emergency and Trauma Care Education Partnership Program</li> <li>(4) Graduate Medical Education Expansion Program</li> <li>(5) Graduate Medical Education Planning Grants Program</li> <li>(6) Statewide Preceptorship Programs</li> </ul>	<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> <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>
<p>S. Proposed rules:</p> <ul style="list-style-type: none"> <li>(1) Consideration of adopting proposed amendments to Texas Administrative Code, Title 19, Chapter 1, Subchapter G, Rule 1.131; Subchapter H, Rule 1.138; Subchapter I, Rule 1.145; Subchapter O, Rule 1.188; and Subchapter P, Rule 1.195 of Board rules concerning the advisory committees and their abolishment date</li> <li>(2) Consideration and possible adoption of new rules in Texas Administrative Code, Title 19, Chapter 4, Subchapter U, Rules 4.360-4.364 of Board rules concerning Recommended Course</li> </ul>	<p>This item was approved on the Consent Calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>On a motion by Mr. Raven, seconded by Ms. Schwartz, the Board adopted new rules in Texas Administrative Code, Title 19, Chapter 4, Subchapter U, Rules 4.360-4.364 of Board rules concerning Recommended Course Sequencing, Development</p>



AGENDA ITEM	ACTION
Sequencing, Development and Institutional Reporting	and Institutional Reporting. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials. Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.
<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 and possible action to approve the solicitation and/or procurement of software licenses, Software as a Service (SaaS) solutions, contracts, staff augmentation services, consulting and professional services using up to \$4 million in Governor's Emergency Education Relief Fund to support the completion of the agency's Legacy Application Portfolio Modernization Project	This item was withdrawn from the agenda.
D. Consideration of adopting the agency's operating budget for Fiscal Years 2022 and 2023	<p>On a motion by Mr. Raven, seconded by Mr. Wilson, the Board adopted the agency's operating budget for Fiscal Years 2022 and 2023. The vote was unanimous.</p> <p>Mr. Ken Martin, Assistant Commissioner for Financial Services and Chief Financial Officer, presented this item and was available for questions.</p>
E. Consideration of adopting the Annual Internal Audit Plan for Fiscal Year 2022	<p>On a motion by Ms. Schwartz, seconded by Mr. Torn, the Board adopted the Annual Internal Audit Plan for Fiscal Year 2022. The vote was unanimous.</p> <p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director, Internal Audit and Compliance, presented this item and were available for questions.</p>

AGENDA ITEM	ACTION
F. Consideration of adopting the Annual State Compliance Monitoring Plan for Fiscal Year 2022	<p>On a motion by Mr. Wilson, seconded by Mr. Raven, the Board adopted the Annual State Compliance Monitoring Plan for Fiscal Year 2022. The vote was unanimous.</p> <p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director, Internal Audit and Compliance, presented this item and were available for questions.</p>
<b>XI. Adjournment</b>	

With no further business, on a motion by Mr. Torn, seconded by Mr. Raven, the meeting adjourned at approximately 12:34 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:

To ensure that meetings are efficient, the Board has a calendar for items that are noncontroversial. Any item can be removed from the calendar by a Board member.

**TEXAS HIGHER EDUCATION COORDINATING BOARD**  
**REGULAR QUARTERLY MEETING**  
**\*\*DRAFT\*\***  
**CONSENT CALENDAR**  
**October 2021**

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

F. Consideration and approval of contracts over \$1 million:

- (1) Strategic Planning and Funding Daman Consulting Incorporated Temporary Personnel Data Modernization Staff Augmentation Project July 28, 2021, \$2,867,067.00

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

- B. Consideration of approving the replacement of a member on the General Academic Institutions Formula Funding Advisory Committee and a member on the Health-Related Institutions Formula Funding Advisory Committee for the 2024-2025 biennium
- C. Review of facilities projects that were submitted to the Coordinating Board, pursuant to Texas Education Code, Sections 61.0572 and 61.058
- D. Consideration of adopting the "Report on Student Financial Aid in Texas Higher Education, Fiscal Year 2020" (General Appropriations Act, Senate Bill 1, Article III, Section 24, 87th Texas Legislature)
- E. Consideration of approving the appointment of members to the Financial Aid Advisory Committee
- F. Proposed rules
- (1) Consideration of the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 17, Subchapters A-F, I, K, and L, concerning Resource Planning and the possible adoption of new rules in Chapter 17 of Board rules concerning changes to the administration of Facilities Audit, Facilities Inventory, Energy Savings Performance Contracts, Board Reports, Institutional Reporting on facilities programs, and the organization of the aforementioned programs

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

- C. Report to the Board on school closures and/or teach-outs pursuant to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Section 7.7 (5)
- E. Report on activities of the Apply Texas Advisory Committee
- F. Report on activities of the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities
- I. Report on institutional requests related to new degree and certificate programs acted on by the commissioner or assistant commissioners since the last Board meeting

J. Proposed rules:

- (1) Consideration of adopting proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Rule 4.8 of Board rules concerning the excused absence for a person called to required military service
- (2) Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Section 4.9 of Board rules, concerning limitations on the number of courses that may be dropped under certain circumstances by undergraduate students
- (4) Consideration of adopting the proposed repeal to Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, Section 5.51 of Board rules concerning Publishing of Doctoral Program Data

## AGENDA ITEM V-A

### 60x30TX revision update, discussion, and possible action on revision of the plan

RECOMMENDATION: Approval

#### Background Information

Major Policy Discussions are topics of interest where staff, policy experts, and/or stakeholders provide Texas Higher Education Coordinating Board (THECB) 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 provide an update on the process for refining the 60x30TX plan and discuss possible action on revision of 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.

Melissa Henderson, Associate Commissioner for Strategic Initiatives, will provide this update and be available for questions.

Input from stakeholders and the general public on proposed revision of long-range master plan for higher education in this state pursuant to Texas Education Code Section 61.051.

Texas Education Code (TEC) Section 61.051(a-1) requires the Texas Higher Education Coordinating Board (Coordinating Board) to develop a long-range master plan for higher education in this state. This provision allows for the regular evaluation and revision of the plan as the board considers necessary to ensure the relevance of goals and strategies. TEC Section 61.051(a-2) requires the board to establish methods for obtaining input from stakeholders and the general public when developing or revising this long-range master plan.

In 2020, Coordinating Board staff began the process of evaluating and revising the current *60x30TX* strategic plan for higher education. The agency submitted a Notice of Opportunity to Comment on Revision of State Long-range Master Plan for Higher Education in the *Texas Register* during July 2021.

Date published in the *Texas Register*: July 30, 2021

The 30-day comment period with the *Texas Register* ended on Aug. 29, 2021.

**Summary of comments received:**

**Comment:** Libby McCabe, Senior Policy Advisor at Commit, submitted comments related to the plan.

*Adult Learners:* The comment expressed support for the intent to expand the plan to focus on adult learners and asked the board to develop goals, strategies, and data sharing systems in partnership with the Texas Workforce Commission (TWC) and the Texas Education Agency (TEA). The comment requested incentivizing attainment of high-value, in-demand degrees and credentials beyond traditional higher education offerings.

*High-Value Credentials:* Related to high-value credentials, the comment requested the board determine guidance for determining locally relevant credentials of value, including roadmaps for data sharing, allowing regions to tailor courses or degrees to local demand.

**Response:** The revised state strategic plan has identified the following strategies related to the Tri-Agency Initiative and other partner agencies:

- Establish a statewide repository with information on all credentials offered by Texas institutions of higher education and other providers, including non-degree, high-value postsecondary credentials. (*Currently in progress through Governor Abbott's Tri-Agency Workforce Initiative, led by the Texas Workforce Commission*)
- Modernize the state's educational and workforce data infrastructure, including improved collection of occupation-specific data, to better inform students, educators, institutional leaders, employers, and the public about the talent pipeline, while maintaining student privacy.

- Build upon the Tri-Agency efforts of the Coordinating Board, Texas Workforce Commission, and Texas Education Agency to provide timely and relevant information to stakeholders regarding changes in regional and state labor markets.

The definition of “high-value credential” encompasses all types of credentials conferred by higher education institutions: not only traditional higher education credentials, such as the bachelor’s degree or the doctoral degree, but also other types of credentials that help establish a path into the workforce, including certificates, apprenticeships, licenses, micro-credentials, and more. As we continue to refine our definition of high-value credentials, we will aim to measure value by examining credentials in the context of median earnings and net cost of attendance.

**Comment:** Renzo Soto, Policy Analyst at Texas 2036, submitted comments related to the plan. This comment included the following requests:

- “Ensure the revised *60x30TX* plan aligns closely with related career preparation plans adopted by the Texas Education Agency and the Texas Workforce Commission.”
- “Achieve equitable outcomes for all postsecondary students by targeting resources and leveraging existing mechanisms, including higher education formulas.”
- “Holistically consider and include all postsecondary credentials available to students in Texas as counting toward the *60x30TX* goals.”
- “Increase focus on Texas’ in-state pipeline of postsecondary completion.”

**Response:** The prior response lists strategies identified in the revised state strategic plan for higher education related to the Tri-Agency Initiative and other partner agencies and the range of postsecondary credentials intended for inclusion under the plan.

In addition, the plan contains the following strategies relevant for equitable outcomes in resource allocation:

- Balance higher education funding strategically through a mix of state appropriations, tuition and fees, philanthropy, and other revenues, while leveraging state and federal financial aid to keep student debt low.
- Make the costs of higher education more transparent, predictable, and affordable for Texas students, and bolster their financial literacy.

The following strategies relate to the pipeline of postsecondary completion:

- Streamline students’ paths to high-value credentials through course and program redesign, new pedagogical tools, credit for prior learning, and flexible program options, while increasing support services and advising that help students through key transitions in higher education and the workforce.
- Expand high-quality, work-based learning opportunities through partnerships among institutions and employers, including paid internships and apprenticeships.





August 29, 2021

To: Texas Higher Education Coordinating Board

Re: TEC §61.051(a-1), concerning **60x30TX Refresh**

THECB members,

Thank you for the opportunity to submit public comment regarding the 60x30TX refresh.

This letter is submitted on behalf of The Commit Partnership, a collective impact organization of 200+ partners across Dallas County and the state of Texas working to ensure at least half of all 25-34 year old Dallas County residents, irrespective of race, earn a living wage by 2040. One of our programmatic work streams, The Dallas County Promise, currently supports 57 high schools, 11 colleges and more than 22,000 students in accessing and succeeding in postsecondary education.

We are encouraged by the Board's extensive work and feel strongly that the revisions to 60x30TX are an opportunity to explicitly codify equitable processes and create disaggregated strategic goals to reach the set targets that will move the state toward reaching its desired outcomes for higher education. In particular, we support the prioritization of the following:

**60x30TX Refresh Areas of Focus**

**Refresh Goal 2: Expanding focus to adult learners beyond 25-34-year-olds. Building a more adaptable workforce that can navigate current challenges and drive long-term economic growth requires a strategic emphasis on expanding opportunities for all Texans.**

*We fully support this goal and commend the Coordinating Board for this important expansion, and we would ask for further clarity around whether the Board intends to expand the goal of 60% attainment as you consider the impact of a broader pool of potential learners. We recommend the Board develop strategies and goals in partnership with the Texas Workforce Commission and Texas Education Agency, where relevant, to enable collective efforts beyond traditional higher education degree pathways. We also ask that the goals incentivize the attainment of high value, in-demand degrees and credentials beyond those only available from traditional higher education institutions. Due to the likely overlap between individuals accessing both TWC and THECB programs, we recommend facilitating efforts to increase data sharing systems that can be utilized by both agencies, along with regional partners, to further outcomes for all learners in Texas. This approach can more readily highlight gaps and demographics of Texans joining the workforce at an earlier age or opting into non-traditional pathways. Monitoring these transitions can create transparency and accessibility for learners of any age to efficiently engage with the workforce.*



**Refresh Goal 3: Prioritizing high-value credentials to align with workforce needs. Certain skills and credentials will be especially important to help displaced workers immediately return to work, and create a more resilient Texas workforce for the future.**

*High-value credentials that align with workforce needs are critical to creating a prosperous and equitable Texas post-pandemic. The disproportionate impact of COVID-19 on Black, Hispanic, rural, and low-income Texans has magnified the importance of removing barriers to high-quality postsecondary education, including high-demand credentials. However, the ability to accurately identify and predict “high-value” credentials varies by region. Because of this, we respectfully ask the Board to provide guidance for determining locally relevant credentials of value, including creating roadmaps for data sharing that allows regions to tailor courses and degrees to meet local demands. Timely access to accurate data at a regional level will illuminate best practices and can incentivize additional certification programming needed to help displaced workers reskill or upskill. We also recommend the Board provide guidance and assistance on strategies to provide equitable access to high-value credentials that align with local workforce needs.*

### **Closing Thoughts**

Pertaining to gaps presented in the July 2021 60x30TX progress report, we encourage continued use of disaggregated data pertaining to progress among student populations. We respectfully recommend the Board to **strengthen and publicize specific strategies to achieve specific, disaggregated goals** for Hispanic, African American and historically underserved groups and use a variety of tools to ensure the state removes barriers to postsecondary education.

The processes undertaken by 60x30TX refresh provide opportunities to examine and refine models for data interoperability, enhance collaboration with TWC, TEA and other agencies, and build transparency around high-demand fields and credentialing modes. Increasing data sharing systems, utilizing integrated data to highlight and close equity gaps, and strategically incentivizing skills development pathways can uplift all learners and help us reach the state’s postsecondary goals.

Thank you for your consideration,  
Libby McCabe, Senior Policy Advisor at Commit

### **Additional Supporters:**





**Written Comments of Renzo Soto, Policy Analyst at Texas 2036  
Submitted regarding revision of the state long-range master plan for higher  
education**

The Governor's charge to refresh the state's 60x30TX plan comes at a critical juncture for higher education: Never before has a certificate, credential, or degree been so essential for a student's future career success. By 2036, it is expected that 71% of jobs in Texas will require this level of postsecondary education.<sup>1</sup> But as data has shown, and state leaders have learned, not all postsecondary programs are created equal, and state policies must be cognizant of these differential outcomes. Measuring the value of postsecondary credentials has become more complex as the needs of the workforce have evolved. As an example, credentials typically associated with high social value but low-wage fields, such as liberal arts degrees, have actually been found to provide both economic value and mobility.<sup>2</sup> As underrepresented students tend to pursue these degrees, while also providing important societal benefits through fields such as education and social work, it is clear that we must adapt our understanding of what postsecondary success means. Focusing on credentials with proven workforce value, looking at the taxpayer and student returns on financial, time, and societal investments, and ensuring equitable pathways to living wage jobs will be critical as our state builds its long-term higher education plans.

Building on the Governor's leadership with the Tri-Agency Workforce Initiative, the legislature passed HB 3767 (87-R), the Texas Education and Workforce Alignment Act. In addition to formalizing the Tri-Agency's vital work, this law calls for a "whole-of-government" approach to ensuring that all agencies involved in the state's workforce pipeline work together and create common goals and strategies. Updating the 60x30 goals is an early and important step in updating the state's overall workforce planning process.

As you complete this important task, we ask that you consider the following:

---

<sup>1</sup> Georgetown University Center on Education and the Workforce. (March 2020). Custom Projection for Texas 2036.

<sup>2</sup> Postsecondary Value Commission. (May 2021). Equitable Value: Promoting Economic Mobility and Social Justice through Postsecondary Education.  
<https://www.postsecondaryvalue.org/wp-content/uploads/2021/07/PVC-Final-Report-FINAL-7.2.pdf>

**1. Ensure that the revised 60x30TX plan aligns closely with related career preparation plans adopted by the Texas Education Agency (TEA) and Texas Workforce Commission (TWC).**

- HB 3767 requires a new integrated and comprehensive approach to align state and local initiatives on PK-12, higher education, and workforce improvement. Its framework will be crucial in securing a long-term educated workforce, and the revised 60x30TX plan will be one of the first and most consequential foundations for that comprehensive framework.

**2. Achieve equitable outcomes for all postsecondary students by targeting resources and leveraging existing mechanisms, including higher education formulas.**

- Underrepresented student populations were already falling behind in key metrics prior to the COVID-19 pandemic. The Texas Higher Education Coordinating Board's (THECB) proposed focus on ensuring that all postsecondary students have the opportunity to attain equitable outcomes must leverage existing efforts, such as the Commission on Community College Finance and the THECB's Formula Advisory Committees, so that resources are targeted quickly and appropriately.

**3. Holistically consider and include all postsecondary credentials available to students in Texas as counting toward 60x30TX goals.**

- Duration, cost, and inflexibility limit higher education accessibility for some Texans who may be interested in pursuing a credential. Work-based and online private credentials and apprenticeships are already being pursued by some Texas students because of their flexibility and alignment with the workforce. The revised 60x30TX plan should consider how these options could help with the progression of goals and strategies.

**4. Increase focus on Texas' in-state pipeline of postsecondary completion.**

- There is currently a heavy dependence on the migration of educated individuals to attain an educated population. This stream, however, is difficult to affect with state and local policy interventions, particularly those within 60x30TX. To meet our goals, a strong, consistent stream of

postsecondary graduates is necessary. Continued focus on Texas' in-state postsecondary opportunities would help achieve these goals.

Texas' long-range higher education strategic plan, 60x30TX, continues to represent a bold charge by state government, higher education institutions, and key stakeholders to improve the state's postsecondary education environment for the betterment of Texans' lives and livelihoods. It is heartening that we are sustaining levels of progress across almost all existing 60x30TX goals.

The data, however, simultaneously shows that some key progress metrics have significantly stalled, most notably in the 60x30 Educated Population and Completion goals.<sup>3</sup> In fact, Texas began experiencing this slowing<sup>4</sup> before the COVID-19 pandemic and has since reached a point where certain progress rates are well-below what is needed to meet our 2030 goals. This is why the success of the 60x30TX plan requires a reconsideration of the original goals and strategies.

Already, the THECB has proposed some positive changes to the plan. The current proposal will consider the roles of innovation and research, adult learners beyond 25-34 years old, high-value credentials for the workforce, and equitable attainment. These areas of focus should help us meet the original 60x30TX goals while further bolstering the higher education benefits that the 60x30TX plan always aimed to deliver -- but we must continue to be ambitious in this work, focusing on maximizing diverse pathways to living wage job attainment for students that graduate from Texas high schools.

**1. Ensure that the revised 60x30TX plan aligns closely with related career preparation plans adopted by the Texas Education Agency and Texas Workforce Commission.**

Governor Abbott's establishment of the Tri-Agency Workforce Initiative in 2016 was the first major attempt to break down education and workforce training and funding silos and to better align PK-12, higher education, and the workforce. HB 3767 formalizes the working partnership between the TEA, THECB, and TWC and adds a new comprehensive planning requirement.

**Texas 2036 strongly recommends that the THECB remain consistent in its revisions of the 60x30TX plan with the relevant legislative charges of HB 3767.**

---

<sup>3</sup> Texas Higher Education Coordinating Board. (2021). 60x30TX Progress Report. Austin, TX.

<sup>4</sup> Texas Higher Education Coordinating Board. (2019). 60x30TX Progress Report. Austin, TX.

HB 3767 will identify state workforce development goals and strategies, including goals that will provide Texans and their families with jobs that have a self-sufficient wage. It will evaluate career and education training programs throughout Texas and align those with actual, current workforce needs. This revision of 60x30TX provides the THECB a valuable opportunity to incorporate useful milestones and measures of program effectiveness and student pathways to career success that can and should be carried into other Tri-Agency plans.

**2. Achieve equitable outcomes for all postsecondary students by targeting resources and leveraging existing mechanisms, including higher education formulas.**

We have high hurdles to clear to achieve equitable outcomes. Data shows that only 32% of Texas high schoolers successfully complete a higher education program and obtain a credential within six years of graduation.<sup>5</sup> Outcomes are starker upon diving into demographics, with data showing that average annual completion rates<sup>6</sup> by African American, Hispanic, and economically disadvantaged students fall far short of those needed to meet 2030 goals.

**As it seeks to ensure that all students can equitably attain all 60x30TX goals, the THECB should review and identify strategic options to target federal, state, and local resources, including through existing mechanisms.**

HB 3's (86-R) historic and timely investments, much of which prioritize the delivery of equitable outcomes, represent a pragmatic starting point. The THECB should take advantage of these substantial resources to strengthen the PK-12-to-postsecondary pipeline, beginning with strategies that pursue a partnership with TEA to strengthen the rigor of assessments. STAAR results revealed the massive learning loss borne from COVID-19, and gave the state a roadmap that allowed for a pivot towards high-quality interventions that will begin to address this generational backslide<sup>7</sup>. Likewise, end-of-course (EOC) exams and other high-quality assessments are a strong tool to

---

<sup>5</sup> Percentage of Class of 2011 high school graduates who earned a certificate or degree from a higher education institution within six years of high school graduation; includes Level 1 and Level 2 certificates, two-year degrees, and four-year degrees. Texas Education Agency, Texas Academic Performance Report, 2017-18 State Postsecondary Outcomes Summary.

[https://rptsvr1.tea.texas.gov/cgi/sas/broker?\\_service=marykay&\\_debug=0&single=N&batch=N&app=PUBLIC&ptype=H&\\_program=perfpt.perfmast.sas&level=state&search=distnum&namenum=&prgopt=2019/tapr/ps\\_outcomes\\_sum.sas](https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_debug=0&single=N&batch=N&app=PUBLIC&ptype=H&_program=perfpt.perfmast.sas&level=state&search=distnum&namenum=&prgopt=2019/tapr/ps_outcomes_sum.sas).

<sup>6</sup> Texas Higher Education Coordinating Board. (2021). 60x30TX Progress Report. Austin, TX.

<sup>7</sup> Emily Donaldson. Dallas Morning News. (June 23, 2021). Texas braces for bad STAAR results that are 'every bit as problematic as we thought'.

<https://www.dallasnews.com/news/education/2021/06/23/texas-braces-for-bad-staar-results-that-are-every-bit-as-problematic-as-we-thought/>.

ensure that high school students are ready for postsecondary success. The benefits are at least two-fold, as both high school and postsecondary instructors would have better a measure of a student's strengths and needs, while also more accurately identifying where to focus interventions. Postsecondary-ready students are necessary to meet 60x30TX goals, so it would be prudent to consider options that achieve that outcome.

It is also important that high school students are ready to navigate the postsecondary environment. While 60x30TX touches on advising at the postsecondary level, high school advising serves as a student's first "real look" into higher education. Choosing a major, securing financial aid, and even holding students accountable in high school, advisors can help build a student's resilience before they set off on their own. As such, high-quality guidance is a necessary support, and a 60x30TX strategy recognizing that would also help with producing postsecondary-ready students.

Another opportunity is SB 1230 (87-R), by Senator Larry Taylor and Representative Leo Pacheco, which established the Texas Commission on Community College Finance and emphasized funding outcomes in alignment with state postsecondary goals. Community colleges serve the largest sector of higher education students in Texas, a sector that is also diverse.<sup>8</sup> Texas 2036 believes that aligning community college funding incentives would achieve better outcomes for their students, and doing so would improve progress towards several 60x30TX goals. Specifically, there is a need for greater focus on the Student Success Point formulas. The wide array of outcomes incentivized by these formulas is not fully aligned with each other or with the current goals of 60x30TX. A refresh of the Student Success Point formulas to align more closely with revised 60x30TX goals will enhance outcomes.

Additionally, the THECB biennially convenes its Formula Advisory Committees (FAC) to provide recommendations on formula funding for all public higher education institutions. It would be efficient to align 60x30TX revisions with the FAC's work on the THECB Commissioner's charges, and vice versa. This is especially true given that the FAC's recommendations are considered every biennium by the legislature.

Ensuring that 60x30TX revisions for equitable attainment leverages systematic changes across all postsecondary opportunities would be practical, efficient, and wide-reaching.

---

<sup>8</sup> Texas Association of Community Colleges. (2020). Community College Fact Sheet. [https://tacc.org/sites/default/files/2020-11/fact\\_sheet\\_11.2020\\_1.pdf](https://tacc.org/sites/default/files/2020-11/fact_sheet_11.2020_1.pdf).

### 3. Holistically consider and include all postsecondary credentials available to students in Texas as counting toward 60x30TX goals.

We must not be apprehensive about pioneering higher education delivery to our ever-changing populace and workforce. Completion of associate and bachelor's degrees in Texas continue to rise while traditional certificates have fallen,<sup>9</sup> but in 2017, the first-year annual earnings of graduates with certificates actually surpassed those with associate degrees and came within almost \$6,000 of those with bachelor's degrees.<sup>10</sup> Meanwhile, an increasing number of private certificate programs are being launched, some offered in conjunction with Texas public institutions and some accessed directly by students and job seekers. The increasing intricacy of types of credentials makes for a complex set of options for Texans with a variety of needs.

**Texas 2036 recommends that the THECB incorporate all postsecondary credential opportunities in Texas, including those that are not issued by Texas institutions of higher education, in its expanded data gathering and reporting on workforce success in Texas.** This would provide a comprehensive and complete view of the postsecondary landscape in Texas, and provide useful insights into best practices for achieving all 60x30TX goals, including those in its current proposal.

The flexibility of pursuing a credential other than a degree is multifold, ranging from cost and access to industry alignment, all of which are factors considered by modern-day postsecondary students. Indeed, these considerations are not simply on whether to pursue a certain credential, but also whether to even pursue a credential at all. This is despite Americans recognizing the value of postsecondary education, even amidst the pandemic.<sup>11</sup>

In order to be responsive to these considerations, 60x30TX revisions must look at all available opportunities for postsecondary credentials in Texas. For instance, work-based and online private credentials and apprenticeships can provide latitude to postsecondary students, particularly those seeking to reskill or upskill. Business leaders, such as Google, have pioneered career-ready credentials that can help students access high-paying jobs with only minimal investments of time and money -- far faster and less expensive than traditional higher education. Likewise, apprenticeship programs have been growing, serving a notable and diverse population throughout the

---

<sup>9</sup> Texas Higher Education Coordinating Board. (2021). 60x30TX Progress Report. Austin, TX.

<sup>10</sup> Texas Higher Education Coordinating Board. (2020). Texas Public Higher Education Almanac. Austin, TX.

<sup>11</sup> Tamara Hilier. Third Way. (December 17, 2020). How COVID-19 Made Higher Education Value a Top Priority.

<https://www.thirdway.org/memo/how-covid-19-made-higher-education-value-a-top-priority>.



country. Additionally, there are 20,122 active apprentices in Texas, while 2,271 apprentices completed their programs in 2020.<sup>12</sup> These are ready additions to our state's educated workforce, and this progress should be considered by 60x30TX.

***Failure to incorporate privately-issued certificates and credentials into the state's planning process risks creating a blind spot in a rapidly changing economy that is seeing new pressures for upskilling and reskilling of workers at all ages.*** Including these credentials would greatly increase Texas' ability to achieve its targets for credential attainment, and it would also measure the progress in serving adult workers, another goal of the 60x30TX revisions.

#### **4. Increase support and resources for Texas' in-state pipeline of postsecondary graduates.**

As originally structured, the overarching 60x30 Educated Population goal significantly relies on the migration of credential holders into Texas. Data in this area has historically exhibited our dependency on migration to achieve an educated workforce, with migrants being more likely to have a bachelor's degree or higher than Texas' general population.<sup>13</sup> More specifically, there are about two times as many migrants with a bachelor's degree or higher than Texas' incumbent workforce.<sup>14</sup>

**Texas 2036 supports a greater focus on Texas' in-state pipeline of postsecondary graduates, to ensure that migration -- a positive for our state -- does not mask the performance of our local postsecondary pipeline.** To reach our long-term equity and outcomes goals, we need to continue to foster the migration of highly-educated talent to our state, but we should not create metrics to gage our own success that treat products of other states' education systems as our own achievements.

Moreover, we encourage the establishment of specific targets for all types of degree and certificate programs as well as the total aggregate number of credentials needed to reach the 60x30 Educated Population goal.

The THECB's current proposal moves in this direction, particularly with its focus on Texas higher education institutions. It is important that the proposed new goals and

---

<sup>12</sup> Department of Labor. Data and Statistics. (2020). Registered Apprenticeship National Results Fiscal Year 2020, 10/01/2019 to 9/30/2020.

<https://www.dol.gov/agencies/eta/apprenticeship/about/statistics/2020>.

<sup>13</sup> Pia Orrenius, Alexander T. Abraham, Stephanie Gullo. Federal Reserve Bank of Dallas. (2018). Gone to Texas: Migration Vital to Growth in the Lone Star State.

<https://www.dallasfed.org/-/media/documents/research/swe/2018/swe1801b.pdf>.

<sup>14</sup> Aim Hire Texas. (February 2021). Aim Hire Texas Workforce Issues, Initial Findings. <https://texas2036.org/wp-content/uploads/2021/04/AHT-Initial-Findings.pdf>.

strategies intentionally provide necessary support and resources to our institutions, as well as other postsecondary opportunities. These investments will lead to long-term boons for our state, both in our postsecondary infrastructure and workforce.

The revision of the 60x30TX plan is a momentous opportunity leading up to Texas' bicentennial, and beyond. Texas 2036 applauds the THECB in its work to pursue the best paths forward to improve the higher education and workforce development landscapes in Texas. We appreciate the opportunity to present our data-driven comments and recommendations, and, for the pursuit of a better Texas, stand ready to be a thoughtful and collaborative partner in these efforts.

## AGENDA ITEM VI-A

### Update on the Texas Higher Education Foundation

RECOMMENDATION: No action required

#### Background Information:

Founded in 2001, the Texas Higher Education Foundation (formerly named the College for All Texans Foundation) serves as the nonprofit fundraising arm for the Texas Higher Education Coordinating Board. The Texas Higher Education Foundation's mission is to foster and further evidence-based initiatives that positively impact postsecondary outcomes in Texas. To date, trustees and staff have raised over \$30 million, with nearly \$7.5 million having been raised in the last two years alone to support strategic priority initiatives of the THECB.

Neal W. Adams, Chairman and President of the Texas Higher Education Foundation, will present this item. Melissa Henderson, Executive Director of the Texas Higher Education Foundation, will be available for questions.

AGENDA ITEM VI-B

Acceptance of gifts and donations to the Board

RECOMMENDATION: Approval

Background Information:

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

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

## Agenda Item VI-B

The following gifts and donations have been provided to the agency since the July 2021 Quarterly Board Meeting. This Board must vote to accept these gifts or donations.

<b>Date Received</b>	<b>Gift or Donation</b>	<b>Funding Source</b>	<b>Donor</b>	<b>Estimated Value</b>
07.06.21	New West Communications, Inc.	Bill and Melinda Gates Foundation	Texas Higher Education Foundation	\$20,000.00
07.12.21	The Brookings Institute	Blue Meridian Partners	Texas Higher Education Foundation	\$242,000.00
07.15.21	TradeMark Media Corp. d/b/a Mighty Citizen	Lumina Foundation	Texas Higher Education Foundation	\$25,000.00
07.15.21	Julie Schell	Lumina Foundation	Texas Higher Education Foundation	\$4,000.00
07.16.21	Aaron Lemon-Strauss	Blue Meridian Partners	Texas Higher Education Foundation	\$40,000.00
07.30.21	Vidlet Inc.	Blue Meridian Partners	Texas Higher Education Foundation	\$14,325.00
08.02.21	WPA Intelligence (WPAi)	Lumina Foundation	Texas Higher Education Foundation	\$30,000.00
08.05.21	DataSmith Solutions, LLC	Bill and Melinda Gates Foundation	Texas Higher Education Foundation	\$70,000.00
08.11.21	University of Houston Educational Research Center	Blue Meridian Partners	Texas Higher Education Foundation	\$8,000.00
08.17.21	TradeMark Media Corp. d/b/a Mighty Citizen	Bill and Melinda Gates Foundation	Texas Higher Education Foundation	\$51,500.00

## AGENDA ITEM VI-C

### Update on Texas Transfer Initiatives

RECOMMENDATION: No action required

#### Background Information:

Substantially improving transfer, particularly for students attending community colleges who plan to transfer to a public four-year university, remains a priority for the Texas Higher Education Coordinating Board (THECB). Efforts initiated by Senate Bill 25 (SB 25), passed by the 86th Texas Legislature in 2019, resulted in strengthened transfer policies and included several provisions to improve transfer for Texas students.

In May, the Texas Transfer Advisory Committee (TTAC) held its inaugural meeting. Led by Co-Chairs Drs. Laurel Williamson and James Hallmark, the TTAC began the work of implementing the new Texas Transfer Framework, through the establishment of two discipline specific subcommittees: criminal justice and business administration. The two disciplines were selected based on existing data that shows these disciplines are two of the most common Fields of Study for students to complete.

The two discipline specific subcommittees were appointed by Commissioner Harrison Keller in August. The subcommittee on criminal justice met on September 28 and 29 to develop a new Texas Transfer Framework Criminal Justice Field of Study. With 38 faculty, 19 from public community colleges and 19 from public universities and with two members of the TTAC, Dr. Fred Hills and Kambra Bosch, the subcommittee developed a recommendation for courses that may be included in the first Texas Transfer Field of Study using the new Texas Transfer Framework. The discipline specific subcommittee, comprised of 40 faculty, 20 from public community colleges and 20 from public universities and with two members of the TTAC, Drs. Mehrnoush Motamedi and Ann Kenimer, the subcommittee on business administration is scheduled to meet on October 26 and 27 to work on the development of a new Texas Transfer Field of Study for Business Administration. Representatives of the two subcommittees will present their recommendations to the TTAC at their next meeting, scheduled in November.

Institutional reporting of their Recommended Course Sequences is underway. Institutions were able to log in and begin submitting data on August 1 with a deadline for reporting of December 1, 2021.

Ray Martinez, Deputy Commissioner for Academic Affairs and Workforce Education, and Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs, will be available for questions.

## AGENDA ITEM VI-D

### Star Award program

RECOMMENDATION: No action required

Finalists for the 2021 Star Award program will be publicly announced.

#### Background Information:

Given the continuing challenges resulting from the COVID-19 pandemic, and for this year only, the 2021 Texas Higher Education Star Awards is recognizing institutions of higher education across the state for their successful efforts to respond to the COVID-19 public health emergency, including implementation of innovative and successful strategies in service to their campus communities during the pandemic.

The COVID-19 pandemic has been a time not only of crisis and disruption in higher education across the state but also of unprecedented change. Public and private institutions of higher education have, among other things, pivoted resources to create safe and healthy environments for staff and students, adjusted academic calendars and use of facilities, provided much-needed emergency financial aid to students, and have leveraged the use of instructional technology to ensure continuity of education through enhanced digital learning. Moreover, many institutions also partnered with local and regional stakeholders during the height of the pandemic to provide necessary support to the growing urgency of the public health emergency.

Finalists were selected by the Commissioner of Higher Education after initial review of applications by Texas Higher Education Coordinating Board (THECB) staff. Finalists were notified of their selection earlier this month and were offered an opportunity to present their COVID-19 response efforts at the Leadership Conference in December.

#### **General Eligibility**

For a Texas institution of higher education to be considered for a 2021 Star Award, eligible Texas systems or institutions submitted a description (up to four pages) of how the institution has responded during the COVID-19 pandemic, with an emphasis on innovations to ensure the health, safety, and success of their campus community and/or partnering with local/regional stakeholders and community-based organizations to respond to the pandemic.

#### **Eligible Texas Institutions**

1. Public and independent two- and four-year colleges and universities;
2. Public and independent health science centers; and
3. Private postsecondary institutions authorized by the THECB.

#### **Criteria for 2021 Star Awards**

The most important criteria in evaluating final applications were:

1. A clear demonstration of how the institution implemented strategies to ensure the health, safety, and success – including student success – of their campus and local community during the COVID-19 health emergency;
2. A clear demonstration of partnerships with community-based organizations, i.e., public health or nonprofit organizations, and related strategies to assess and address the needs of the campus and local community during the COVID-19 health emergency; and
3. The innovative and creative nature of one or more of the strategies used.

Other criteria considered were based on themes that emerged from application narratives, i.e., adaptability or ability to be nimble, providing students support and opportunities for engagement, taking a campuswide approach, and informing response practices at other institutions.

Based on feedback from the field, all applicants were offered an opportunity to provide supplemental information. Applicants were invited to attach or embed any artifacts that supported their narrative, including (but not limited to): news or other articles about the institution's collaboration in the local community, thank-you letters from collaborative partners, and examples of communication efforts (such as posters). These kinds of materials were encouraged, but *not required*.

Ray Martinez, Deputy Commissioner for Academic Affairs and Workforce Education, and Dr. Ginger Gossman, Senior Director, will provide this overview and be available to answer questions.



## AGENDA ITEM VI-E

Consideration and possible action to approve a Memorandum of Understanding between the Texas Higher Education Coordinating Board and the Texas Higher Education Foundation to Implement General Appropriations Act, Rider 53

RECOMMENDATION: Approval

### Background Information:

During the 87<sup>th</sup> Legislative Session, the Texas Legislature amended the Texas Education Code § 33.009 to formally transfer the Texas OnCourse program from UT-Austin to the Coordinating Board. Texas OnCourse currently develops and licenses to other states online, competency-based training to improve the quality of college and career advising available to students. The on-demand training allows educators to access up-to-date resources and evidence-based strategies to improve their advising around postsecondary and career pathways and financial aid.

The General Appropriations Act, Rider 53, authorizes the Coordinating Board to contract with the Texas Higher Education Foundation in order to license or otherwise commercialize products and resources developed by Texas OnCourse. By approving a Memorandum of Understanding (MOU) between the Coordinating Board and the Foundation, the Foundation would be authorized to engage in commercialization of Texas OnCourse products and services. The tools would remain the property of the Coordinating Board.

Melissa Henderson, Executive Director of the Texas Higher Education Foundation, will present this item and be available for questions. Nichole Bunker-Henderson, General Counsel, is also available for questions.

## AGENDA ITEM VI-F

### Consideration and approval of contracts over \$1 million

RECOMMENDATION: Approval

#### Background Information:

Government Code ch 2261 requires Board approval of all contracts over \$1 million. The Board previously approved the procurement and contracting of the services listed below. The Board has delegated, by rule, signature approval to the Commissioner of Higher Education for contracts over \$1 million. This item seeks final Board approval for the contract executed under previous authority.

The Texas Higher Education Coordinating Board is seeking final approval in for the following:

- (1) Strategic Planning and Funding Daman Consulting Incorporated Temporary Personnel Data Modernization Staff Augmentation Project July 28, 2021, \$2,867,067.00. Approved for contracting at the January 2021 Board meeting

Linda Natal, Director of Contracts and Procurements, is available to answer questions.

## AGENDA ITEM VI-G

Consideration and possible action on the performance evaluations of the Commissioner of Higher Education, General Counsel, and Internal Auditor

Recommendation:      No action required

Background Information:

The Board will discuss the annual performance evaluations of the Commissioner of Higher Education, General Counsel, and Auditor.

## 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 approving the recommendation to replace a member on the General Academic Institutions Formula Funding Advisory Committee and a member on the Health-Related Institutions Formula Funding Advisory Committee for the 2024-2025 biennium

RECOMMENDATION: Approval

### Background Information:

Texas Education Code, Section 61.059(b) requires the Texas Higher Education Coordinating Board (THECB) to “devise, establish, and periodically review and revise formulas for the use of the governor and the Legislative Budget Board in making appropriations recommendations to the legislature for all institutions of higher education, including the funding of postsecondary vocational-technical programs.” To assist in this process, there are three advisory committees established each summer of odd-numbered years to prepare recommendations to the board of the THECB (Board).

Members of the formula advisory committees were approved at the Board meeting on July 22, 2021. Since that time, Stephen F. Austin State University and The University of Texas Rio Grande Valley School of Medicine have informed the THECB that the representative from each institution to the General Academic Institution Formula Advisory Committee and Health-Related Institution Formula Advisory Committee, respectively, will be unable to serve. The institutions have each nominated a replacement to their respective committee.

- Stephen F. Austin State University has nominated Ms. Judith Kruwell, Interim Vice President for Finance and Administration, to replace Dr. Danny Gallant on the General Academic Institutions Formula Advisory Committee, with a term ending on June 1, 2022.
- The University of Texas Rio Grande Valley School of Medicine has nominated Mr. Michael Mueller, Senior Vice President for Finance and Planning, to replace Mr. Rick Anderson on the Health-Related Institutions Formula Advisory Committee, with a term ending on June 1, 2022.

THECB staff recommend these nominations for approval to the General Academic Formula Advisory Committee and Health-Related Institutions Formula Advisory Committee.

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

### AGENDA ITEM VII-C

Review of facilities projects submitted to the Coordinating Board, pursuant to Texas Education Code, Sections 61.0572 and 61.058

RECOMMENDATION: No action required

#### Background Information:

The Texas Higher Education Coordinating Board (THECB) has the authority to require that institutions report certain capital projects to the THECB, and THECB staff continue to review the projects. Additional information can be provided upon request for projects that do not meet one or more standards. The board of the THECB must notify the governor, lieutenant governor, speaker of the House, the governing board of the institution, 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 Number	Project Cost	Standard Met - Yes/No			
			Space Usage <sup>1</sup>	Space Need	Cost	Building Efficiency
Stephen F. Austin State University <i>Construct Addition and Renovate Griffith Fine Arts</i>	003624-19-001	\$50,000,000	No <sup>2</sup>	Yes	Yes	Yes

<sup>1</sup> THECB is using fall 2019 space usage efficiency standards to evaluate projects. THECB did not produce updated space usage efficiency calculations in fall 2020 due to institutional modifications related to social distancing and other operational changes for the COVID-19 pandemic.

<sup>2</sup> The institution does not meet the space standard for overall space usage efficiency; however, the institution reports that some office spaces in this building need to be reconfigured to classroom and laboratory space to meet the needs of a growing fine arts program.

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-D

Consideration of adopting the "Report on Student Financial Aid in Texas Higher Education, Fiscal Year 2020" (General Appropriations Act, Senate Bill 1, Article III, Section 24, 87th Texas Legislature)

RECOMMENDATION: Approval

### Background Information:

General Appropriations Act, Senate Bill 1, Article III, Section 24, 87th 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 adoption by the board of the THECB, the report will be forwarded to the Legislative Budget Board no later than November 1, 2021. The report provides a summary of the financial aid provided 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-E

### Consideration of approving the appointment of members of the Financial Aid Advisory Committee

RECOMMENDATION: Appoint Members

#### Background Information:

In accordance with Texas Education Code, Section 61.0776, and Texas Government Code, Section 2110.0012, the Financial Aid Advisory Committee (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 of the Texas Higher Education Coordinating 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:**

Jackie Adler  
Executive Director of Financial Aid  
Texas State Technical College  
**(Term ending 2024)**

Cecelia Jones  
Director of Financial Aid  
Jarvis Christian College  
**(Term ending 2024)**

Melet Leafgreen  
Director of Financial Aid  
University of Texas Southwestern Medical Center  
**(Term ending 2024)**

Sal Ramirez  
College and Career Readiness Coordinator  
El Paso ISD/Transmountain Early College High School  
**(Term ending 2024)**

Joseph Ruiz  
Director of Financial Aid  
Del Mar College  
**(Term ending 2023, to serve the remainder of unexpired term due to Johanna Baley vacating her position on the committee.)**

Tevian Sides  
Director of Financial Aid  
Western Texas College  
**(Term ending 2024)**

Gilbert Zavala  
Vice President  
Austin Chamber of Commerce  
**(Term ending 2024)**

Robert Merino  
President-Elect  
TASFAA  
**(Nominated for a one-year term as the TASFAA representative.)**

## AGENDA ITEM VII-F (1)

Consideration of the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 17, Subchapters A-F, I, K, and L, concerning Resource Planning and the possible adoption of new rules in Chapter 17 of Board rules concerning changes to the administration of Facilities Audit, Facilities Inventory, Energy Savings Performance Contracts, Board Reports, Institutional Reporting on facilities programs, and the organization of the aforementioned programs

RECOMMENDATION: Approval

### Background Information:

Texas Higher Education Coordinating Board (THECB) staff proposes to repeal and replace Chapter 17. The new Chapter 17 would be reorganized and clarified to reduce administrative burden for both the THECB and institutions in relation to facilities programs. Throughout the proposed rule, there would be changes to reflect that the agency is exercising its discretion to no longer review and instead only collect data on certain facilities projects. Under the reformed rules, facilities standards would be a tool for institutions instead of factors that will be reviewed by the THECB. While institutions would still submit their board of regents certification forms at the start of the project, project applications will not be submitted until the project is complete. This change would also eliminate the need for the Annual Project Tracking Report.

In addition, the revised Chapter 17 rules would:

- establish that authorized assistant commissioners and standing committees of the THECB, instead of specific ones, may approve Energy Savings Performance Contracts;
- clarify language regarding contract term start dates for the purposes of Energy Savings Performance Contract approvals;
- remove standards for facilities that are not Education and General (E&G) facilities;
- rename various reports and definitions according to current naming conventions;
- extend the timing of appraisal validity and remove a provision related to property acquisitions at Texas State Technical College System that was dependent upon a section of the Texas Education Code that has been repealed;
- update the process for facilities audits, specifically regarding the peer review team audits, institutional and agency responsibilities, and the option for self-audits; and
- make numerous typographical, grammatical, and organizational changes to improve the clarity and structure of Chapter 17.

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

Date Published in the *Texas Register*: August 20, 2021.

The 30-day comment period with the *Texas Register* ended on: September 19, 2021.

No comments have been received regarding this rule.

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 17 RESOURCE PLANNING

SUBCHAPTER A, GENERAL PROVISIONS

## Sections

§17.1. Purpose and Scope.§17.2. Authority.§17.3. Definitions.§17.1. Purpose and Scope.

(a) The purpose of this chapter is to provide guidance to the public and to public institutions of higher education regarding reporting of facilities project data to the Board, standards for new construction, repair and renovation projects, property acquisitions, or lease-purchase arrangements as authorized by law.

(b) This chapter establishes rules and an approval process for energy savings performance contracts.

(c) This chapter establishes rules for facilities audits.

(d) This chapter establishes guidelines for certain institutional reports to the Board and the Board's reports.

(e) This chapter does not apply to facilities used exclusively for auxiliary enterprise.

§17.2. Authority.

(a) Texas Education Code, §61.0572, requires the Board to assure the efficient use of construction funds and the orderly development of physical plants to accommodate projected college student enrollments.

(b) Texas Education Code, §61.058, authorizes the Board to review new construction and repair and renovation projects as well as purchases of improved real property at institutions. Standards used in review must be adopted using negotiated rulemaking.

(c) Texas Education Code, §61.0583, requires the Board to conduct a comprehensive audit of all educational and general facilities.

(d) Texas Education Code, §51.927, authorizes the Board to establish guidelines and an approval process for awarding energy savings performance contracts.

§17.3. Definitions.

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

(1) Acquisition--To come into possession or control of real property or facilities. This includes the acceptance, purchase, lease-purchase, transfer, or exchange of land or facilities.

(2) Academic Facilities--Facilities used for primary instruction, research, and public service functions of the institution. Academic facilities typically would include classrooms, libraries, administrative and faculty offices, and student and research laboratories.

(3) Addition--Expansion or extension of an existing facility that increases its size or capacity.

(4) Assignable Area of a Building--The sum of all areas within the interior walls of rooms on all floors of a building assigned to, or available for assignment to, an occupant or use, excluding unassigned space. This is also referred to as net assignable square feet (NASF).

(5) Athletic Facilities--Facilities used for athletic programs, including intercollegiate athletics, intramural athletics, and athletically oriented academic programs.

(6) Auditorium or Assembly--A room, hall, or building designed and equipped for the assembly of large groups for such events as dramatic and musical productions, devotional activities, livestock judging, faculty/staff meetings, or commencement. Included are theaters, concert halls, arenas, chapels, and livestock judging pavilions. Assembly facilities may also serve instructional purposes to a minor or incidental extent.

(7) Auxiliary Enterprise Buildings or Space--Income-generating structures and space such as dormitories, cafeterias, student union buildings, stadiums, athletic facilities, housing or boarding facilities used by a fraternity, sorority, or private club, and alumni centers used solely for those purposes. Auxiliary space is not supported by State appropriations.

(8) Board or Coordinating Board--The Texas Higher Education Coordinating Board members and the agency staff.

(9) Building--A structure with at least two walls for permanent or temporary shelter of persons, animals (excluding animal caging equipment), plants, materials, or equipment that is attached to a foundation, roofed, serviced by a utility (exclusive of lighting), is a source of maintenance and repair activities, and is under the control or jurisdiction of the institution's governing board, regardless of its location.

(10) Building Replacement Estimate Report--A report that provides an overall estimate of the campus' buildings replacement cost. The Board produces this report to aid institutions in reporting their deferred maintenance needs as a percentage of the total campus' replacement value.

(11) Educational and General (E&G) Building Replacement Estimate--A comparative indicator of the relative condition of facilities calculated by dividing the deferred

maintenance backlog by the current Building Replacement Estimate. This may be calculated for an individual building, group of buildings, or an entire campus.

(12) Institution-Wide Building Replacement Estimate--The institution-wide relative value of an institution's facilities, as determined annually by the Board. The method of calculation is based on approved Board project costs. Building Replacement Estimates are calculated for Educational and General space and Institution-Wide space. A 25 percent add-on is included to account for the cost of necessary infrastructure. These are NOT to be used for insurance purposes.

(13) Campus Condition Report--A report outlining facility maintenance needs in the areas of deferred maintenance and critical deferred maintenance.

(14) Campus Master Plan--A detailed long-range plan of institutional physical plant needs, including facilities construction and/or development, land acquisitions, and campus facilities infrastructure; the plan provides long-range and strategic analyses and facilities development guidelines.

(15) Certification--Institutional attestation of reports or other submissions as being true or as represented.

(16) Classroom--A room used for scheduled classes. These rooms may be called lecture rooms, lecture-demonstration rooms, seminar rooms, or general-purpose classrooms. A classroom may contain multimedia or telecommunications equipment, such as those used for distance learning. A classroom may be furnished with special equipment (e.g., globes, maps, pianos) appropriate to a specific area of study. A classroom does not include conference rooms, meeting rooms, auditoriums, or class laboratories.

(17) Class Laboratory--A room used primarily by regularly scheduled classes that require special-purpose equipment for student participation, experimentation, observation, or practice in a field of study. Class laboratories may be referred to as teaching laboratories, instructional shops, computer laboratories, drafting rooms, band rooms, choral rooms, group studios. Laboratories that serve as individual or independent study rooms are not included.

(18) Clinical Facility--A facility often associated with a hospital or medical school that is devoted to the diagnosis and care of patients in the instruction of health professions and allied health professions; medical instruction may be conducted, and patients may be examined and discussed. Clinical facilities include, but are not limited to, patient examination rooms, testing rooms, and consultation rooms.

(19) Committee--The members of the Board appointed to consider facility-related issues.

(20) Commissioner--The chief executive officer of the Texas Higher Education Coordinating Board agency.

(21) Cost--The portion of the total project costs that are reported by the institution as being for the actual cost of construction, repair/renovation, or the actual purchase price



for improved real property purchases. Not included are costs associated with site acquisition (for construction projects), closing costs (for improved real property purchases) fixed equipment, site development, furniture and moveable equipment, construction services, life safety compliance, professional services fees, demolition costs, eminent domain costs, environmental development, or contingency amounts.

(22) Critical Deferred Maintenance--Any deferred maintenance that if not corrected in the current budget cycle places its building occupants at risk of harm or the facility at risk of not fulfilling its functions.

(23) Deferred Maintenance--The accumulation of facility components in need of repair or replacement brought about by age, use, or damage, for which remedies are postponed or considered backlogged, that is necessary to maintain and extend the life of a facility. This includes repairs postponed due to funding limitations.

(24) Education and General (E&G) Space--Space used for teaching, research, or the preservation of knowledge, including the proportional share used for those activities in any building or facility used jointly with auxiliary enterprise, or space that is permanently unassigned. E&G space may be supported by state appropriations.

(25) E&G Cost-- $\text{E\&G Space} / \text{Total Space} \times \text{Cost}$ . The costs associated with the E&G space included in a project. This is determined by dividing the E&G assignable square feet by the total project assignable square feet and then multiplying the result by the cost.

(26) Efficiency--The proportion of the gross square feet that can be assigned. This is determined by dividing the net assignable square feet by the gross square feet.

(27) Energy Systems--Infrastructure in a building that includes facility electric, gas, heating, ventilation, air conditioning, and water systems.

(28) Energy Savings Performance Contract--A contract for energy or water conservation measures to reduce energy or water consumption or operating costs of institutional facilities in which the estimated savings in utility costs resulting from the conservation measures is guaranteed to offset the cost of the measures over a specified period.

(29) Facilities Audit--Comprehensive review of institutional facility development, planning activities, and reports.

(30) Facilities Inventory--A collection of building and room records that reflects institutional space and how it is being used. The records contain codes that are uniformly defined by the Board and the United States Department of Education and reported by the institutions on an ongoing basis to reflect a current facilities inventory. The facilities inventory includes a record of property owned by or under the control of the institution.

(31) Capital Expenditure Plan (MP1)--A detailed formulation of institutional programs to address repairs, renovations, deferred maintenance, critical deferred maintenance, facilities construction, demolition, property acquisitions, or infrastructure.

(32) Gift--A donation or bequest of money or another tangible item, a pledge of a contribution, or the acquisition of real property or facilities at no cost to the state or to the institution. It may also represent a method of finance for a project.

(33) Gross Square Feet (GSF)--The sum of all square feet of floor areas within the outside faces of a building's exterior walls. This includes the areas, finished and unfinished, on all floors of an enclosed structure, i.e., within the environmentally controlled envelope, for all stories or areas which have floor surfaces.

(34) Improved Real Property--Real property on which there are buildings or facilities.

(35) Information Resource Project--Projects related to the purchase or lease-purchase of computer equipment, purchase of computer software, purchase or lease-purchase of telephones, telephone systems, and other telecommunications and video-teleconferencing equipment.

(36) Infrastructure--The basic physical structures needed for the operation of a campus to include roads, water supply, sewers, power grids, telecommunications, and so forth. Systems within five feet of a building are considered building systems and are not infrastructure.

(37) Institution or institution of higher education--A Texas public institution of higher education as defined in Texas Education Code, §61.003(8), except a community/junior college.

(38) Legislative Authority--Specific statutory authorization.

(39) Lease--A contract by which real estate, equipment, or facilities are conveyed for a specified term and for a specified rent. Includes the transfer of the right to possession and use of goods for a term in return for consideration. Unless the context clearly indicates otherwise, the term includes a sublease.

(40) Lease-Purchase--A lease project that includes the acquisition of real property by purchase, gift, or any other voluntary transaction at some future time.

(41) Mixed Use--Facilities that have a mixture of uses. These may include facilities that are E&G and non-E&G.

(42) Net Assignable Square Feet (NASF)--The sum of all areas within the interior walls of rooms on all floors of a building assigned to, or available for assignment to, an occupant or use, excluding unassigned areas. NASF includes auxiliary space and E&G space.

(43) New Construction--The creation of a new building or facility, the addition to an existing building or facility, or new infrastructure that does not currently exist on campus. New construction would add gross square footage to an institution's existing space.

(44) Parking Structure--A facility or garage used for housing or storing vehicles. Included are garages, boathouses, airport hangars, and similar buildings. Barns or similar field buildings that house farm implements and surface parking lots are not included.

(45) Phased Project--A project that has more than one part, each one having fixed beginning and ending dates, specified cost estimates, and scope. Phased projects consider future phase needs in the project plan; each phase is able to stand alone as an individual project.

(46) Project--The process that includes the construction, repair, renovation, addition, alteration of a campus, building, or facility, or its infrastructure, or the acquisition of real property.

(47) Project Review--The process used by the Board and Board staff to determine whether the project meets Board adopted standards for cost, efficiency, space need and space use.

(48) Purchase--The acquisition of and interest in real property in exchange for valuable consideration.

(49) Real Property--Land with or without improvements such as buildings.

(50) Repair and Renovation (R&R)--Construction upgrades to an existing building, facility, or infrastructure that currently exists on campus; this includes the finish-out of shell space. R&R may add E&G NASF space.

(51) Research Facility--A facility used primarily for experimentation, investigation, or training in research methods, professional research and observation, or a structured creative activity within a specific program. Included are laboratories used for experiments or testing in support of instructional, research, or public service activities.

(52) Shell Space--An area within a building with an unfinished interior designed to be converted into usable space at a later date.

(53) Space Need--The result of the comparison of an institution's actual space to the predicted need as calculated by the Board's Space Projection Model.

(54) Space Use--The determination of the efficiency of use in existing facilities as determined by institutional performance on accepted measures.

(55) Standard--Basis, criteria, or benchmark used for evaluating the merits of a project request or an institutional comparison to a benchmark.

(56) Technical Research Building--Space used for research, testing, and training in a mechanical or scientific field. Special equipment is required for staff and/or student experimentation or observation. Included are specialized laboratories for new technologies that have stringent environmental controls on air quality, temperature,

vibration, and humidity. Facilities generally include space for specialized technologies, semiconductors, biotechnology, advanced materials, quantum computing and advanced manufacturing quantum computing technology, nanoscale measurement tools, integrated microchip-level technologies for measuring individual biological molecules, and experiments in nanoscale disciplines.

(57) Tuition Revenue Bonds Project--A project for which an institution has legislative authority to finance a construction or land acquisition project as provided for in Texas Education Code, §§55.01 - 55.25.

(58) Unimproved Real Property--Real property on which there are no buildings or facilities.

(59) University System--The association of one or more public senior colleges or universities, medical or dental units, or other agencies of higher education under the policy direction of a single governing board.

## SUBCHAPTER A, GENERAL PROVISIONS

### Sections

#### ~~§17.1. Purpose and Scope.~~

~~[The purpose of this chapter is to provide guidance to the public and to public institutions of higher education regarding review of construction projects, repair and renovation projects, property acquisitions, or lease purchase arrangements as authorized by law.]~~

#### ~~§17.2. Authority.~~

~~[Texas Education Code, §61.0572, requires the Board to assure the efficient use of construction funds and the orderly development of physical plants to accommodate projected college student enrollments. Texas Education Code, §61.058, authorizes the Board to review new construction and repair and rehabilitation of buildings and facilities at institutions. Texas Education Code, §61.0583, requires the Board to conduct a comprehensive audit of all educational and general facilities. Texas Education Code, §51.927, authorizes the Board to establish guidelines and an approval process for awarding energy savings performance contracts.]~~

#### ~~§17.3. Definitions.~~

~~[The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:~~

~~—(1) Acquisition--To come into possession or control of real property or facilities. This includes the acceptance, purchase, lease purchase, transfer, or exchange of land or facilities.~~

~~—(2) Academic Facilities--Facilities used for primary instruction, research, and public service functions of the institution. Academic facilities typically would include classrooms, libraries, administrative and faculty offices, and student and research laboratories.~~

- ~~—(3) Addition—Expansion or extension of an existing facility that increases its size or capacity.~~
- ~~—(4) Assignable Area of a Building—The sum of all areas within the interior walls of rooms on all floors of a building assigned to, or available for assignment to, an occupant or use, excluding unassigned space. This is also referred to as net assignable square feet (NASF).~~
- ~~—(5) Athletic Facilities—Facilities used for athletic programs, including intercollegiate athletics, intramural athletics, and athletically-oriented academic programs.~~
- ~~—(6) Auditorium or Assembly—A room, hall, or building designed and equipped for the assembly of large groups for such events as dramatic and musical productions, devotional activities, livestock judging, faculty/staff meetings, or commencement. Included are theaters, concert halls, arenas, chapels and livestock judging pavilions. Assembly facilities may also serve instructional purposes to a minor or incidental extent.~~
- ~~—(7) Auxiliary Enterprise Buildings or Space—Income-generating structures and space such as dormitories, cafeterias, student union buildings, stadiums, athletic facilities, housing or boarding facilities used by a fraternity, sorority, or private club, and alumni centers used solely for those purposes. Auxiliary space is not supported by State appropriations.~~
- ~~—(8) Board or Coordinating Board—The Texas Higher Education Coordinating Board members and the agency.~~
- ~~—(9) Building—A structure with at least two walls for permanent or temporary shelter of persons, animals (excluding animal caging equipment), plants, materials, or equipment that is attached to a foundation, roofed, serviced by a utility (exclusive of lighting), is a source of maintenance and repair activities, and is under the control or jurisdiction of the institution's governing board, regardless of its location.~~
- ~~—(10) Campus Condition Index (CCI)—A comparative indicator of the relative condition of facilities calculated by dividing the deferred maintenance backlog by the current Campus Condition Index Value. This may be calculated for an individual building, group of buildings, or an entire campus.~~
- ~~—(11) Campus Condition Index Value (CCIV)—The institution-wide relative value of an institution's facilities, as determined annually by the Board. The method of calculation is based on approved Board project costs. Campus Condition Index Values are calculated for Educational and General (EGCCIV) space and Institution-Wide (IWCCIV) space. A 25 percent add-on is included to account for the cost of necessary infrastructure. These are NOT to be used for insurance purposes.~~
- ~~—(12) Campus Condition Report—A report outlining facility maintenance needs in the areas of deferred maintenance and critical deferred maintenance.~~
- ~~—(13) Campus Master Plan—A detailed long-range plan of institutional physical plant needs, including facilities construction and/or development, land acquisitions, and campus facilities infrastructure; the plan provides long-range and strategic analyses and facilities development guidelines.~~
- ~~—(14) Certification—Institutional attestation of reports or other submissions as being true or as represented.~~
- ~~—(15) Classroom—A room used for scheduled classes. These rooms may be called lecture rooms, lecture demonstration rooms, seminar rooms, or general purpose classrooms. A classroom may contain multimedia or telecommunications equipment, such as those used for distance learning. A classroom may be furnished with special equipment (e.g., globes, maps, pianos) appropriate to a specific area of study. A~~

classroom does not include conference rooms, meeting rooms, auditoriums, or class laboratories.

—(16) Class Laboratory—A room used primarily by regularly scheduled classes that require special-purpose equipment for student participation, experimentation, observation, or practice in a field of study. Class laboratories may be referred to as teaching laboratories, instructional shops, computer laboratories, drafting rooms, band rooms, choral rooms, group studios. Laboratories that serve as individual or independent study rooms are not included.

—(17) Clinical Facility—A facility often associated with a hospital or medical school that is devoted to the diagnosis and care of patients in the instruction of health professions and allied health professions; medical instruction may be conducted, and patients may be examined and discussed. Clinical facilities include, but are not limited to, patient examination rooms, testing rooms, and consultation rooms.

—(18) Committee—The members of the Board appointed to consider facility-related issues.

—(19) Commissioner—The chief executive officer of the Texas Higher Education Coordinating Board.

—(20) Cost—The portion of the total project costs that are reported by the institution as being for the actual cost of construction, repair/renovation, or the actual purchase price for improved real property purchases. Not included are costs associated with site acquisition (for construction projects), closing costs (for improved real property purchases) fixed equipment, site development, furniture and moveable equipment, construction services, life safety compliance, professional services fees, demolition costs, eminent domain costs, environmental development, or contingency amounts.

—(21) Critical Deferred Maintenance—Any deferred maintenance that if not corrected in the current budget cycle places its building occupants at risk of harm or the facility at risk of not fulfilling its functions.

—(22) Deferred Maintenance—The accumulation of facility components in need of repair or replacement brought about by age, use, or damage, for which remedies are postponed or considered backlogged, that is necessary to maintain and extend the life of a facility. This includes repairs postponed due to funding limitations.

—(23) Education and General (E&G Space)—Space used for teaching, research, or the preservation of knowledge, including the proportional share used for those activities in any building or facility used jointly with auxiliary enterprise, or space that is permanently unassigned. E&G space may be supported by state appropriations.

—(24) E&G Cost— $\text{E\&G Space} / \text{Total Space} \times \text{Cost}$ . The costs associated with the E&G space included in a project. This is determined by dividing the E&G assignable square feet by the total project assignable square feet and then multiplying the result by the cost.

—(25) Efficiency—The proportion of the gross square feet that can be assigned. This is determined by dividing the net assignable square feet by the gross square feet.

—(26) Energy Systems—Infrastructure in a building that includes facility electric, gas, heating, ventilation, air conditioning, and water systems.

—(27) Energy Savings Performance Contract—A contract for energy or water conservation measures to reduce energy or water consumption or operating costs of institutional facilities in which the estimated savings in utility costs resulting from the conservation measures is guaranteed to offset the cost of the measures over a specified period.

- ~~—(28) Facilities Audit—Comprehensive review of institutional facility development, planning activities, and reports.~~
- ~~—(29) Facilities Inventory—A collection of building and room records that reflects institutional space and how it is being used. The records contain codes that are uniformly defined by the Board and the United States Department of Education and reported by the institutions on an ongoing basis to reflect a current facilities inventory. The facilities inventory includes a record of property owned by or under the control of the institution.~~
- ~~—(30) Facilities Development Plan (MP1)—A detailed formulation of institutional programs to address repairs, renovations, deferred maintenance, critical deferred maintenance, facilities construction, demolition, property acquisitions, or infrastructure.~~
- ~~—(31) Gift—A donation or bequest of money or another tangible item, a pledge of a contribution, or the acquisition of real property or facilities at no cost to the state or to the institution. It may also represent a method of finance for a project.~~
- ~~—(32) Gross Square Feet (GSF)—The sum of all square feet of floor areas within the outside faces of a building's exterior walls. This includes the areas, finished and unfinished, on all floors of an enclosed structure, i.e., within the environmentally controlled envelope, for all stories or areas which have floor surfaces.~~
- ~~—(33) Improved Real Property—Real property on which there are buildings or facilities.~~
- ~~—(34) Information Resource Project—Projects related to the purchase or lease purchase of computer equipment, purchase of computer software, purchase or lease purchase of telephones, telephone systems, and other telecommunications and video-conferencing equipment.~~
- ~~—(35) Infrastructure—The basic physical structures needed for the operation of a campus to include roads, water supply, sewers, power grids, telecommunications, and so forth. Systems within five feet of a building are considered building systems and are not infrastructure.~~
- ~~—(36) Institution or institution of higher education—A Texas public institution of higher education as defined in Texas Education Code, §61.003(8), except a community/junior college.~~
- ~~—(37) Legislative Authority—Specific statutory authorization.~~
- ~~—(38) Lease—A contract by which real estate, equipment, or facilities are conveyed for a specified term and for a specified rent. Includes the transfer of the right to possession and use of goods for a term in return for consideration. Unless the context clearly indicates otherwise, the term includes a sublease.~~
- ~~—(39) Lease-Purchase—A lease project that includes the acquisition of real property by purchase, gift, or any other voluntary transaction at some future time.~~
- ~~—(40) Mixed Use—Facilities that have a mixture of uses. These may include facilities that are E&G and non-E&G.~~
- ~~—(41) Net Assignable Square Feet (NASF)—The sum of all areas within the interior walls of rooms on all floors of a building assigned to, or available for assignment to, an occupant or use, excluding unassigned areas. NASF includes auxiliary space and E&G space.~~
- ~~—(42) New Construction—The creation of a new building or facility, the addition to an existing building or facility, or new infrastructure that does not currently exist on campus. New construction would add gross square footage to an institution's existing space.~~

- ~~—(43) Parking Structure—A facility or garage used for housing or storing vehicles. Included are garages, boathouses, airport hangars, and similar buildings. Barns or similar field buildings that house farm implements and surface parking lots are not included.~~
- ~~—(44) Phased Project—A project that has more than one part, each one having fixed beginning and ending dates, specified cost estimates, and scope. Phased projects consider future phase needs in the project plan; each phase is able to stand alone as an individual project.~~
- ~~—(45) Project—The process that includes the construction, repair, renovation, addition, alteration of a campus, building, or facility, or its infrastructure, or the acquisition of real property.~~
- ~~—(46) Project Review—The process used by the Board and Board staff to determine whether the project meets Board adopted standards for cost, efficiency, space need and space use.~~
- ~~—(47) Purchase—The acquisition of and interest in real property in exchange for valuable consideration.~~
- ~~—(48) Real Property—Land with or without improvements such as buildings.~~
- ~~—(49) Repair and Renovation (R&R)—Construction upgrades to an existing building, facility, or infrastructure that currently exists on campus; this includes the finish-out of shell space. R&R may add E&G NASF space.~~
- ~~—(50) Research Facility—A facility used primarily for experimentation, investigation, or training in research methods, professional research and observation, or a structured creative activity within a specific program. Included are laboratories used for experiments or testing in support of instructional, research, or public service activities.~~
- ~~—(51) Shell Space—An area within a building with an unfinished interior designed to be converted into usable space at a later date.~~
- ~~—(52) Space Need—The result of the comparison of an institution's actual space to the predicted need as calculated by the Board's Space Projection Model.~~
- ~~—(53) Space Use—The determination of the efficiency of use in existing facilities as determined by institutional performance on accepted measures.~~
- ~~—(54) Standard—Basis, criteria, or benchmark used for evaluating the merits of a project request or an institutional comparison to a benchmark.~~
- ~~—(55) Technical Research Building—Space used for research, testing, and training in a mechanical or scientific field. Special equipment is required for staff and/or student experimentation or observation. Included are specialized laboratories for new technologies that have stringent environmental controls on air quality, temperature, vibration, and humidity. Facilities generally include space for specialized technologies, semiconductors, biotechnology, advanced materials, quantum computing and advanced manufacturing quantum computing technology, nanoscale measurement tools, integrated microchip level technologies for measuring individual biological molecules, and experiments in nanoscale disciplines.~~
- ~~—(56) Tracking Report—Institutional reports indicating the status of submitted projects and projects to be submitted.~~
- ~~—(57) Tuition Revenue Bonds Project—A project for which an institution has legislative authority to finance a construction or land acquisition project as provided for in Texas Education Code, §§55.01—55.25.~~
- ~~—(58) Unimproved Real Property—Real property on which there are no buildings or facilities.~~



~~—(59) University System—The association of one or more public senior colleges or universities, medical or dental units, or other agencies of higher education under the policy direction of a single governing board.]~~

#### SUBCHAPTER B, REPORTING REQUIREMENTS

##### Sections

§17.20.Facility Projects to Be Submitted to the Board.

§17.21.Submission Procedures.

§17.20.Facility Projects to Be Submitted to the Board.

(a) Institutions shall submit data on the following projects to the Board:

(1) New construction of building and facilities and/or additions to buildings and facilities having an E&G project cost of \$10 million or greater;

(2) Repair and renovation projects for buildings and facilities having an E&G project cost of \$10 million or greater;

(3) Improved real property purchases that the institution intends to include in the E&G buildings and facilities inventory if the purchase price is more than \$1,000,000;

(4) Energy Savings Performance Contract projects; and

(5) Projects financed by tuition revenue bonds pursuant to Education Code §61.0572 and §61.058.

(b) Projects not specifically described in this rule, including but not limited to the following types of projects, are EXEMPT from Board submission:

(1) Projects at The University of Texas at Austin, Texas A&M University, and Prairie View A&M University financed more than 50 percent with Permanent University Fund bond proceeds or Available University Fund funds;

(2) New Construction, repair, or rehabilitation of privately-owned buildings and facilities on land leased from an institution if the new construction, repair, or rehabilitation is financed entirely from funds not under the control of the institution;

(3) Gifts, grants, or lease-purchase arrangements intended for clinical or research facilities;

(4) New construction, repair, or rehabilitation projects to be undertaken pursuant to specific legislative authority;

(5) Lease of property or facilities;

(6) Acquisitions of unimproved real property;

(7) Acquisitions of improved real property that the institution does not intend to include in its E&G buildings and facilities inventory;

(8) New Construction, repair, renovation, or acquisition of buildings and facilities that are to be used exclusively for auxiliary enterprises and will not require appropriations from the legislature for operations, maintenance, or repair; and

(9) All gifts and grants of improved real property.

§17.21.Submission Procedures.

Institutions shall submit the following materials to the Board:

(1) a signed Board of Regents Certification form certifying that the institution's Board of Regents or its delegated authority has approved the project and that the project complies with applicable state and federal requirements as listed on the form shall be submitted to the Board before the start of the project.

(2) Institutions shall submit a completed project application electronically through the Board's website once completed project costs are known, but no later than 90 days after the project has been added to the Facilities Inventory.

(3) For Real Property Purchase Projects, in addition to paragraphs (1) and (2) of this section, institutions shall submit appraisals in accordance with the below:

(A) An institution shall provide two current appraisal reports providing a current value of the property. The most recent appraisal of the local property tax appraisal district may be used for one of these reports.

(B) Appraisals shall be considered current if the appraisal was completed no more than two years prior to the date the project application is submitted to the Coordinating Board.

(4) Appraiser Credentials. Any appraisal report provided to the Board under this section shall certify that the appraiser(s) meets one of the following requirements:

(A) Is designated an Accredited Senior Appraiser by the American Society of Appraisers (A.S.A.) with the professional designation in real estate;

(B) Is a member of the Appraisal Institute designated M.A.I. by the Appraisal Institute and is experienced in the valuation and evaluation of commercial, industrial, residential, and other types of properties, and who advise clients on real estate investment decisions;

(C) Is a member of the Appraisal Institute designated S.R.P.A. and is experienced in the valuation of commercial, industrial, residential, and other types of property;

(D) Is a member of the Appraisal Institute designated S.R.A. and is a real estate solutions provider who is experienced in the analysis and valuation of residential real property;

(E) Is a senior member of the National Association of Independent Fee Appraisers designated IFAS;

(F) Is an appraiser-counselor member of the National Association of Independent Fee Appraisers designated IFAC;

(G) Is a licensee of the Texas Appraiser Licensing and Certification Board in good standing and certified or licensed at the appropriate level for the project and must comply with the Uniform Standards of Professional Appraisal Practice (USPAP). The appraiser must also state that they have the knowledge and experience to complete the assignment competently; or

(H) Is a member of the American Society of Farm Managers and Rural Appraisers (ASFMRA) designated as an Appraisal Rural Appraiser, or ARA, who is experienced to value rural property matters as they relate to rural property acquisitions, dispositions or condemnation needs.

#### SUBCHAPTER B, BOARD APPROVAL

##### Sections

##### ~~§17.10. Board Review.~~

~~[The Board may review the following projects or phase of a project at institutions of higher education for E&G space:~~

- ~~—(1) New construction of building and facilities and/or additions to buildings and facilities having an E&G project cost of \$10 million or greater;~~
- ~~—(2) Repair and renovation projects for buildings and facilities having a an E&G project cost of \$10 million or greater;~~
- ~~—(3) Improved real property purchases that the institution intends to include in the E&G buildings and facilities inventory if the purchase price is more than \$1,000,000;~~
- ~~—(4) Energy Savings Performance Contract projects; and~~
- ~~—(5) Projects financed by tuition revenue bonds pursuant to TEC §61.0572 and §61.058.]~~

##### ~~§17.11. Projects Exempt from Board Review.~~

~~[Projects not specifically described in §17.10 of this title (relating to Board Review), including but not limited to the following types of projects are exempt from Board review:~~

- ~~—(1) Projects at The University of Texas at Austin, Texas A&M University, and Prairie View A&M University financed more than 50 percent with Permanent University Fund bond proceeds or Available University Fund funds;~~
- ~~—(2) New Construction, repair, or rehabilitation of privately owned buildings and facilities on land leased from an institution if the new construction, repair, or rehabilitation is financed entirely from funds not under the control of the institution;~~
- ~~—(3) Gifts, grants, or lease purchase arrangements intended for clinical or research facilities;~~
- ~~—(4) New construction, repair, or rehabilitation projects to be undertaken pursuant to specific legislative authority;~~
- ~~—(5) Lease of property or facilities;~~
- ~~—(6) Acquisitions of unimproved real property;~~
- ~~—(7) Acquisitions of improved real property that the institution does not intend to include in its E&G buildings and facilities inventory;~~
- ~~—(8) New Construction, repair, renovation, or acquisition of buildings and facilities that are to be used exclusively for auxiliary enterprises and will not require appropriations from the legislature for operations, maintenance, or repair; and~~
- ~~—(9) All gifts and grants of improved real property.]~~

#### ~~§17.12. Delegation of Approval Authority.~~

~~[(a) Assistant Commissioner. The Board authorizes the Assistant Commissioner for Strategic Planning and Funding to approve the following types of energy savings performance contracts, upon certification of authority by the proposing institution's governing board that the project meets all of the specified Board standards and statutory requirements:~~

- ~~—(1) Less than \$20 million in cost with a contract term of ten or fewer years; and~~
- ~~—(2) \$10 million or less in cost with a contract term greater than 10 years but less than or equal to 15 years~~

~~(b) Committee on Affordability, Accountability and Planning. The Board authorizes the Committee to approve the following types of energy savings performance contracts, upon certification of authority by the proposing institution's governing board that the project meets all of the specified Board standards and statutory requirements:~~

- ~~—(1) Greater than \$20 million in cost with a contract term of 15 or fewer years; and~~
- ~~—(2) Greater than \$10 million but less than or equal to \$20 million in cost with a contract term of greater than ten years but less than 20 years.~~
- ~~—(3) \$10 million or less in cost with a contract term of greater than 15 years.~~

~~(c) Board. The following types of energy savings performance contracts shall be considered for approval by the Board. Contracts with a project cost of greater than \$20 million and a contract term greater than 15 years.~~

~~(d) Any project that is not approved by a delegated party is immediately referred to the next higher level approval authority.~~

~~(e) The Assistant Commissioner may refer projects to the Committee for review.~~

~~(f) Decisions of the Assistant Commissioner may be appealed to the Committee. Decisions of the Committee may be appealed to the Board.]~~

#### ~~§17.13. Review Considerations.~~

~~[(a) The Board shall consider cost factors, efficiency, space need, and space use.  
(b) The Board shall consider the extent to which each of the standards outlined in §§17.30, 17.40, 17.50 and 17.51 of this title (relating to Rules Applying to New Construction and Addition Projects, Repair and Renovation Projects, and Improved Real Property Purchase Projects) have been met.]~~

#### SUBCHAPTER C, APPLICATION PROCEDURES

##### Sections

##### §17.21. Application Procedures.

~~[(a) Institutions shall submit projects for Board review on forms specified by the Board. The project application shall be submitted electronically.  
(b) Institutions shall submit the following materials for the consideration of projects:  
—(1) a completed project review application submitted electronically through the Board's website;  
—(2) a signed Board of Regents Certification form certifying that the institution's Board of Regents or its delegated authority has approved the project and if the Board of Regents or delegated authority's approval is dated more than two years prior to the date of the project application, the institution shall submit a certification from an appropriate executive officer that the Board of Regent's approval remains in effect;  
—(3) a signed verification of compliance with applicable state and or federal requirements; and  
—(4) any other documentation or information the institution believes will assist in the review of the project.  
(c) Project review schedule:  
—(1) Projects may be submitted at any time following Governing Board, or delegated authority, approval for initial review.  
—(2) In the event a project is ongoing at the time of annual project update, the institution shall update the information on the annual tracking report and submit within 30 days of request.  
—(3) At the time the project is completed to the point of occupancy, the institution shall amend the information with updated data and update the facilities inventory within 90 days.  
(d) The Board shall notify the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Legislative Budget Board if the institution does not submit an application as required or is not in compliance with any standard outlined in §§17.30, 17.40, 17.50, and 17.51 of this title (relating to Rules Applying to New Construction and Addition Projects, Repair and Renovation Projects, and Improved Real Property Purchase Projects).]~~

#### SUBCHAPTER C, PROJECT STANDARDS

##### Sections

##### §17.30. Standards for New Construction and/or Addition Projects.

§17.31.Standards for Repair & Renovation Projects.

§17.32.Standards for Improved Real Property Purchase Projects.

§17.30.Standards for New Construction and/or Addition Projects.

The established project standards for New Construction and Addition projects are as follows:

(1) Space Need--The project shall not create a campus space surplus, or add to an existing surplus, as determined by the Board's space projection model report, required by §17.100 of this title (relating to Board Reports).

(2) Cost--The construction building cost per gross square foot shall not exceed one standard deviation above the mean of similar projects received by the Board within the last seven years, adjusted for inflation as described in the Board's Construction Cost report, §17.100 of this title.

(3) Building Efficiency--The ratio of NASF to GSF for the space in projects for classrooms and general-purpose facilities shall be 0.60 or greater. Where the following specialized space is predominant in the project, the ratios of NASF to GSF shall be as follows:

(A) Office space: 0.65 or greater;

(B) Clinical facility; 0.50 or greater;

(C) Diagnostic support laboratories: 0.50 or greater;

(D) Technical research buildings: 0.50 or greater; and

(E) For mixed-use facilities, the ratio of NASF to GSF shall be calculated for each space type and considered separately.

(4) Space Usage Efficiency--The use of existing classroom and class laboratory facilities will be considered when the project includes Education & General (E&G) square footage.

(A) Classroom space usage efficiency--

(i) A score of 75 points or higher is considered as meeting the standard; and

(ii) The classroom score will determine compliance for projects involving the following facility types: classroom, general; auditorium/theater; other facility types that appear to contain classrooms or similar space.

(B) Class laboratory space usage efficiency--

(i) A score of 75 points or higher is considered as meeting the standard; and

(ii) The class laboratory score will determine compliance for projects involving facility type laboratory, general and other facility types that appear, as determined by the THECB staff, to contain class laboratories or similar space.

(C) Overall space usage efficiency--

(i) Overall score is a function of the classroom and class laboratory scores. A combined score of 150 or higher, as determined by summing the classroom and class laboratory scores, is considered as meeting the overall standard; and

(ii) The overall score is applicable for projects involving the following facility types: athletic; office, general; office, high rise; student center; other; and projects that cannot clearly be classified in a single category of facility type.

§17.31.Standards for Repair & Renovation Projects.

The established project standards for Repair and Renovation projects are as follows:

(1) Space Need--The project shall not create a campus space surplus, or add to an existing surplus, as determined by the Board's space projection model report, required by §17.100 of this title (relating to Board Reports).

(2) Cost--The construction building cost per gross square foot shall not exceed one standard deviation above the mean of similar projects received by the Board within the last seven years, adjusted for inflation as described in the Board's Construction Cost report, §17.100 of this title.

(3) Building Efficiency--The institution shall demonstrate that the project does not reduce the existing ratio of NASF to GSF for the building by more than 10 percent. If the project renovation is required to comply with federal or state requirements, the institution shall explain any reduction in the ratio of NASF to GSF for the building.

§17.32.Standards for Improved Real Property Purchase Projects.

The established project standards for Improved Real Property Purchase projects are as follows:

(1) Space Need--The project shall not create a campus space surplus, or add to an existing surplus, as determined by the Board's space projection model report, required by §17.100 of this title (relating to Board Reports).

(2) Cost--The proposed purchase price should not exceed the higher of two appraisal values. If the purchase price is greater than the highest appraised value, the institution shall demonstrate the need for purchasing the property at the greater value.

(3) Repair and Renovation--If the project includes repair and renovation of any improvements on the property, the standards in §17.31 of this title (relating to Standards for Repair & Renovation Projects) shall apply.

~~SUBCHAPTER D, RULES APPLYING TO NEW CONSTRUCTION AND ADDITION PROJECTS~~~~Sections~~~~§17.30. Standards for New Construction and/or Addition Projects.~~

~~[To facilitate Board review of a new construction and/or addition project, an institution shall submit a written application with sufficient detail for the Board to determine if the project complies with the following standards:~~

- ~~—(1) Space Need—The project shall not create a campus space surplus, or add to an existing surplus, as determined by the Board's space projection model report, required by §17.100 of this title (relating to Board Reports). If more than one project is submitted for an agenda, all projects submitted for the current agenda will be considered in the determination of a campus surplus or deficit.~~
- ~~—(2) Cost—The construction building cost per gross square foot shall not exceed one standard deviation above the mean of similar projects considered by the Board within the last seven years, adjusted for inflation as described in the Board's Construction Cost report, §17.100 of this title. The estimated construction cost of the project will be adjusted by the future inflation factor based on the projected timeline of the construction midpoint.~~
- ~~—(3) Efficiency—The ratio of NASF to GSF for the space in projects for classrooms and general purpose facilities shall be 0.60 or greater. Where the following specialized space is predominant in the project, the ratios of NASF to GSF shall be as follows:~~
  - ~~—(A) Office space: 0.65 or greater;~~
  - ~~—(B) Clinical facility; 0.50 or greater;~~
  - ~~—(C) Diagnostic support laboratories: 0.50 or greater; and~~
  - ~~—(D) Technical research buildings: 0.50 or greater; and~~
  - ~~—(E) Parking structure:~~
    - ~~—(i) 400 Square Feet per parking space for automobile facilities;~~
    - ~~—(ii) 500 Square Feet per parking space for boathouses; and~~
    - ~~—(iii) 3,000 Square Feet per parking space for airplanes.~~
  - ~~—(F) For mixed use facilities, the ratio of NASF to GSF shall be calculated for each space type and considered separately.~~
- ~~—(4) Usage Efficiency—The use of existing classroom and class laboratory facilities will be considered when the project includes Education & General (E&G) square footage:~~
  - ~~—(A) Classroom usage efficiency—~~
    - ~~—(i) A score of 75 points or higher is considered as meeting the standard.~~
    - ~~—(ii) The classroom score will determine compliance for projects involving the following facility types: classroom, general; auditorium/theater; other facility types that appear, as determined by the Texas Higher Education Coordinating Board (THECB) staff, to contain classrooms or similar space.~~
  - ~~—(B) Class laboratory usage efficiency—~~
    - ~~—(i) A score of 75 points or higher is considered as meeting the standard.~~



~~—(ii) The class laboratory score will determine compliance for projects involving facility type laboratory, general and other facility types that appear, as determined by the THECB staff, to contain class laboratories or similar space~~

~~—(C) Overall usage efficiency—~~

~~—(i) Overall score is a function of the classroom and class laboratory scores. A combined score of 150 or higher, as determined by summing the classroom and class laboratory scores, is considered as meeting the overall standard.~~

~~—(ii) The overall score will determine compliance for projects involving the following facility types: athletic; office, general; office, high rise; student center; other; and projects that, at the discretion of the THECB staff, cannot clearly be classified in a single category of facility type.]~~

#### ~~SUBCHAPTER E, RULES APPLYING TO REPAIR AND RENOVATION PROJECTS~~

##### ~~Sections~~

##### ~~§17.40. Standards for Repair and Renovation Projects.~~

~~[To facilitate Board review for a repair or renovation project, an institution shall demonstrate that the project complies with the following standards:~~

- ~~—(1) Space Need and Cost—The institution shall demonstrate that the repair or renovation project complies with the standards required in §17.30 of this title (relating to Standards for New Construction and/or Addition Projects).~~
- ~~—(2) Efficiency—The institution shall demonstrate that the project does not reduce the existing ratio of NASF to GSF for the building by more than 10 percent. If the project renovation is required to comply with federal or state requirements, the institution shall explain any reduction in the ratio of NASF to GSF for the building.]~~

#### ~~SUBCHAPTER F, RULES APPLYING TO REAL PROPERTY PURCHASE PROJECTS~~

##### ~~Sections~~

##### ~~§17.50. Standards for Improved Real Property Purchase Projects.~~

~~[To facilitate Board review for an improved real property purchase project, an institution shall demonstrate that the project complies with the following standards:~~

- ~~—(1) Space Need—The institution shall demonstrate that the real property project complies with the standards required in §17.30(1)(A) of this title (relating to Space Need).~~
- ~~—(2) Cost—The proposed purchase price should not exceed the higher of two appraisal values. If the purchase price is greater than the highest appraised value, the institution shall demonstrate the need for purchasing the property at the greater value.~~
- ~~—(3) Repair and Renovation—If the project includes repair and renovation of any improvements on the property, the standards in §17.40(1) of this title (relating to Project Standards) shall apply.]~~

§17.51. Additional Requirements.[(a) Appraisals:

~~—(1) If the cost of the improved real property is \$1,000,000 or more, an institution shall provide two current appraisal reports providing a current value of the property. The most recent appraisal of the local property tax appraisal district may be used for one of these reports.~~

~~—(2) 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.~~

~~(b) Appraiser Credentials. Any appraisal report provided to the Board under this section shall certify that the appraiser(s) meets one of the following requirements:~~

~~—(1) Is designated an Accredited Senior Appraiser by the American Society of Appraisers (A.S.A.) with the professional designation in real estate;~~

~~—(2) Is a member of the Appraisal Institute designated M.A.I. by the Appraisal Institute and is experienced in the valuation and evaluation of commercial, industrial, residential, and other types of properties, and who advise clients on real estate investment decisions;~~

~~—(3) Is a member of the Appraisal Institute designated S.R.P.A. and is experienced in the valuation of commercial, industrial, residential, and other types of property;~~

~~—(4) Is a member of the Appraisal Institute designated S.R.A. and is a real estate solutions provider who is experienced in the analysis and valuation of residential real property;~~

~~—(5) Is a senior member of the National Association of Independent Fee Appraisers designated IFAS;~~

~~—(6) Is an appraiser counselor member of the National Association of Independent Fee Appraisers designated IFAC; or~~

~~—(7) Is a licensee of the Texas Appraiser Licensing and Certification Board in good standing and certified or licensed at the appropriate level for the project and must comply with the Uniform Standards of Professional Appraisal Practice (USPAP). The appraiser must also state that they have the knowledge and experience to complete the assignment competently.~~

~~—(8) Is a member of the American Society of Farm Managers and Rural Appraisers (ASFMRA) designated as an Appraisal Rural Appraiser, or ARA, who is experienced to value rural property matters as they relate to rural property acquisitions, dispositions or condemnation needs.~~

~~(c) Special requirements for the Texas State Technical College System. Proposed real property acquisitions by the Texas State Technical College System in Cameron, Potter, Harrison, and Nolan Counties must be approved by the Office of the Governor after Board approval and prior to acquisition in compliance with Texas Education Code §135.02(c). The Board shall provide the Office of the Governor a copy of the approval letter and analysis. The System shall provide any additional documentation to the Office of the Governor. The System shall provide a copy of the Governor's approval to the Board for inclusion in the project application file within 30 days of the approval.]~~

SUBCHAPTER D, ENERGY SAVINGS PERFORMANCE CONTRACTS

## Sections

§17.40. Projects Requiring Board Approval.§17.41. Delegation of Approval Authority for Energy Savings Performance Contracts.§17.42. Additional Requirements.§17.40. Projects Requiring Board Approval.

An institution is required to obtain Board approval before the institution enters into an energy savings performance contract as defined in Texas Education Code, §51.927. Energy Savings Performance Contract projects shall be evaluated under the provisions of §17.31 of this title (relating to Standards for Repair & Renovation Projects). Additionally, the Board will conduct a review based on a set of guidelines to be developed in collaboration with the State Energy Conservation Office.

§17.41. Delegation of Approval Authority for Energy Savings Performance Contracts.

(a) Assistant Commissioner. The Board authorizes the appropriate Assistant Commissioner designated by the Commissioner to approve the following types of energy savings performance contracts, upon certification of authority by the proposing institution's governing board that the project meets all of the Board standards and statutory requirements:

(1) Less than \$20 million in cost with a contract term of ten or fewer years from the date of installation; and

(2) \$10 million or less in cost with a contract term greater than 10 years but less than or equal to 15 years from the date of installation.

(b) Board Standing Committee. The Board authorizes the standing committee designated to consider facilities rules and applications to approve the following types of energy savings performance contracts, upon certification of authority by the proposing institution's governing board that the project meets all of the specified Board standards and statutory requirements:

(1) Greater than \$20 million in cost with a contract term of 15 or fewer years from the date of installation;

(2) Greater than \$10 million but less than or equal to \$20 million in cost with a contract term of greater than ten years but less than 20 years from the date of installation; and

(3) \$10 million or less in cost with a contract term of greater than 15 years from the date of installation.

(c) Board. The Board shall consider for approval the following types of energy savings performance contracts. Contracts with a project cost of greater than \$20 million and a contract term greater than 15 years from the date of installation.

(d) Any project that is not approved by a delegated party is immediately referred to the next higher-level approval authority.

(e) The Assistant Commissioner may refer projects to the appropriate Board Committee for review.

(f) Decisions of the Assistant Commissioner may be appealed to the appropriate Board Committee. Decisions of the Committee may be appealed to the Board.

#### §17.42. Additional Requirements.

(a) In addition to those outlined in §17.21 of this title (Relating to Submission Procedures), each institution must include a statement with the application, certified by a Professional Engineer licensed in the State of Texas who shall not be an officer or employee of the offeror for the contract, the institution seeking approval, or otherwise associated with the contract, that the contract meets the following guidelines:

(1) The contract complies with any and all applicable federal, state and local statutes;

(2) The contract contains an energy audit report, a Measurement and Verification plan that conforms to the International Performance Measurement and Verification Protocol (IPMPV) or a case-specific methodology conforming to IPMPV principles, and a detailed calculation of energy savings as a direct result of the project;

(3) The savings achieved over the specified term is equal to or greater than the cost of the project; and

(4) The contract meets the guidelines specified in Texas Education Code, §51.927, (relating to Energy Savings Performance Contracts).

(b) In addition to those outlined in §17.21 of this title (Relating to Submission Procedures), the institution's chief financial officer and general counsel must include a written certification that they have reviewed the energy contract and that the costs do not exceed the guaranteed savings and that other legal provisions are in compliance with applicable laws and statutes.

(c) The institution shall provide to the Board a copy of the signed contract within 30 days of the effective date of the contract.

#### ~~SUBCHAPTER I, RULES APPLYING TO ENERGY SAVINGS PERFORMANCE CONTRACTS~~

#### ~~Sections~~

#### ~~§17.80. Projects Requiring Board Approval.~~

~~[Board approval is required before an institution enters into an energy savings performance contract as defined in Texas Education Code, §51.927. Energy Savings Performance Contract projects shall be evaluated under the provisions of §17.40 of this~~

~~title (relating to Rules Applying to Repair and Renovation Projects). Additionally a review will be completed based on a set of guidelines to be developed in collaboration with the State Energy Conservation Office.]~~

#### ~~§17.81. Standards for Energy Savings Performance Contracts.~~

~~[Project Standards. Energy Savings Performance Contract Projects shall be considered under the provisions of §17.40(1) of this title (relating to Standards for Repair and Renovation Projects).]~~

#### ~~§17.82. Additional Requirements.~~

~~[(a) In addition to those outlined in §17.21 of this title (relating to Application Procedures), a statement shall be included with the application, certified by a Professional Engineer licensed in the State of Texas who shall not be an officer or employee of the offeror for the contract, the institution seeking approval, or otherwise associated with the contract, that the contract meets the following guidelines:~~

- ~~—(1) The contract complies with any and all applicable federal, state and local statutes;~~
- ~~—(2) The contract contains an energy audit report, a Measurement and Verification plan that conforms to the International Performance Measurement and Verification Protocol (IPMPV) or a case-specific methodology conforming to IPMVP principles, and a detailed calculation of energy savings as a direct result of the project;~~
- ~~—(3) The savings achieved over the specified term is equal to or greater than the cost of the project; and~~
- ~~—(4) The contract meets the guidelines specified in Texas Education Code, §51.927, (relating to Energy Savings Performance Contracts).~~

~~(b) In addition to those outlined in §17.21 of this title (relating to Application procedures), a statement shall be included with the application signed by the institutions chief financial officer and general counsel that certifies that they have reviewed the energy contract and that the costs do not exceed the guaranteed savings and that other legal provisions are in compliance with applicable laws and statutes.~~

~~(c) The institution shall provide to the Board a copy of the signed contract within 30 days of the effective date of the contract.]~~

### SUBCHAPTER E, REPORTS

#### Sections

#### §17.100.Board Reports.

#### §17.101.Institutional Reports.

#### §17.100.Board Reports.

The Board shall annually prepare the following reports:

(1) Space Projection Model. The Board, in consultation with the institutions, shall develop space planning models to estimate the NASF of E&G space needed at institutions of higher education.

(A) Periodic Review. Each biennium, the Commissioner may convene an advisory committee of institutional representatives to review the model and recommend changes.

(B) Use. The Board shall use the models developed under this section to determine the need for space on campuses, as a component of funding formulas for public institutions other than community colleges, and as standards for facilities development projects.

(2) Space Usage Efficiency (SUE). The Board shall collect data and publish reports designed to inform the public and other state agencies of the intensity of use of E&G facilities at institutions of higher education. Classroom and class lab utilization data are not calculated for health-related institutions.

(A) Periodic Review. The Board shall annually calculate the utilization of classrooms and class laboratories for the institutions.

(B) Use. The Board shall use the models developed under this section to determine the utilization of classrooms and class laboratories for the institutions.

(3) Construction Costs. The Board shall annually calculate and report the mean and one standard deviation above the mean for construction building costs per square foot. The costs shall be based on similar projects reported to the Board, within the immediate prior seven years, annually adjusted for inflation for the region of the state where the project is located. As a minimum, the calculations shall be developed for both new construction/addition and repair and renovation for all facility types available and shall be published on the agency website.

#### §17.101. Institutional Reports.

Institutions of higher education shall submit current data to the Board for the following reports:

##### (1) Facilities Inventory.

(A) Periodic Review. Institutions shall report a record of all property, buildings, and rooms occupied or in the control of an institution in a format specified by the Board.

(i) The institution shall update its inventory of facilities on an ongoing basis.

(ii) The inventory is subject to periodic audits.

(iii) The inventory shall be certified by the institution annually on or before November 1, or as specified by the Board.

(B) Use. The Board shall use the data reported in the facilities inventory for the facilities audit program and for other required or requested analyses. The facilities inventory shall be used to complete the following reports:

(i) the Space Projection Model;

(ii) calculation of an institution's Building Replacement Estimate Report; and

(iii) calculation of the Space Usage Efficiency (SUE) report.

(2) Facilities Development Reports.

(A) Capital Expenditure Plan (MP1). On or before July 1 of every year, beginning in 2004, an institution shall submit an update to its Capital Expenditure Plan (MP1) on file with the Board, as required by Texas Education Code, §61.0572(b)(4). In every even-numbered year, the Board shall provide Facilities Development Plan data to the Bond Review Board for inclusion in the Capital Expenditure Report. This report may include planned maintenance, facilities adaptation, and deferred maintenance projects. The data may be used by the Board to respond to legislative requests, predictions of future space need, and similar analyses. The report shall include projects that are planned or may be submitted to the Board within the next five years, regardless of funding source:

(i) new construction projects \$1,000,000 or more;

(ii) repair and rehabilitation projects \$1,000,000 or more;

(iii) information resource projects that cumulatively would total \$1,000,000 or more in one year;

(iv) property purchases that cumulatively would total \$1,000,000 or more in one year (the actual property address or location for individual property acquisitions may be, but are not required to be, identified in a single proposed project entitled "property acquisitions" with a total cost of all purchases or acquisitions projected over the reporting period);

(v) the funding source for any planned project identified in clauses (i) - (iv) of this subparagraph; and

(B) Campus Condition Report. Annually, an institution shall provide a copy of its Campus Condition Report, as supplied to their Governing Board.

## SUBCHAPTER K, REPORTS

### Sections

#### ~~§17.100. Board Reports.~~

~~[The Board shall annually prepare the following reports:~~

~~—(1) Space Projection Model. The Board, in consultation with the institutions, shall develop space planning models to estimate the NASF of E&G space needed at institutions of higher education.~~

~~—(A) Periodic Review. Each biennium, the Commissioner may convene an advisory committee of institutional representatives to review the model and recommend changes.~~

~~—(B) Use. The Board shall use the models developed under this section to determine the need for space on campuses, as a component of funding formulas for public institutions other than community colleges, and in the evaluation of facilities development projects.~~

~~—(2) Space Utilization. The Board shall collect data and publish reports designed to inform the public and other state agencies of the intensity of use of E&G facilities at institutions of higher education. Classroom and class lab utilization data are not calculated for health-related institutions.~~

~~—(A) Periodic Review. The Board shall annually calculate the utilization of classrooms and class laboratories for the institutions.~~

~~—(B) Use. The Board shall use the models developed under this section to determine the utilization of classrooms and class laboratories for the institutions.~~

~~—(3) Campus Condition Index. The Board shall collect data from the Campus Condition Report as reported annually to institutional Governing boards as required by TEC §61.05821.~~

~~—(4) Construction Costs.~~

~~—(A) Periodic Review. The Board shall annually (not later than October 1 of each year) calculate and report mean and one standard deviation above the mean construction building costs per square foot. The costs shall be based on similar projects reported to the Board, within the immediate prior seven years, annually adjusted for inflation for the region of the state where the project is located. As a minimum, the calculations shall be developed for both new construction/addition and repair and renovation for all facility types available and shall be published on the agency website.~~

~~—(B) Use. The Board shall use the data on construction costs to review project applications and any other required or requested analyses.]~~

#### ~~§17.101. Institutional Reports.~~

~~[Institutions of higher education shall submit current data to the Board for the following reports:~~

~~—(1) Facilities Inventory.~~

~~—(A) Periodic Review. Institutions shall report a record of all property, buildings, and rooms occupied or in the control of an institution in a format specified by the Board.~~

~~—(i) The inventory of facilities shall be updated on an ongoing basis.~~

~~—(ii) The inventory is subject to periodic audits.~~

~~—(iii) The inventory shall be certified by the institution annually on or before November 1, or as specified by the Board.~~

~~—(B) Use. The Board shall use the data reported in the facilities inventory to evaluate project applications, perform facilities audits, to determine compliance with Board Standards, and other required or requested analyses. The facilities inventory shall be used to complete the following reports as required by this section:~~

~~—(i) the Space Projection Model;~~

~~—(ii) calculation of Campus Condition Index Value; and~~

~~—(iii) calculation of classroom and class lab utilization.~~

~~—(2) Facilities Development Reports.~~



~~—(A) Facilities Development Plan (MP1). On or before July 1 of every year, beginning in 2004, an institution shall submit an update to its Facilities Development Plan (MP1) on file with the Board, as required by Texas Education Code, §61.0572(b)(4). In every even-numbered year, the Board shall provide Facilities Development Plan data to the Bond Review Board for inclusion in the Capital Expenditure Report. This report may include planned maintenance, facilities adaptation, and deferred maintenance projects. The data may be used by the Board to respond to legislative requests, predictions of future space need, and similar analyses. The report shall include projects that are planned or may be submitted to the Board within the next five years, regardless of funding source:~~

- ~~—(i) new construction projects \$1,000,000 or more;~~
- ~~—(ii) repair and rehabilitation projects \$1,000,000 or more;~~
- ~~—(iii) information resource projects that cumulatively would total \$1,000,000 or more in one year;~~
- ~~—(iv) property purchases that cumulatively would total \$1,000,000 or more in one year. (The actual property address or location for individual property acquisitions may be, but are not required to be, identified in a single proposed project entitled "property acquisitions" with a total cost of all purchases or acquisitions projected over the reporting period.)~~
- ~~—(v) the funding source for any planned project identified in clauses (i), (ii), (iii), and (iv) of this subparagraph; and~~

~~—(B) Campus Condition Report. Annually, institutions shall provide their Campus Condition Report as supplied to their Governing Board.~~

~~—(3) Project Status and Tracking Reports.~~

~~—(A) Annually, on or before November 1, institutions shall report the status of all reviewed projects to the Board. Reporting to the Board on an annual basis shall cease after the construction project is placed into service and included in the Facilities Inventory Report, or the property acquisition is completed, or the renovation shall be reported to be complete. The report shall include, but is not limited to:~~

- ~~—(i) submitted and actual project cost;~~
- ~~—(ii) submitted and actual building cost;~~
- ~~—(iii) submitted and actual GSF;~~
- ~~—(iv) submitted and actual NASF;~~
- ~~—(v) submitted and actual E&G NASF;~~
- ~~—(vi) submitted and actual source(s) of funding; and~~

~~—(B) If the actual costs, square footage, or source(s) of funding changed to the point where the project is no longer compliant with the applicable rules standards for that project type, the Board may submit notifications in accordance with Texas Education Code §61.0572 (pertaining to real property acquisitions) and Texas Education Code §61.058 (pertaining to new construction, and repairs/renovations).~~

~~—(C) In order to collect costs to determine valid cost standards, institutions shall provide actual building type, building cost, designation of new construction or repair and renovation, GSF, NASF, and E&G NASF for completed projects over \$4 million and less than \$10 million.]~~

## SUBCHAPTER F, FACILITIES AUDIT

### Sections

§17.110.General Provisions.§17.111.Facilities Audit Objectives.§17.112.Data Sources.§17.113.Institutional Audit Cycle.§17.114.Audit Components.§17.110.General Provisions.

(a) The Board shall periodically conduct a comprehensive audit of all education and general facilities on the campuses of institutions to verify the accuracy of the institutional facilities inventory and approved facilities development projects for each of those institutions.

(b) No later than 30 days after THECB staff has presented the Facilities Audit Report to the Board (or appropriate standing committee of the Board), the Board files a copy of the report with the institution and the Legislative Budget Board.

(c) Institutions that conduct regularly scheduled self-audits may be exempted from the on-site review providing that:

(1) The institution presents to the THECB a copy of the formal report of the audit and its documented processes that demonstrate the accuracy of the data; and

(2) confirmation that the review includes consideration of the facilities audit objectives stated in §17.111 of this title (relating to Facilities Audit Objectives).

§17.111.Facilities Audit Objectives.

The objectives of the audit are to determine whether selected institutions of higher education:

(1) are accurately reporting their facilities inventory data to the Board; and

(2) have followed the Board rules and received approval where such approval was required.

§17.112.Data Sources.

At a minimum, Board shall use the following data sources in the course of the audit:

(1) Institutional Capital Expenditure Plans (MP1);

(2) Campus Condition Report as submitted to the governing board;

(3) Space Model Projection Reports;

(4) Reports required by the Educational Data Center;

(5) Facilities Inventory Reports;

(6) Facilities Development and Improvement Applications and Reviews;

(7) Classroom and Class Laboratory Utilization Reports;

(8) Energy Savings Performance Contracts;

(9) Governing Board facilities approvals; and

(10) Any other institutional data deemed appropriate by the Coordinating Board staff.

§17.113.Institutional Audit Cycle.

(a) The Board shall determine the frequency and the scope of the audits authorized by this section; audits shall be limited to objectives stated in §17.111 of this title (relating to Facilities Audit Objectives).

(b) The Board may conduct an audit of an institution more often than every five years upon the request of the institution, the Board, the Legislature, or another agency within revenue appropriated for this purpose.

(c) Staff of the Board shall publish a schedule of audits for the succeeding fiscal year.

§17.114.Audit Components.

Audits consist of two components:

(1) On-Site Audit of an Institution's Facilities Inventory:

(A) Institutions may participate in the Peer Review Team (PRT) process, by which institutions aid in auditing one another, with the participation of THECB staff. Institutions participating in the PRT program must provide one or more qualified individuals with facilities management for the PRT pool maintained by the THECB Staff; or

(B) Institutions choosing not to participate in the PRT audit process are required to conduct self-audits in accordance with Subchapter F, 17.110(c).

(2) Audit of an Institution's Facilities Development Projects:

(A) The Internal Auditor of an institution (or its System Office) may determine if facilities projects were submitted to the Board in accordance with §17.20 of this title (Relating to Facility Projects to Be Submitted to the Board) and submit a report to the THECB.

(B) The THECB shall publish a Facilities Audit Protocol on the agency's website, including details on the process and timing of these components.

## ~~SUBCHAPTER L, FACILITIES AUDIT~~

### Sections

#### ~~§17.110. General Provisions.~~

~~[(a) The Board shall periodically conduct a comprehensive audit of all education and general facilities on the campuses of institutions to verify the accuracy of the institutional facilities inventory and approved facilities development projects for each of those institutions.~~

~~(b) The Board may contract with a recognized firm with substantial experience in auditing facilities to conduct the audit of the institution. The firm selected to conduct the audits shall report the results of those audits directly to the Board through its Committee.~~

~~(c) Institutions may request assistance from the Board to conduct audits of facilities. Costs for such requests shall be the responsibility of the requesting institution.~~

~~(d) Institutions that conduct regularly scheduled self-audits may be exempted from the on-site review providing that:~~

~~—(1) The institution presents to the Office of Resource Planning a copy of the formal report of the audit and its documented processes that demonstrate the accuracy of the data; and~~

~~—(2) confirmation that the review includes consideration of the facilities audit objectives stated in §17.111 of this title (relating to Facilities Audit Objectives).]~~

#### ~~§17.111. Facilities Audit Objectives.~~

~~[The objectives of the audit are to determine whether selected institutions of higher education:~~

~~—(1) are accurately reporting their facilities inventory data to the Board; and~~

~~—(2) have followed the Board rules and received approval where such approval was required, for facilities projects.]~~

#### ~~§17.112. Data Sources.~~

~~[At a minimum, the following Board data sources shall be used in the course of the audit:~~

~~—(1) Institutional Facilities Development Plans (MP1);~~

~~—(2) Campus Condition Report as submitted to the governing board;~~

~~—(3) Campus Master Plans;~~

~~—(4) Space Model Projection Reports;~~

~~—(5) Reports required by the Educational Data Center;~~

~~—(6) Facilities Inventory Reports;~~

~~—(7) Facilities Development and Improvement Applications and Reviews;~~

~~—(8) Classroom and Class Laboratory Utilization Reports;~~

~~—(9) Energy Savings Performance Contracts;~~

- ~~—(10) Governing Board facilities approvals; and~~
- ~~—(11) Any other institutional data deemed appropriate by the Coordinating Board staff.]~~

~~§17.113. Institutional Audit Cycle:~~

~~[(a) The Board shall determine the frequency and the scope of the audits authorized by this section; audits shall be limited to objectives stated in §17.111 of this title (relating to Facilities Audit Objectives).~~

~~(b) The Board may conduct an audit of an institution more often than every five years upon the request of the institution, the Board, the Legislature, or another agency within revenue appropriated for this purpose.~~

~~(c) Staff of the Board shall publish a schedule of audits for the succeeding fiscal year.]~~

~~§17.114. On-Site Audit:~~

~~[(a) The Board shall pay the costs of each audit under this section only from money appropriated to the Board and approved for that purpose by the Board.~~

~~(b) The institution shall reimburse the Board for the costs incurred in performing on-site audits not later than the 30th day after the date the institution receives a statement of audit costs paid by the Board under this subsection.~~

~~(c) No later than 30 days after the Board receives an audit report, a copy of the report shall be filed with the institution, the applicable university system, the State Auditor, and the Legislative Budget Board.]~~

AGENDA ITEM VIII

Lunch

## AGENDA ITEM IX-A

### Committee chair's meeting overview

Ms. Donna Williams, 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 Certification Advisory Council's recommendation relating to a request from Burrell College of Osteopathic Medicine for a Second Certificate of Authority to grant degrees in Texas

RECOMMENDATION: Approval

#### Background Information:

Burrell College of Osteopathic Medicine (Burrell), Las Cruces, New Mexico, seeks approval for a Certificate of Authority to coordinate clinical clerkship rotations in Texas for third- and fourth-year medical students through its Regional Education Center in El Paso. Certificates of Authority are granted for two-year periods. Institutions may be granted successive Certificates of Authority for a total of eight years. After eight years, absent sufficient cause, the institution must have obtained accreditation from an accrediting agency recognized by the Texas Higher Education Coordinating Board (THECB). The Certificate of Authority would be Burrell's second Certificate of Authority, valid from December 2021 to December 2023.

Burrell has applied for its second Certificate of Authority as the institution works toward accreditation by the Higher Learning Commission, an accrediting agency recognized by the THECB. Burrell's osteopathic medicine degree program is accredited by the American Osteopathic Association's Commission on Osteopathic College Accreditation.

A virtual site evaluation was conducted with Burrell June 2-4, 2021. The site evaluation team consisted of Boyd Buser, D.O. (Team Chair), Retired Dean, University of Pikeville College of Osteopathic Medicine, and Past President, American Osteopathic Association; Annette Ferguson, Vice President of Finance and Administration, Lee College; and Lisa Nash, D.O., Senior Associate Dean, University of North Texas College of Health Sciences. Paul D. Shuler, Ph.D., represented the THECB.

The site evaluation team report noted that all required standards of operation were met.

The THECB's Certification Advisory Council (CAC) reviewed the evaluation team's report and Burrell's response to the evaluation report at its July 29, 2021, (virtual) meeting. The CAC members had the opportunity to ask additional questions of both the Burrell representatives and the site team chair. The CAC members voted 5-0, with one member absent, to recommend approval of Burrell College of Osteopathic Medicine's application for its second Certificate of Authority.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, will present this item and be available to answer questions.



## AGENDA ITEM IX-C

### Report to the Board on school closures and/or teach-outs pursuant to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Section 7.7 (5)

RECOMMENDATION: No action required

#### Background Information:

Pursuant to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Section 7.7(5), Closure of an Institution, the Texas Higher Education Coordinating Board (THECB) must be notified in writing at least 90 days before a planned closure date or immediately if an institution closes unexpectedly. If an institution closes or intends to close before all currently enrolled students have completed all requirements for graduation, a teach-out plan is required. The teach-out plan is subject to approval by the board of the THECB (Board). The Board has given the Assistant Commissioner of Workforce Education the authority to oversee this approval process.

#### **University of Phoenix on-ground campuses**

On June 17, 2021, University of Phoenix (UOP), based in Phoenix, Arizona, notified the THECB of its intention to phase out all remaining out-of-state campuses in Texas. The on-ground campuses include the Dallas campus, 12400 Coit Road, Dallas, TX 75251; and the Houston campus, 11451 Katy Freeway, Houston, TX 77079. As of June 21, 2021, UOP will no longer accept new campus-based enrollments and will enter a teach-out period. All students will be able to complete their programs. Teach-out will continue until approximately 2025. At the time of the closure notice, the Dallas location had 49 students and the Houston location had 56 students. UOP reported it was submitting a teach-out plan to its accreditor, the Higher Learning Commission. The Certificate of Authorization for each location will end as of notification that a teach-out is complete at the closed location. Student records will be maintained by UOP at its corporate location, in Phoenix, Arizona.

#### **Northwood University on-ground teaching sites**

On March 31, 2021, Northwood University, based in Midland, Michigan, notified the THECB and its accreditor, the Higher Learning Commission, of its intention to close all remaining out-of-state campuses in Texas. Northwood University will continue one site on a Fort Worth military base, which is not under THECB oversight. The on-ground locations include teaching sites at GM Arlington Plant: 2525 E. Abram Street, Arlington, TX; Texas Program Center: 207 N. Cannady Drive, Cedar Hill, TX; UPS Independence Program Center: 13700 Independence Parkway, Fort Worth, TX; UPS Sweetwater Program Center: 8330 Sweetwater Lane, Houston, TX; and UPS – Dallas: 2925 Merrell Road, Dallas, TX. All students at these sites transferred to Northwood University's online programs. The Certificate of Authorization for each location was ended upon closure as of June 30, 2021. Student records may be obtained through the National Student Clearinghouse transcript services or the Northwood University registrar's office in Midland, Michigan.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, will present this item and be available to answer questions.

## AGENDA ITEM IX-D

Consideration of adopting the "Texas General Academic Institutions: Increasing Successful Community College Transfer Report" (General Appropriations Act, Senate Bill 1, Article III, Section 47, 87th Texas Legislature, Regular Session)

RECOMMENDATION: Approval

### Background Information:

The General Appropriations Act, Senate Bill 1, Article III, Special Provisions Relating Only to State Agencies of Higher Education, Section 47, 87th Texas Legislature, Regular Session for the 2022-2023 biennium, directs the public universities to submit an annual report to the Texas Higher Education Coordinating Board (Coordinating Board) that details institutional efforts to increase the number, success, and persistence of community college transfer students. Section 47 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 makes recommendations. This is the 11th report since reporting began in 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 May 2021. 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. Coordinating Board staff collected the survey responses, which serve as the institutional reports required by Section 47. 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 and Health Affairs, will present the update on this item and be available to answer questions.

## AGENDA ITEM IX-E

### Report on activities of the Apply Texas Advisory Committee

RECOMMENDATION: No action required

#### Background Information:

The Apply Texas Advisory Committee (ATAC) is a statutory committee comprised of up to 24 representatives of Texas public and private institutions of higher education. The ATAC has been in operation since 1997, when Senate Bill 150, 75th Texas Legislature, created Texas Education Code, Section 51.762, which called for the Texas Higher Education Coordinating Board (THECB), with the assistance of an advisory committee of college representatives, to adopt by rule a common admissions application for use by a person seeking admission as a freshman student to a general academic teaching institution. Later amendments to the statute expanded the assignment to include applications for admission to public two-year institutions and for undergraduate transfers.

The Apply Texas System includes outreach resources called the Counselor Suite to help high school counselors track their students' progress toward admission to college and in applying for financial aid for college. In Fiscal Year (FY) 2021, nearly 1.1 million applications were submitted through the system. Over 2,000 high school counselors accessed the Apply Texas Counselor Suite to determine their students' status in applying for admission and financial aid. Although individual colleges may charge admission fees, the admission application system is free of charge to the applicants. The development and maintenance costs of the system are met by participating institutions. Technical support is provided by The University of Texas at Austin under contract with the THECB. In FY 2021, the cost for providing these services was approximately \$1.43 per admission application. The overall contract for FY 2021 was \$766,250.

The ATAC met three times during FY 2021: October 19, 2020; February 10, 2021; and May 12, 2021. A request by the Texas Office of the Attorney General to temporarily suspend a limited number of open meeting laws in response to the COVID-19 pandemic was approved. All meetings were held virtually with no reported cost related to attendance of ATAC meetings.

The current ATAC Co-Chairs, Dr. Jamie Hansard, Vice President for Enrollment Management, Texas Tech University, and Dr. Shontell Blake, Associate Dean, Enrollment Services/Registrar, Dallas College-Cedar Valley, will provide a brief summary of committee activities and be available to answer questions.

# APPLY TEXAS ADVISORY COMMITTEE

## ANNUAL REPORT

COMMITTEE ABOLISHMENT DATE: 10/31/2025

### Committee Purpose:

The purpose of the Apply Texas Advisory Committee (ATAC) is to discuss and vote on changes that may be needed to the applications for the upcoming application cycle. The committee also addresses additional initiatives to strengthen student participation and access into higher education.

The ATAC may tasks include:

- (1) technical and functional revisions to the common admission applications and the Apply Texas System;
- (2) development of training materials for the users of the various components of the Apply Texas System;
- (3) recommendations on admission policy; and
- (4) other activities necessary for the maintenance of the Apply Texas System.

### Report Period:

September 2020 – August 2021

### University Co-Chair:

Jamie Hansard, Vice President for Enrollment Management, Texas Tech University

### Community, State, and Technical College Co-Chair:

Mordecai Brownlee, Vice President for Student Success, St. Phillip's College (term ended May 2021)

### Committee Members:

List of 2020-2021 academic year Committee Members is attached.

### Committee Meeting Dates:

October 19, 2020

February 10, 2021

May 12, 2021

### Annual Costs Expended:

Committee costs for FY2021 were *estimated* at \$5,100 for the fiscal year. The estimate includes the following:

Travel and lodging: \$0

Staff time (3): \$5,100

### Time Commitments:

Committee members spent approximately 5-7 days on committee work for the three meetings; staff members averaged approximately 10-12 days to prepare, attend, and develop minutes for each of the meetings.

### Current Recommendations to the Board:

There are no recommendations at this time.

### Summary of Tasks Completed:

#### Membership and Oversight

Jamie Hansard, Vice President for Enrollment Management, Texas Tech University was elected by the membership during the October 19, 2020, ATAC meeting, to serve as 4-year institution co-chair of the committee. Her term will end May 2022.

#### Training

The ATAC annually sponsors an ApplyTexas workshop in conjunction with the TACRAO SPEEDE Committee. The purpose of the workshop is to share information on upcoming changes to the application, legislative updates, and user training for the ApplyTexas Application. Admissions and technical staff from colleges and universities across the state attend the workshop. Due to the COVID-19 pandemic, this training was cancelled.

#### ApplyTX Application Preview

On July 1, 2021, the ApplyTX Application expected to launch on a brand-new platform, Amazon Web Services (AWS). On June 9, 2021, the ATAC and ApplyTX team hosted a virtual preview of the new ApplyTX application platform, 2021. The preview provided an overview and progress of the ApplyTexas Advisory Committee's strategic planning

and introduced the improvements and changes made to the application, Administrative Suite, and Counselor Suite. The event was recorded and shared with over 1,000 registrants for later viewing.

### Updates

The following changes to the application and work of the ATAC Planning and Assessment Subcommittee have the broadest impact and perhaps best reflect the importance of the committee's work:

#### General Changes to the ApplyTexas application

- Databases moved to AWS cloud
- New application site
- Mobile-friendly site

#### Approved change requests

The ATAC reviewed change requests from participating institutions. The ATAC discussed recommendations, voted on, and submitted priorities to the Technical Team for implementation.

All the changes were made to improve the accuracy and flow of data from applicants to their desired institutions. These changes helped students avoid errors that may delay their admission.

- A question that will allow students applying to public, two-year colleges to self-identify in one of the Perkins V special populations categories and request available local services was added (request by THECB).
- Expanded the option of the parent information questions to all application types, but to not require that information on application types other than the US Freshman

#### ApplyTexas Strategic Planning and Assessment Subcommittee

In partnership with the Texas Higher Education Coordinating Board, the ATAC set a goal to strengthen and enhance the ApplyTexas application. The ApplyTexas Strategic Planning and Assessment Subcommittee devised a survey to gather feedback from various user groups to inform technological, structural, and operational modifications to the ApplyTexas application to assist this effort. A random sample of recent applicants and their parents/guardians, along with Texas high school counselors and college and university representatives, were invited to offer feedback about the application and comparative systems, such as the Coalition and Common Applications. In March 2021, the Planning and Assessment Committee established a report of the findings.

Overall, student and parent/guardian responses closely aligned with one another across the board. Key takeaways show:

- The vast majority (75% or more) were neutral about the application's overall difficulty or believed the application was easy to complete.
- Roughly 3/4 rated the time it takes to complete the application as "just right".
- Students and parents/guardians (along with high school counselors) more frequently reported 1-3 hours as the completion time for the average student.
- The top three most challenging sections to complete were (in order) the long essay, resume activities, and institution-specific questions.

Of highest importance, recommendations for enhanced ApplyTexas features included:

1. Auto-save feature
2. Easier to understand
3. More web accessible for students with disabilities

Those with the highest "not at all important" rating include: (\*denotes top three for students, parents/guardians, and college/university representatives only.)

1. Available in multiple languages
2. Accessible via a smartphone app\*
3. Mobile-friendly for smartphone browsers\*

The move to the new platform is expected to address these and other recommendations provided from other external analysis. The ATAC will continue to review and prioritize recommendations for implementation for future application cycles. The final ApplyTexas Strategic Planning and Assessment Survey report is attached.

Meeting notes for the 2020-2021 academic year are attached.

Attachments:

- Attachment A: 2020-2021 ATAC Member List
- Attachment B: October 19, 2020 Meeting Notes
- Attachment C: February 10, 2021 Meeting Notes
- Attachment D: May 12, 2021 Meeting Notes
- Attachment E: ApplyTexas Strategic Planning and Assessment Survey Report

## Apply Texas Advisory Committee (ATAC) September 2020-May 2021

<b>ATAC Members</b>	
<b>Mordecai Brownlee, Co-Chair</b> Vice President for Student Success St. Philip's College <a href="mailto:mbrownlee3@alamo.edu">mbrownlee3@alamo.edu</a> Term Ends: May 31, 2021	<b>Jamie Hansard, Co-Chair</b> Vice President for Enrollment Management Texas Tech University <a href="mailto:jamie.hansard@ttu.edu">jamie.hansard@ttu.edu</a> Term Ends: May 31, 2022
Paula Arredondo Executive Registrar Texas State Technical College <a href="mailto:mparredondo@tstc.edu">mparredondo@tstc.edu</a> Term Ends: May 31, 2021	Scott Bennett Executive Director of Enrollment Services/Registrar Lee College <a href="mailto:sbennett@lee.edu">sbennett@lee.edu</a> Term Ends: May 31, 2022
Shontell Blake Associate Dean, Enrollment Services/Registrar Dallas College – Cedar Valley <a href="mailto:sblake@dcccd.edu">sblake@dcccd.edu</a> Term Ends: May 31, 2022	Kevin Davis Associate Director of Admissions Stephen F. Austin State University <a href="mailto:daviskl2@sfasu.edu">daviskl2@sfasu.edu</a> Term Ends: May 31, 2021
Hanna Deland Associate Director of Admissions Operations Lamar University <a href="mailto:heland@lamar.edu">heland@lamar.edu</a> Term Ends: May 31, 2022	Todd Fields Dean of Admissions/District Registrar Collin College <a href="mailto:tfields@collin.edu">tfields@collin.edu</a> Term Ends: May 31, 2022
Luis Franco Director, Undergraduate Admissions & Recruitment University of North Texas at Dallas <a href="mailto:Luis.Franco@untDallas.edu">Luis.Franco@untDallas.edu</a> Term Ends: May 31, 2022	Leah Hickman Associate Director of Admissions Midwestern State University <a href="mailto:leah.hickman@msutexas.edu">leah.hickman@msutexas.edu</a> Term Ends: May 31, 2021
Laura Isdell Executive Director, Admissions & Prospective Students Lone Star College <a href="mailto:laura.isdell@lonestar.edu">laura.isdell@lonestar.edu</a> Term Ends: May 31, 2022	Billy Lagal Director of Admissions and Recruitment University of Houston – Victoria <a href="mailto:lagalb@uhv.edu">lagalb@uhv.edu</a> Term Ends: May 31, 2022
Rebecca Lothringer Associate Vice President for Enrollment The University of Texas at Arlington <a href="mailto:rebecca.lothringer@uta.edu">rebecca.lothringer@uta.edu</a> Term Ends: May 31, 2022	Dara Newton Associate Vice President for Strategic Enrollment The University of Texas Rio Grande Valley <a href="mailto:dara.newton@utrgv.edu">dara.newton@utrgv.edu</a> Term Ends: May 31, 2021

<p>Indra Pelaez Associate Vice Chancellor, Enrollment Management Houston Community College <a href="mailto:indra.pelaez@hccs.edu">indra.pelaez@hccs.edu</a> Term Ends: May 31, 2021</p>	<p>Angie Taylor Director of Admissions Sam Houston State University <a href="mailto:ataylor@shsu.edu">ataylor@shsu.edu</a> Term Ends: May 31, 2021</p>
<p>Julia Vickery Vice President of Student Services Midland College <a href="mailto:jvickery@midland.edu">jvickery@midland.edu</a> Term Ends: May 31, 2022</p>	<p>Michelle Walker Director of Admissions Operations Texas A&amp;M University <a href="mailto:mbwalker@tamu.edu">mbwalker@tamu.edu</a> Term Ends: May 31, 2022</p>
<p>Miguel Wasielewski Executive Director of Admissions The University of Texas at Austin <a href="mailto:miguelw@austin.utexas.edu">miguelw@austin.utexas.edu</a> Term Ends: May 31, 2021</p>	<p>Tristan Pepper (<i>Student Representative</i>) The University of Texas at San Antonio <a href="mailto:tristan.pepper@utsa.edu">tristan.pepper@utsa.edu</a> Term Ends: May 31, 2022</p>
<p><b><i>ApplyTexas Technical Team – The University of Texas at Austin</i></b></p>	
<p>Graham Chapman Executive Director, Academic Information Systems <a href="mailto:gchapman@austin.utexas.edu">gchapman@austin.utexas.edu</a></p>	<p>Rebecca Kindschi Senior Software Developer/Analyst <a href="mailto:rkindsch@austin.utexas.edu">rkindsch@austin.utexas.edu</a></p>
<p>Barry McClendon Senior Software Engineer <a href="mailto:bmcclendon@austin.utexas.edu">bmcclendon@austin.utexas.edu</a></p>	<p>David Muck, Manager Principal Software Developer/Analyst <a href="mailto:dmuck@austin.utexas.edu">dmuck@austin.utexas.edu</a></p>
<p>Lorraine Muniz Senior Administrative Associate <a href="mailto:lorraine.avelino@austin.utexas.edu">lorraine.avelino@austin.utexas.edu</a></p>	
<p><b><i>THECB Staff – Division for College Readiness and Success (CRS)</i></b></p>	
<p>Claudette Jenks Assistant Director, College Access <a href="mailto:claudette.jenks@highered.texas.gov">claudette.jenks@highered.texas.gov</a></p>	<p>Lisa Paiz Program Specialist, College Access <a href="mailto:lisa.paiz@highered.texas.gov">lisa.paiz@highered.texas.gov</a></p>
<p>Diana Foose Administrative Assistant <a href="mailto:diana.foose@highered.texas.gov">diana.foose@highered.texas.gov</a></p>	<p>Jerel Booker Assistant Commissioner <a href="mailto:jerel.booker@highered.texas.gov">jerel.booker@highered.texas.gov</a></p>



**Texas Higher Education Coordinating Board  
ApplyTexas Advisory Committee  
October 19, 2020**

**Meeting Notes**

*Approved – February 10, 2021, ATAC Meeting*

The Texas Higher Education Coordinating Board ApplyTexas Advisory Committee (ATAC) convened at 10:06 a.m. on October 19, 2020 with the following committee members present: Paula Arredondo, Scott Bennett, Shontell Blake, Mordecai Brownlee, Kevin Davis, Hanna Deland, *(representing Lamar University\*)*, Todd Fields, Luis Franco, Jamie Hansard, Leah Hickman, Laura Isdell, Billy Lagal, Rebecca Lothringer, Dara Newton, Indra Peláez, Becky Sergeant, Angie Taylor, Julia Vickery, Miguel Wasielewski, and Michelle Walker.

Student Representative: Tristan Pepper

ApplyTexas Technical Team Members: Graham Chapman, Rebecca Kindschi, Lorraine Muniz, David Muck

THECB Staff: Jerel Booker, Diana Foose, Kendra Horn, and Claudette Jenks

*(\*currently a non-voting member; appointment pending approval at January Board meeting)*

<b>AGENDA ITEM</b>	<b>ACTION</b>
1. Welcome and Introductions	Mordecai Brownlee called the meeting to order at 10:06 a.m.
2. Acknowledgment of Members finishing their terms	Recognized past members and past co-chair, Rebecca Lothringer.
3. Selection of 4-Year Institution Co-Chair for 2020-2021 and 2021-2022 Academic Years	Mordecai Brownlee requested nominations for the 4-Year Institution Co-Chair from the members. Jamie Hansard was the only member nominated. On motion by Angie Taylor, seconded by Michelle Walker, the Committee approved Jamie Hansard as the 4-year Co-Chair.
4. Review and Adoption of Minutes for the February 24, 2020 Meeting	Committee reviewed meeting notes. On motion by Kevin Davis, seconded by Dara Newton, the Committee approved this item.
5. Discussion of the June 17, 2020 ApplyTexas Virtual Workshop	Two workshops provided at the ApplyTexas Virtual Workshop, one for high school counselors and one for enrollment officials, 600 counselors and 300 higher education were in attendance.  Members discussed the delay in the new ApplyTexas rollout.

	<p>Graham Chapman shared ApplyTexas plans to go live this summer. Plan for early access for those wishing to try it out, preview access starting in March, extended to more in April and May. ApplyTexas are building in feedback from TACRAO and best lessons learned. There have been several ApplyTexas improvements suggested.</p> <p>The Committee discussed reasons for the delay. Graham Chapman shared some of the comments from testers caused staff to pull back and COVID affected the progress. ApplyTexas staff shared the new ApplyTexas platform will definitely go live, the committee will see the updates that will show progress to move forward, will be alerted along the way, there will be a 100% cut over instead of working with different platforms when ApplyTexas goes live. Michelle Walker applauded the Tech Team for making the decision to not go live. The platform was not ready based on her testing.</p> <p>Committee discussed cost concerns because ApplyTexas is running two systems during the transition. Claudette Jenks shared there will be no cost increases to institutions. Additional costs are to be absorbed under the existing budget.</p> <p>Committee asked that ApplyTexas needs to send out an update to make sure users know what happened with the ApplyTexas rollout and what is happening throughout the process. Communication subcommittee will work with ApplyTexas staff and THECB to provide a memo for institutions.</p>
6. Update on Annual Report to the Board	Mordecai Brownlee provided an overview of the Annual Report. Claudette Jenks explained the purpose of the report and that the report is required annually to the Committee on Academic and Workforce Success (CAWS).
7. Update from Strategic Planning Committee	Miguel Wasielewski provided an update from the Strategic Planning Committee. Covid-19 hit and slowed the progress on activities. Strategic Planning subcommittee needs to work with the Communications subcommittee to make sure cover conveys the purpose. The purpose is to get evaluation of ApplyTexas and other applications to help stay current with other applications and their platforms.
8. Update from Communications Committee	Mordecai Brownlee provided an update from the Communications subcommittee. A template for the purpose and commitment of ATAC was drafted but halted after COVID. Committee was asked what can be done to get

*Attachment B: October 19, 2020 Meeting Notes*

	information out about ATAC's commitment to constituents and the commitment to have ApplyTX application go live. David Muck shared communications were sent out to administrative users and all the session attendees about the delay in going live. Mordecai Brownlee asked to connect offline to get something out to others as soon as possible.
9. Overview of Procedures for Proposing and Adopting Changes to ApplyTexas	Claudette Jenks provided overview of how to propose changes to the ATAC for new and existing members. Angie Taylor mentioned a need to change the timeline in the new member orientation document provided.
10. Review of Proposed Changes to ApplyTexas Applications or Procedures Carried Forward from 2020-2021	ApplyTX team provided an update. Committee reviewed items from last year for consideration. See attached Current Cycle Updates and proposals. Committee members discussed THECB's request to add a question to opt-in to text messaging. Committee expressed interest in learning more about the messaging and timing to applicants. Committee addressed fraudulent applications and the need for communicating these issues and changes about ApplyTX to constituents. Communications subcommittee will work on a plan.
11. Discussion and Consideration of New Proposed Changes to ApplyTexas Forms or Procedures	ApplyTX team reviewed requests for changes to ApplyTX. See attached Future cycle proposals and updates. Additionally, Committee discussed the pending electronic TASFA integration and transcripts through the TREx system.
12. Discussion of Potential Agenda Items and Next Meeting Date	Committee asked for update from subcommittees and Tech Team, information on the ADVi tool, review AWS platform, and review revised proposal request from THECB.
13. Adjournment	On motion by Scott Bennett, seconded by Angie Taylor, the meeting adjourned at 12:28 p.m.

## ***Tech Team Update 10/19/20***

Graham Chapman – Executive Director, Academic Information Systems, University of Texas at Austin

David Muck – Principal Software Developer/Analyst, AIS, University of Texas at Austin

### ***Current cycle updates and proposals (David Muck):***

- Additional daily application deliveries – We have a number of institutions participating in additional deliveries times of 7 am and 12 pm (in addition to the normal 6 pm application delivery). Please reach out to us if you are interested in either of these additional delivery times.
- We would like to encourage more high schools to participate in the transcript request service that we continue to maintain in collaboration with the Texas Education Agency.
- The Fall 2020 semester is currently down 4% in submitted applications from the same time a year ago. Two year submissions are down 11% while four year submissions were approximately the same. These numbers are incomplete as some applications are still open.
- For the incomplete Fall 2021 semester, we are so far down 35% on submitted applications compared to the same time last year.
- A question was added to two year and US Freshman applications asking for the applicant's consent to receive text-messaging from the Texas Higher Education Coordinating Board and AdmitHub. This will facilitate some of the advising and outreach campaigns the Texas Higher Education Coordinating Board is involved in.
- Fraudulent applications continue to be a problem for some of our two-year institutions. We continue to work to reduce this issue.

### ***Future cycle proposals and updates (David Muck):***

#### ***PROPOSAL REQUESTS***

- A proposal to set up and install Google Tag Manager and Google Analytics in ApplyTexas to allow tracking of how applicants arrive at ApplyTexas. (request from last cycle by Texas A&M – Commerce)  
**Action: Tabled.**
- A proposal to add a “grade received” field to the Educational Information section to facilitate self-reporting of grades (request by University of Houston from last cycle)  
**Action: Need more information, tabled.**
- A proposal to add a question if the applicant enters a cell phone number: “[Institution name] uses text messaging to communicate important admissions information to prospective students. Your information is not shared with third parties and you may opt out at any time. Standard messaging rates may apply. - Allow (default) - Do not Allow” (proposal by University of The Incarnate Word)  
**Action: Tabled.**
- Provide a question that will allow students applying to public, two-year colleges to self-identify in one of the Perkins V special populations categories\* and request available local services (request by THECB Mindy Nobles, presented).  
**Action: THECB staff will meet with a subgroup and revise request for consideration at next meeting. Tabled.**

**UPDATES**

- AWS update
- Development continues on moving the Counselor Reporting Suite to AWS
- Development continues on moving the Administrative site to AWS
- Development continues on moving the Applicant site to AWS
- Future electronic TASFA integration as required by statute.

**Texas Higher Education Coordinating Board  
ApplyTexas Advisory Committee  
February 10, 2021**

**Meeting Notes**

*Approved – May 12, 2021, ATAC Meeting*

The Texas Higher Education Coordinating Board ApplyTexas Advisory Committee (ATAC) convened at 10:08 a.m. on February 10, 2021, with the following committee members present: Paula Arredondo, Scott Bennett, Shontell Blake, Mordecai Brownlee, Kevin Davis, Hanna Deland, Luis Franco, Jamie Hansard, Leah Hickman, Laura Isdell, Billy Lagal, Rebecca Lothringer, Dara Newton, Becky Sergeant, Angie Taylor, Julia Vickery, Miguel Wasielewski, and Michelle Walker.

Unable to Attend: Todd Fields and Indra Peláez

Student Representative: Tristan Pepper

ApplyTexas Technical Team Members: Graham Chapman, Rebecca Kindschi, Barry McClendon, Lorraine Muniz, and David Muck

THECB Staff: Jerel Booker, Diana Foose, Claudette Jenks, and Lisa Paiz

<b>AGENDA ITEM</b>	<b>NOTES/ACTION</b>
1. Welcome and Introductions	Mordecai Brownlee called the meeting to order at 10:08 a.m.
2. Review and Adoption of Minutes for the October 19, 2020 Meeting	On a motion by Angie Taylor, seconded by Julia Vickery, the Committee approved this item.
3. Update from Strategic Planning Committee	<p>Miguel Wasielewski provided an update from the Strategic Planning Committee. The survey of students, parents, high school counselors and higher education representatives was executed, and final results were received at the end of January 2021. There was a strong response rate and good representation with a lot of qualitative information. A follow-up meeting will be scheduled with the Strategic Planning subcommittee review results and recommendations will be determined from that feedback. Preliminary results from the survey showed applicants would like an autosave feature, web accessibility, and better understand the application. The report will provide additional information and the final report will be available in the next few weeks.</p> <p>Dr. Zach Taylor, Trellis Company, presented a second edition of an exploratory report with a comparative analysis of ApplyTX and other application systems- Common, Coalition, and Universal College Application from 2018 through 2021 and recommendations for improvement.</p>

	An additional cross-analysis of 15 major college application systems will also be included in the report.
4. Update from Communications Committee	Mordecai Brownlee provided an update from the Communications subcommittee. The subcommittee assisted in setting up the distribution of survey through the TACRAO listserv.
5. Update from ApplyTexas Technical Team	David Muck provided the ApplyTexas Tech Team update. Committee reviewed items from last year for consideration. See attached Current Cycle Updates and Proposals.
6. Discussion and Consideration of Proposed Changes to ApplyTexas Forms or Procedures	<p>David Muck provided an overview of the Future cycle proposed changes and updates. See attached Future cycle proposals.</p> <p>Erin Willig, Texas Higher Education Coordinating Board, provided an overview of the ADVi chatbot. Last fall a consent was added to ApplyTX to opt in to receive text messages. There are 150,000 opted in to date and a 44% engagement rate with ADVi. A team of 5 virtual advisers support the chatbot through one on one engagement and answer questions the chatbot may not be able to answer. There is a regular campaign calendar for general messaging about financial aid, admission applications, and other information. Messaging is timely and general enough to supplement any institution's messaging. Additional outcomes will be presented at the next ATAC meeting.</p> <p>David Muck provided an update on the AWS transition and an overview of the revisions to the ApplyTX System. The timeline is March 29 alpha testing/early preview access by invitation and April 19 beta testing/full preview institutions to opt in. Regarding transmission, there will be no changes to the EDI. ApplyTX will expand the format offerings in future phases.</p> <p>Committee discussed communication about the new changes to ApplyTX. ApplyTX staff will provide messaging about the new application on the ApplyTX webpage and Administrative Suite. The Communications Subcommittee and Coordinating Board staff will discuss a communication plan. The Coordinating Board staff will use current listservs of counselor and administrators to inform groups of the changes.</p>
7. Discussion of Potential Agenda Items and Next Meeting Date	Committee asked for updates from subcommittees and ApplyTX Tech Team, discuss what reporting institutions would like, outcomes of ADVi, Dr. Zach Taylor final report on ApplyTX.

8. Adjournment	On motion by Kevin Davis, seconded by Michelle Walker, the meeting adjourned at 12:40 p.m.
----------------	--

***Tech Team Update 2/10/21***

Graham Chapman – Executive Director, Academic Information Systems, University of Texas at Austin

David Muck – Principal Software Developer/Analyst, AIS, University of Texas at Austin

***Current cycle updates and proposals (David Muck):***

- Additional daily application deliveries – We have a number of institutions participating in additional deliveries times of 7 am and 12 pm (in addition to the normal 6 pm application delivery). Please reach out to us if you are interested in either of these additional delivery times.
- We would like to encourage more high schools to participate in the transcript request service that we continue to maintain in collaboration with the Texas Education Agency.
- The completed Fall 2020 semester was down 4% in submitted applications from the prior year. Two-year submissions were down 11% while four-year submissions were approximately the same. Two-year applications left in saved (not submitted) status were up 14% from the prior fall semester.
- For the incomplete Fall 2021 semester, we are down 12% on submitted applications compared to the same time last year. Four-year application submissions are down 7% while two-year application submissions are down 30%. There has been steady improvement in these numbers as statewide application submissions were down 35% in early November.
- A question was added to two year and US Freshman applications asking for the applicant's consent to receive text-messaging from the Texas Higher Education Coordinating Board and AdmitHub. This will facilitate some of the advising and outreach campaigns the Texas Higher Education Coordinating Board is involved in. We have heard some positive feedback regarding the ADVi chatbot both on twitter and in our post-submission survey.
- Fraudulent applications continue to be a problem for some of our institutions. We continue to work to reduce this issue.

***Future cycle proposals and updates (David Muck):***

- A proposal to add a "grade received" field to the Educational Information section to facilitate self-reporting of grades (request by University of Houston from last cycle)  
**Action: On a motion by Rebecca Lothringer, seconded by Dara Newton, the Committee did not approve the addition of this question to the application for this cycle. Vote: 16 in favor, 1 against.**
- A proposal to add a question if the applicant enters a cell phone number: "[Institution name] uses text messaging to communicate important admissions information to prospective students. Your information is not shared with third parties and you may opt out at any time. Standard messaging rates may apply.  
- Allow (default) - Do not Allow" (proposal by University of The Incarnate Word)  
**Action: Table for next meeting. Institutions have a custom question, can eliminate if universal available. Cannot make this option institution specific. David will draft language based on**



**information from other institutions questions. Scott Bennett, Mordecai Brownlee, Dara Newton, and Rebecca Lothringer will review.**

- A proposal to add fields to collect Pearson Test of English scores to the test pages (proposal by Pearson)

**Action: Table to next meeting.**

- Provide a question that will allow students applying to public, two-year colleges to self-identify in one of the Perkins V special populations categories\* and request available local services (request by THECB)

**Action: On a motion by Mordecai Brownlee, seconded by Julia Vickery, the Committee approved this question be added to this application cycle. Vote: 17 in favor, 0 against.**

- A proposal to expand the option of the parent information questions to all application types, but to not require that information on application types other than the US Freshman. Request text below (request from Tarleton State University):

- "I noticed the Parent information can be "turned on or off" but if it is "on", it is required. Can this also be an option for transfers and readmits to be "turned on" but not required since transfer students can be a wide range of ages. Our administration wants to communication with parents more so I wondered if this was an option. Thank you."

**Action: Table to next meeting.**

- Development continues on moving the Counselor Reporting Suite to AWS
- Development continues on moving the Administrative site to AWS
- Development continues on moving the Applicant site to AWS

**Texas Higher Education Coordinating Board  
ApplyTexas Advisory Committee  
May 12, 2021**

**Meeting Notes**

The Texas Higher Education Coordinating Board ApplyTexas Advisory Committee (ATAC) convened at 8:33 a.m. on May 12, 2021 with the following committee members present: Paula Arredondo, Scott Bennett, Shontell Blake, Mordecai Brownlee, Kevin Davis, Luis Franco, Jamie Hansard, Leah Hickman, Billy Lagal, Rebecca Lothringer, Dara Newton, Indra Peláez, Angie Taylor, Julia Vickery, Miguel Wasielewski, and Michelle Walker.

Unable to Attend: Hanna Deland, Todd Fields, Laura Isdell, and Tristan Pepper (*Student Representative*)

ApplyTexas Technical Team Members: Lorraine Muniz, David Muck

THECB Staff: Jerel Booker, Diana Foose, Kendra Horn, Claudette Jenks, and Lisa Paiz

<b>AGENDA ITEM</b>	<b>ACTION</b>
1. Welcome and Introductions	Jamie Hansard called the meeting to order at 8:33 am
2. Acknowledgment of Members Finishing Their Terms	Committee acknowledged members ending their term and recognized Co-Chair Mordecai Brownlee for his service.
3. Approval of Minutes from the February 10, 2021 Meeting	On motion by Michelle Walker, seconded by Angie Taylor, the Committee approved this item.
4. Update from Strategic Planning Subcommittee	<p>Miguel Wasielewski provided an update from the Strategic Planning Committee.</p> <p>Miguel Wasielewski reviewed the findings of the ApplyTexas Strategic Planning and Assessment Survey and discussed next steps on the recommendations from the report.</p> <p>There are some technical improvements and qualitative aspects of ApplyTX that can be improved. Committee suggest making each recommendation a formal proposal for consideration to the ATAC. The ATAC and the ApplyTX tech team can assess each recommendation and have the committee prioritize. The ATAC can continue to rely on other analysis to make improvements. Miguel Wasielewski will convert each recommendation into formal request to be considered at the next ATAC meeting.</p>

5. Update from Communications Subcommittee	<p>Mordecai Brownlee provided an update from the Communications Subcommittee. The Communications Subcommittee coordinated with THECB. THECB will seek guidance from the agency's new Communications team to assist in improving overall communications.</p> <p>The ApplyTX team presented at CPUPC with ESEC Enrollment managers. ApplyTX staff gave an overview of changes to ApplyTX and answered questions about the transition to the new application.</p>
6. Update from ApplyTexas Tech Team	David Muck provided an update from the ApplyTX team. See attached Current Cycle Updates and proposals.
7. Discussion and Possible Action to Adopt Proposed Changes to ApplyTexas Forms or Procedures	David Muck provided an overview of the Future cycle proposed changes and updates. See attached Future cycle proposals.
8. Discussion Regarding the Apply Texas/SPEEDE-EDI Meeting	<p>Jaime Hansard proposed to separate the ApplyTX/SPEEDE and TACRAO meetings and host a SPEEDE/EDI meeting in June to align with the opening of the ApplyTX application in July. Committee agreed effective summer 2021.</p> <p>Committee proposed ApplyTX tech team host a virtual overview of the ApplyTX updates. Committee discussed format and delivery. THECB staff will work with ApplyTX tech team to preview ApplyTX on June 9, 2021.</p>
9. Transition of Leadership	<p>Jamie Hansard nominated Shontell Blake, for 2-year committee co-chair.</p> <p>On a motion by Luis Franco, seconded by Michelle Walker, the Committee approved the nomination.</p>
10. Adjournment	On motion by Mordecai Brownlee, seconded by Angie Taylor, the meeting adjourned at 11:10 am.

## **Tech Team Update 5/12/21**

Graham Chapman – Executive Director, Academic Information Systems, University of Texas at Austin  
David Muck – Principal Software Developer/Analyst, AIS, University of Texas at Austin

### **Current cycle updates and proposals (David Muck):**

- For the incomplete Fall 2021 semester, we are down 7% on submitted applications compared to the same time last year. Four year application submissions are down 5% while two year application submissions are down 14%. There has been steady improvement in these numbers as statewide application submissions were down 35% in early November.
- There was some impact to ApplyTexas from the February weather event we all experienced. Due to emergency maintenance issues on UT-Austin campus, we made the decision to take ApplyTexas offline from 8 pm February 17 through 10 am February 18. This 14 hour period represents the longest continuous downtime ApplyTexas has experienced in at least 15 years. There were no scheduled application deadlines during this outage so no applicants were prevented from submitting applications. There were delays over the two week period from February 13 through February 28 in our responding to applicants as quickly as we usually do as the University of Texas at Austin was closed for most of that time and our team had intermittent and infrequent access to many of our normal functions. The weather event also put much of our development work behind schedule.
- Testing with our administrative users continues and the feedback has been very helpful. We've implemented many of the suggestions for improvement already and ticketed some others for future development. Please keep your suggestions coming.
- Fraudulent applications continue to be a problem for some of our institutions. We continue to work to reduce this issue.
- Additional daily application deliveries – We have a number of institutions participating in additional deliveries times of 7 am and 12 pm (in addition to the normal 6 pm application delivery). Please reach out to us if you are interested in either of these additional delivery times.
- We would like to encourage more high schools to participate in the transcript request service that we continue to maintain in collaboration with the Texas Education Agency
- Development continues on moving the Counselor Reporting Suite to AWS
- Development continues on moving the Administrative site to AWS
- Development continues on moving the Applicant site to AWS

### **Future cycle proposals and updates (David Muck):**

- A proposal to add a "grade received" field to the Educational Information section to facilitate self-reporting of grades (request by University of Houston from last cycle)  
**Action: Table to next application cycle.**
- A proposal to add a question if the applicant enters a cell phone number: "[Institution name] uses text messaging to communicate important admissions information to prospective students. Your information is not shared with third parties and you may opt out at any time. Standard messaging rates may apply. - Allow (default) - Do not Allow" (proposal by University of The Incarnate Word)  
**Action: Table to next application cycle**
- A proposal to add fields to collect Pearson Test of English scores to the test pages (proposal by Pearson)  
**Action: Table to next application cycle**

- A proposal to expand the option of the parent information questions to all application types, but to not require that information on application types other than the US Freshman. Request text below (request from Tarleton State University):
  - “I noticed the Parent information can be "turned on or off" but if it is "on", it is required. Can this also be an option for transfers and readmits to be "turned on" but not required since transfer students can be a wide range of ages. Our administration wants to communication with parents more so I wondered if this was an option. Thank you.”

**Action: On a motion by Angie Taylor, seconded by Dara Newton, the Committee approved this question be added to this application cycle. Vote: 17 in favor, 0 against.**

DRAFT

# ApplyTexas Strategic Planning and Assessment Survey

## Introduction

In partnership with the Texas Higher Education Coordinating Board, the ApplyTexas Advisory Committee has set a goal to strengthen and enhance the ApplyTexas application. The ApplyTexas Strategic Planning and Assessment Subcommittee devised a survey to gather feedback from various user groups to inform technological, structural, and operational modifications to the ApplyTexas application to assist this effort. The leadership and governing boards of ApplyTexas hope the survey results and forthcoming committee proposal will encourage more students to apply to higher education institutions and assist the high school counselors who work with them.

To complete the survey research, a random sample of recent applicants and their parents/guardians, along with Texas high school counselors and college and university representatives, were invited to offer feedback about the application and comparative systems, such as the Coalition and Common Applications. Dr. Ka'rin Thornburg, Research and Assessment Program Administrator in the Office of Admissions at The University of Texas at Austin conducted survey administration, data analysis, and created the enclosed report.

---

## Executive Summary

Overall, student and parent/guardian responses closely aligned with one another across the board. As such, they are frequently reported together as a single subgroup. Key takeaways, as detailed in the report, show:

- The vast majority (75% or more) were neutral about the application's overall difficulty or believed it was easy to complete (Q3).
- Roughly 3/4 rated the time it takes to complete the application as "just right" (Q4).
- Students and parents/guardians (along with high school counselors) more frequently reported 1-3 hours as the completion time for the average student (Q5).
- The top three most challenging sections to complete were (in order) the long essay, resume activities, and institution-specific questions (Q6).

Additionally, more than 58% of students and their parents/guardians reported the student completed the application independently, followed by help from a family member at 24% (Q7).

Conversely, high school counselor and college/university subgroup responses often diverged from students, parents/guardians, and at times, from each other. For example, high school counselors and college/university representatives more frequently reported the ApplyTexas application was difficult (Q3), too long (Q4), and should take the average student less time to complete (Q5). Additionally, high school counselors and college/university representatives offered vastly different views regarding the most challenging aspects of the application; they more frequently reported the residency information and educational background sections than students and the parents/guardians (Q6).

Where the subgroups ratings converge relate to recommendations for enhanced ApplyTexas features. Those that fell within the highest "extremely" or "very important" ratings:

1. Auto-save feature
2. Easier to understand
3. More web accessible for students with disabilities

On the other hand, those with the highest "not at all important" rating include: (*\*denotes top three for students, parents/guardians, and college/university representatives only.*)

1. Available in multiple languages
2. Accessible via a smartphone app\*
3. Mobile-friendly for smartphone browsers\*

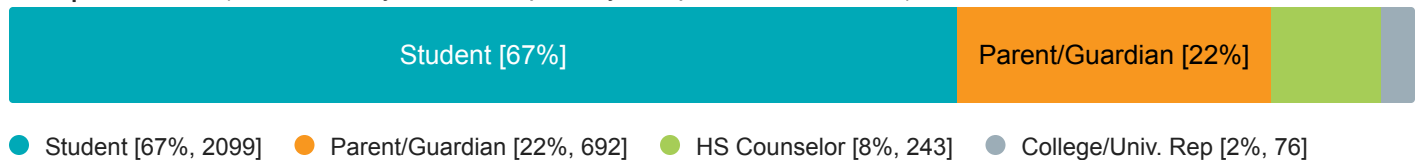
Qualitative or write-in responses from students regarding ApplyTexas feedback and their experience with other application systems are summarized on pages 12-13.

## Population and Sample

The study's population is comprised of random sample of all Fall 2021 ApplyTexas applicants (324,351), their parents/guardians (if an email was provided), all Texas high school counselors in The University of Texas at Austin's CRM (Slate), and contact lists of two- and four-year college/university representatives. Additionally, the survey audience was expanded to the TACRAO listserve at the request of a TACRAO member. ApplyTexas staff provided a random sample of 20% of student applicants. Successful invitations were distributed as follows:

- Students: 61,411 (random sample)
- Parents/Guardians: 25,337
- High School Counselors: 2,771
- College and University Representatives: 134
  - Two-Year College Representative: 72
  - Four-Year College/University Representative: 62
  - TACRAO members: Unknown (used anonymous link through group listserve)

## Respondents (usable surveys; includes partially completed submissions)

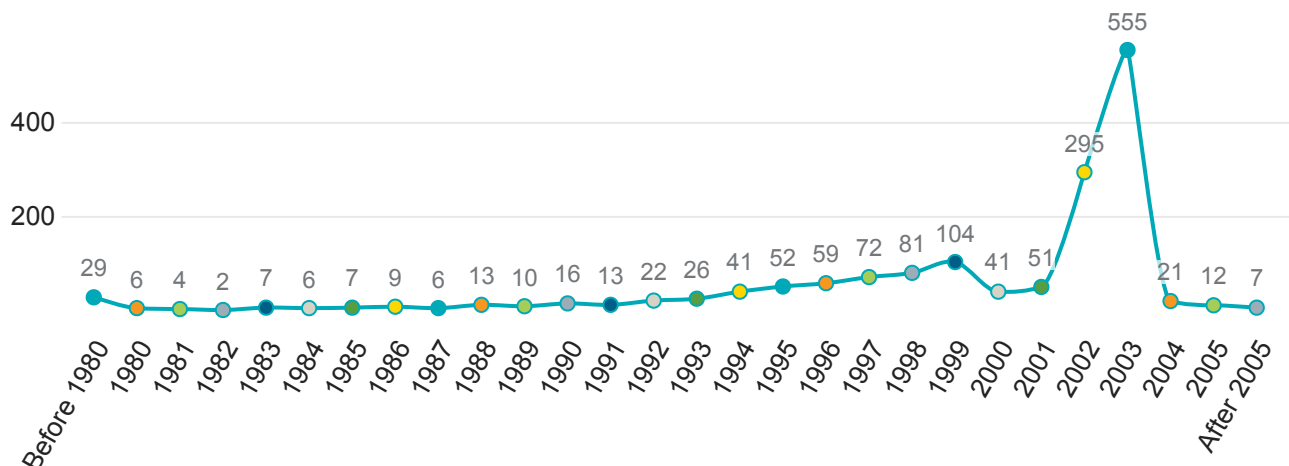


The student survey response rate of 3.4% **is statistically significant** at a 99% confidence level.

## Students (Parents/Guardians)

Approximately 60% (1263) of student respondents applied to one institution. (Among parents/guardians, 39% (270) represent students who applied to one institution.) Student demographics are presented below:

Count of Student Respondents by Birth Year

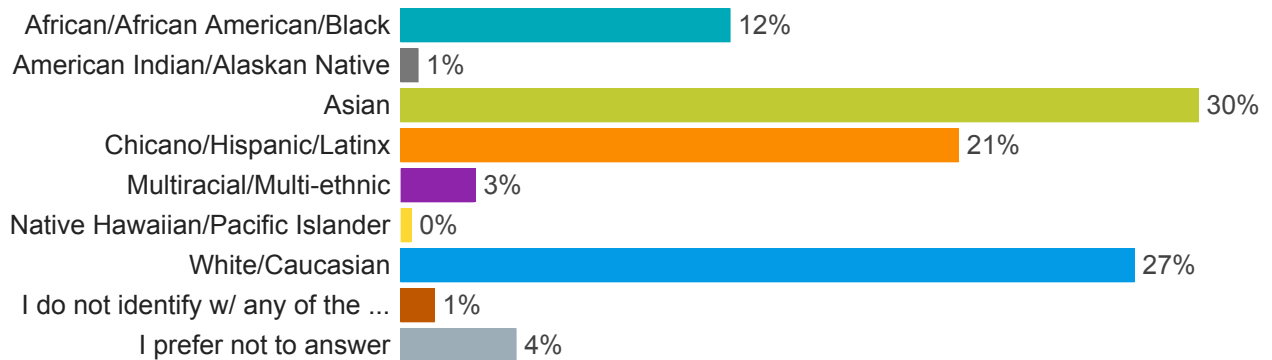




## Gender

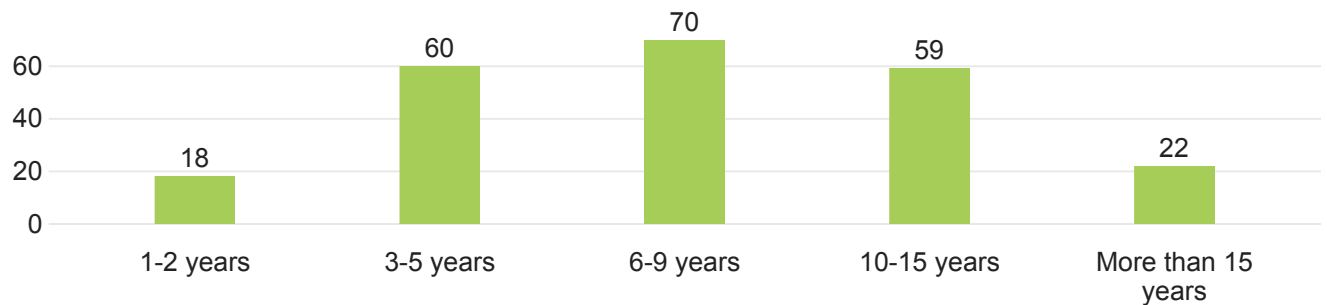
Field	Choice Count	
Female	55%	995
Male	42%	750
Non-binary or non-gender conforming	1%	26
I would rather not discuss my gender	2%	35
Total		1806

## Racial or ethnic identity (reported as percentage of choices)



## High School Counselors

### Count of Counselors with "x" Years of Experience using ApplyTexas



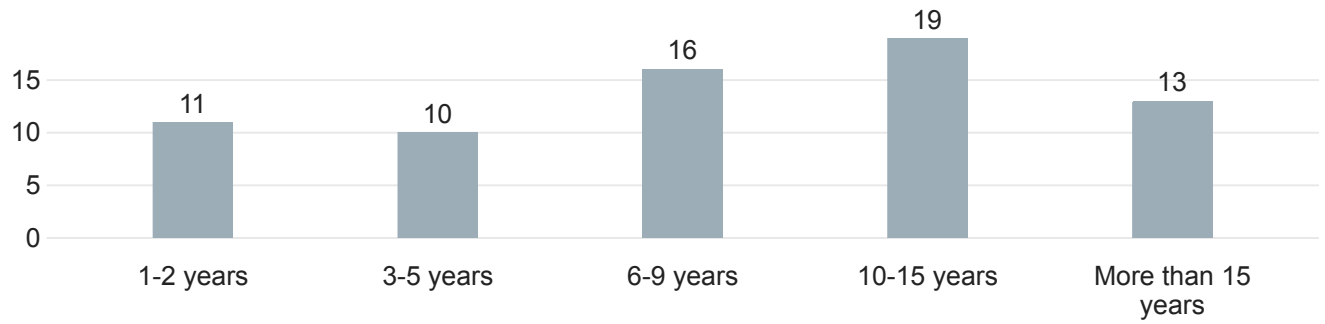
## College and University Representatives

Of the 76 respondents who self-identified as a college or university representative,

- approximately 28% (21) are from the Two-Year College representative invite list
- approximately 30% (23) are from the Four-Year College/University representative invite list
- approximately 21% (16) are from the student invite list
-

- approximately 21% (16) are unidentified (accessed through anonymous survey link)

Count of College/Univ. Representatives with "x" Years Experience Using ApplyTexas



## Data Analysis

The following survey data reflect the respondents' impressions and feedback regarding the usability, structure, content, time/method of completion, and advancements related to the ApplyTexas application. Data analysis includes all respondents or respondent subgroups, as specified. As students are the primary users and audience of ApplyTexas, the emphasis is placed on their responses, along with their parents/guardians, given they may have direct knowledge regarding their students' experiences.

### Q3 - How easy/difficult is it to complete the ApplyTexas application?

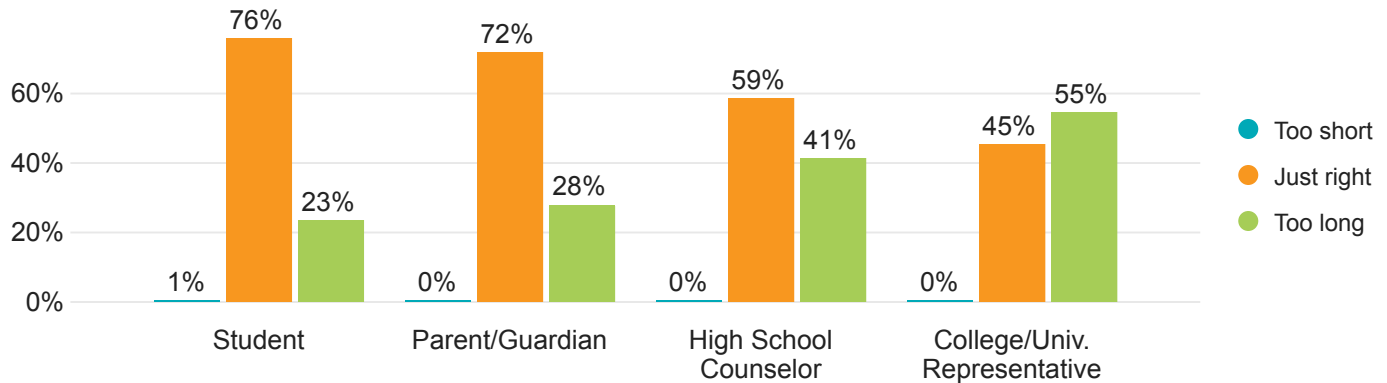
Rating	Student		Parent/Guardian		HS Counselor		College/Univ. Rep.	
Extremely easy	10%	219	13%	89	5%	11	7%	5
Moderately easy	30%	628	32%	219	28%	68	24%	18
Slightly easy	15%	317	13%	88	15%	37	12%	9
Neither easy nor difficult	20%	423	19%	127	15%	37	13%	10
Slightly difficult	16%	338	15%	100	23%	55	24%	18
Moderately difficult	6%	130	6%	44	12%	30	16%	12
Extremely difficult	2%	41	3%	18	2%	4	4%	3
Total		2096		685		242		75

**Key takeaway: Generally speaking, the vast majority of students (75%) and parents/guardians (77%) believed the application was easy to complete or were neutral regarding the overall difficulty level.**

Approximately 55% of student and 58% of parent/guardian respondents reported the ApplyTexas application was "easy" compared to 24% of students and 24% of parents who found the application "difficult."

Among school administrators, 48% of high school counselors and 43% of college/university representatives reported the application was "easy" and compared to "difficult" ratings of 37% and 44%.

Q4 - In your estimation, the time it takes to complete the ApplyTexas application (start to finish) is:



**Key takeaway: The vast majority of students and parents/guardians (upwards of 3/4 of respondents) rated the time to completion as favorable or "just right."**

Among students and parents/guardians, approximately 1/4 of respondents reported the time to complete the application was "too long," and fewer than 1% reported it as "too short."

School administrators were more divided with a moderate-to-slim majority (59%) of high school counselors reporting the time to complete was "just right," and 55% of college/university representatives reporting it was "too long." No school administrators reported the time to complete as "too short."

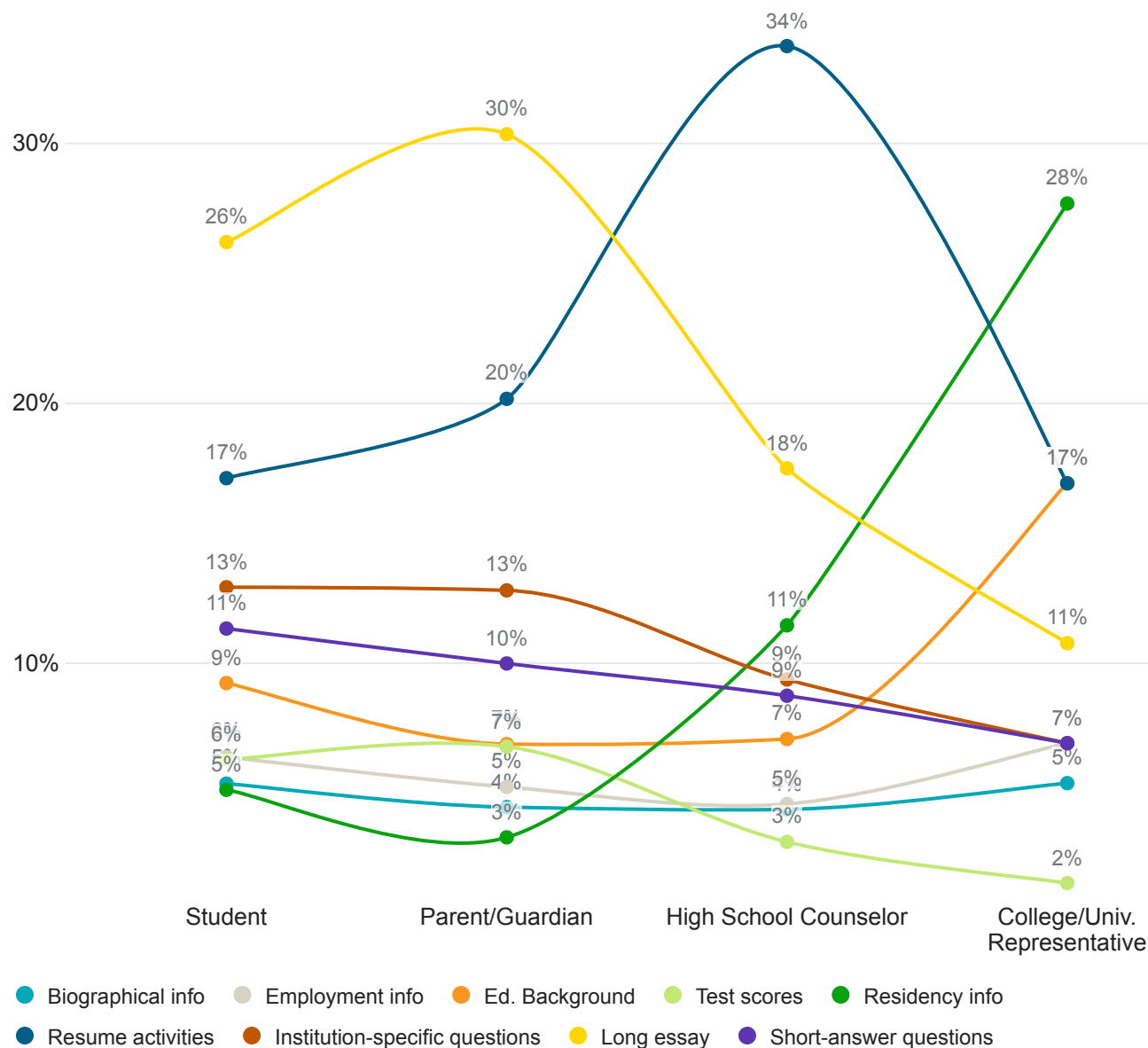
Q5 - How long do you think it should take the average student to complete the ApplyTexas application?

Field	Student		Parent/Guardian		High School Counselor		College/Univ. Rep.	
Less than 1 hour	25%	525	30%	203	40%	97	72%	53
1 to 3 hours	41%	868	42%	291	44%	107	26%	19
4 to 6 hours (Half a day)	14%	300	14%	94	8%	19	0%	0
8 to 12 hours (1 day)	7%	150	5%	35	5%	11	1%	1
1.5 to 2 days	5%	100	5%	32	0%	1	0%	0
2.5 to 3 days	5%	105	3%	18	2%	4	0%	0
More than 3 days	2%	44	2%	12	1%	3	1%	1
Total		2092		685		242		74

**Key takeaway: The majority of students (41%), parents/guardians (42%), and high school counselors (44%) reported 1-3 hours as the completion time for the average student.**

Among college/university respondents, the majority (72%) reported less than 1 hour for the average student.

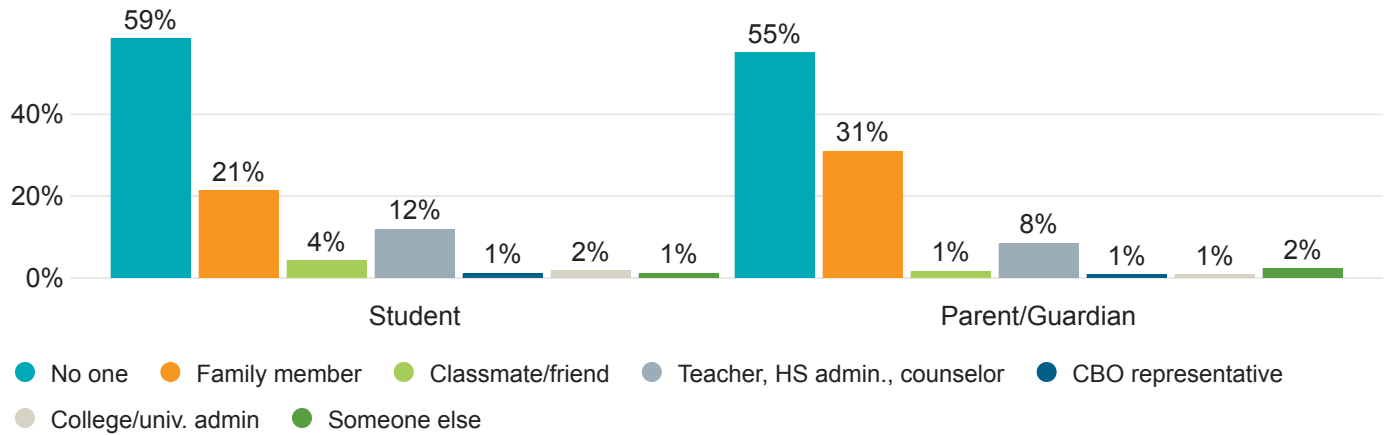
Q6 - What is the most challenging section to complete on the ApplyTexas application? (select all that apply)



**Key takeaway: Students' and parents'/guardians' ratings of the most challenging ApplyTexas sections closely mirrored one another across all answer choices. The subgroups' top three include the long essay (26%, 30%), resume activities (17%, 20%), and institution-specific questions (13%).**

Within the high school counselor subgroup, the top three most challenging sections were rated as resume activities (34%), the long essay (18%), and residency information (11%). Conversely, college/university representatives reported the top three as residency information (28%), resume activities (17%), and educational background (17%).

Q7 - Who assisted you (or your student) in completing the ApplyTexas application? (check all that apply):



**Key takeaway: More than half of students (59%) and parents/guardians (55%) reported the student received no assistance in completing the ApplyTexas application.**

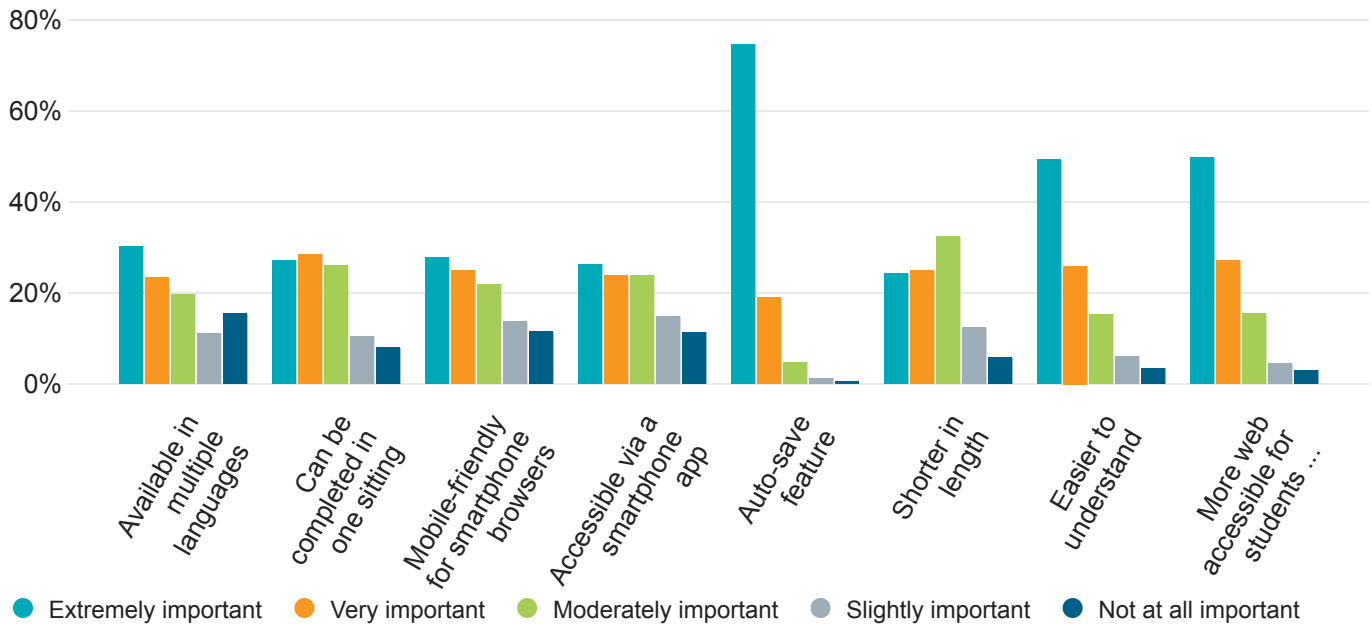
Approximately 21% of students and 31% of parents/guardians reported receiving assistance from a family member; 12% of students and 8% of parents/guardians reported they (or their student) received assistance from a teacher, high school administrator, or counselor.

Q8 - In your estimation, approximately what percentage (1-100) of students complete the ApplyTexas application with one of the following individuals (if you are unsure or don't know, enter "0"): (high school counselors and college representatives only)

Field	Min	Max	Mean	Median	Standard Deviation	Responses
- No one (they complete it alone)	0.00	100.00	24.38	15.00	26.94	302
- A family member	0.00	90.00	15.70	10.00	19.44	302
- A classmate/friend	0.00	100.00	6.27	0.00	11.88	302
- A teacher, high school administrator or counselor	0.00	100.00	30.01	20.00	30.11	302
- A community-based organization representative	0.00	100.00	3.46	0.00	9.31	301
- A college or university administrator	0.00	100.00	4.08	0.00	12.52	302
- Someone else (please specify in the text box):	0.00	100.00	2.33	0.00	10.53	300

**Key takeaway: High school counselors and college/university representatives reported, on average, 30% of students sought assistance from a teacher, high school administrator, or counselor; 24% completed it alone; 15% were assisted by a family member.**

Q10 - How important are the following to the ApplyTexas application: *(displaying students and parents/guardians respondents only)*



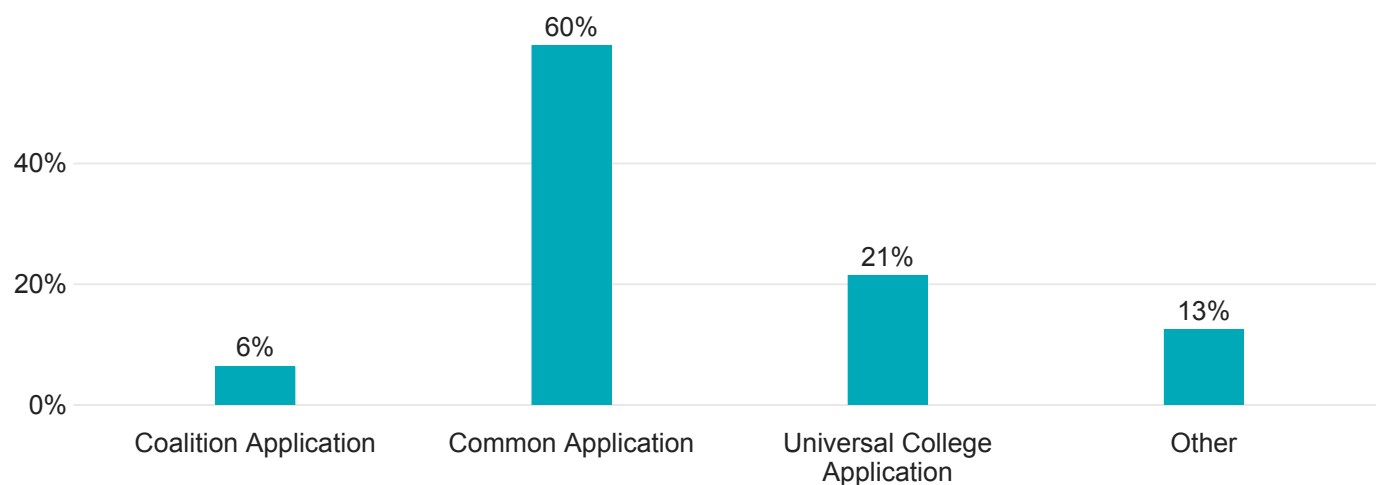
**Key takeaway: Nearly 94% of students and parents/guardians, 99.6% of high school counselors, and 97% of college/university representatives rated an auto-save feature as "extremely/very important."**

Among students and parents/guardians, making the application easier to understand and more web accessible for students with disabilities was rated "extremely" or "very important" by 75% and 77%, respectively. Those most rated as "not at all important" include available in multiple languages (15.5%), mobile-friendly for smartphone browsers (11.5%), and accessible via a smartphone app (11%).

Additional "extremely/very important" ratings within the high school counselor subgroup include making the application easier to understand (78%), more web accessible for students with disabilities (76.5%), and mobile-friendly for smartphone browsers (74%). In contrast, available in multiple languages, shorter in length, and can be completed in one sitting had the most "not important at all" ratings at 6.3%, 6%, and 4%.

Finally, the vast majority of college and university representatives rated making the application easier to understand (89%), can be completed in one sitting (86%), and more web accessible for students with disabilities (83%) as "extremely/very important." Conversely, those most rated as "not at all important" include available in multiple languages (10%), accessible via a smartphone app (7%), and mobile-friendly for smartphone browsers (4.3%).

Q12 - What other applications have you completed? (check all that apply): *(students only)*



***Key takeaway: Student respondents most frequently had current or prior experience with the Common Application.***

Additionally, the majority of applications listed under "other" included institution-specific applications for graduate or professional programs.



---

## ApplyTexas and Comparative Application Feedback

The following analysis summarizes respondents' impressions and feedback regarding comparative application systems and qualitative feedback regarding ApplyTexas.

---

### Q13-15 - What feedback can you provide regarding your experience using:

#### *The Coalition Application*

Students who offered positive feedback most commonly referenced ease of use, navigation, visualization, organization, and transferability to other applications. Those who said the application was "OK" stated it was somewhat confusing, but it did not detract from the overall experience. Students who offered negative feedback often said the application was tedious and time-consuming, particularly the requirement to enter all course information and the inability to navigate to other sections before the current section is complete.

#### *The Common Application*

Positive feedback for the Common Application included a modern look and feel, ease of use, transferability of information to other institutions, auto-saving, integration with other systems (e.g., Naviance), and special features like confetti upon completion. They also discussed the organization of the application itself and the ability to freely navigate through the application as needed. Those who said the application was "OK" shared that it was relatively easy but time-consuming. Some were also less impressed with the aesthetics. Finally, negative feedback included longer than expected completion time, entering all course information, and not necessarily intuitive. While most students concentrated their frustrations on the length, several stated it was tolerable given most of the information was transferable to other institutions and only needed to be entered once.

#### *The University College Application*

Lastly, students who offered positive feedback for the Universal College Application said it was clear, easy to use and understand, and took little time to complete. Those who had a negative or challenging experience generally said it was confusing or discussed difficulty with attachments. Specifically, some had problems uploading or updating previously uploaded documents.

---

### Q17 - What are the positive aspects of the ApplyTexas application (please be specific):

Students who identified positive aspects referenced the simplicity of the platform (e.g., to the point and easy to understand), checking for completion errors before submission, ease in changing previously entered information, and adequate IT support. One respondent specifically mentioned that ApplyTexas "doesn't involve politics." They lamented communication from the Common Application that referenced the events at the U.S. Capitol on January 6 and felt strongly that "Educational organizations and schools should provide a

fair platform for people to think and talk freely, not inject their own political ideology."

---

Q18 - What are the areas for improvement on the ApplyTexas application (please be specific):

Areas for improvement, as noted by respondents, include the user-interface (more aesthetically pleasing, better site organization/navigation, readability/larger font size, and save features), the desire for more detailed guidance (e.g., chatbox, tips/hints pop-ups, and more detailed but easy to understand directions for complicated sections), and shorter in length.

Additionally, some students expressly mentioned limitations with respect to the name, scholarship, awards, resume, essays, test scores (including international scores), and letters of recommendation sections. While most were not detailed in how they would like these areas improved, a few suggested removing character limits (name), adding an "other" category with write-in options (resume: level of activities), the ability to directly upload files in lieu of a text box (essays, LORs), and the ability to upload attachments more quickly and change or update them as needed. A few students also mentioned the application itself is slow, not accessible for students with disabilities, takes too long to receive confirmation from institutions of receipt, asks for too much parental information (which can be difficult to compile), and lacks an efficient auto-save feature. Also, a few students mentioned the initial institution search in the college selection drop-down menu is too long and confusing.

---

Q19 - How does the ApplyTexas application compare to other application systems you have experienced:

Many respondents said ApplyTexas was the only application they used and therefore could not offer a comparison. Respondents who did have experience with other applications offered a full-range of opinions. Those who preferred ApplyTexas reiterated that it was simple, relatively user-friendly, and easy to understand. Many said it balanced out or was similar to other applications with respect to difficulty and time to complete. Respondents who expressed ApplyTexas was the lesser application often said it was outdated, unattractive, uninviting, clunky, and at times, confusing.

---

End.

## AGENDA ITEM IX-F

### Report on activities of the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities

RECOMMENDATION: No action required

#### 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 (IDD). It further requires THECB 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 purpose of the advisory council is to study the accessibility of higher education for persons with intellectual and developmental disabilities. It should also provide advice regarding resolving barriers to accessing higher education and developing recommendations to address barriers for persons with IDD who are or have been in the foster care system.

The report on the activities of the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities is based on the advisory council's exploration and findings from examining the field. It includes the advisory council's activities, relevant rule changes to decrease barriers accessing higher education, and recommendations for potential outreach and distribution materials to increase public awareness.

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

Christine Price, Coordinator, Skills, Training and Education for Personal Success (STEPS), Austin Community College, will provide a brief summary of council activities and be available to answer questions.

**ADVISORY COUNCIL ON POSTSECONDARY EDUCATION  
FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES  
ANNUAL REPORT**

**Council Purpose:** According to the Texas Education Code (TEC), Section 61.06641(b), the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities (IDDAC) is to advise the Board on policies and practices to improve postsecondary education opportunities for persons with intellectual and developmental disabilities (IDD).

**Report Period:**

September 2020 – August 2021

**Chair:**

Christine Price  
Skills, Training and Education for Personal Success (STEPS) Coordinator  
Austin Community College

**Council Members:**

A list of the 2020-2021 council members is attached.

**Council Meeting Dates:**

October 2, 2020  
January 29, 2021  
April 30, 2021  
July 30, 2021

**Annual Costs Expended**

Travel and lodging: \$0  
THECB Staff Time (4): \$6,800

**Time Commitments:** Council members spent approximately 6-8 days on committee work for the four meetings. THECB staff members averaged approximately 14-16 days to prepare, attend, and develop minutes for each of the meetings.

**Current Recommendations to the Board:**

The advisory council has suggested the following recommendations:

- Include postsecondary outcomes for Texans with IDD in tools and resources such as the Texas Public Higher Education Almanac, the Tracking K12 Outcomes dashboard, the Generation TX movement, the College for All Texans portal, and the Texas Reality Check calculator.
- Include in the College for All Texans portal information about applying for vocational rehabilitation assistance through TWC or about federal student aid available for students with intellectual disabilities through a comprehensive transition and postsecondary (CTP) program.
- Provide time for the Advisory Council and the THECB to research how students with neurodevelopmental disorders and their families can learn about and be encouraged and/or supported in enrolling for credit-earning courses not specifically designed for students with neurodevelopmental disorders so students can earn a certificate or degree.
- Require postsecondary education programs to maintain accessible information that is highlighted for individuals with neurodevelopmental disorders and their families to locate programs that support them to attend college.
- Identify and replicate best practices on how the state can help ensure that students who complete postsecondary programs for people with neurodevelopmental disorders earn meaningful credentials that support their individual goals, needs, and preferences.
- Identify school districts that offer dual-credit/concurrent enrollment opportunities for students and/or offer science, technology, engineering, and mathematics classes/programs to students receiving special education services.
- Recommend that each student receives additional training from postsecondary institutions in other areas to help ensure successful employment, such as social and advocacy skills, transportation training, and information regarding how employment income can affect Social Security and medical benefits. This training can come from the postsecondary institution or from other agency/ community partners.

- Prioritize efforts to increase referrals for children with neurodevelopmental disorders to waiver programs earlier in life because these programs include services that provide employment supports after the individual starts employment.

### **Summary of Tasks Completed:**

The advisory council has performed the following activities:

- Replaced two members and re-elected a presiding officer from membership (TEC, Sec. 61.06641 (c-4, f))
- Maintained quarterly meetings at the call of the presiding officer (TEC, Sec. 61.06641 (h))
- Continued the work to review and research accessibility, policies, and marketing outreach material (TEC, Sec. 61.06641 (a))
- Participated in the 60x30TX Refresh virtual listening sessions. (TEC, Sec. 61.06641 (k-2A))
- Created letters to the Coordinating Board and to students and parents regarding the Council's interest in inclusion and equity for the IDD population. (TEC, Sec. 61.06641 (k-2A))
- Participated in a presentation from ADVi by Erin Willig, Tracy Heim, Stacie Brodie for consideration of chatbot to respond to questions for students with IDD. (TEC, Sec. 61.06641 (j-3))
- Created a database for IDD programs at IHEs with recommendation of database or interactive list to be added to the advisory council's page on the THECB website. (TEC, Sec. 61.06641 (j-3))
- Created IDD resource list to be shared for parents, programs, and students. (TEC, Sec. 61.06641 (j-3))
- Planning and collaboration has started for the implementation of the council's recommendations for TEA, TWC, and THECB. (TEC, Sec. 61.06641 (g-2))
- Began researching to what extent occupational skills training programs are accessible and available to students with neurodevelopmental disorders and how students can access these services and potential programs of study. (TEC, Sec. 61.06641 (g))

Minutes for the 2020-2021 academic year are attached.

### **Attachments:**

Attachment A: 2020-2021 IDDAC Member List  
 Attachment B: October 2, 2020 Meeting Notes  
 Attachment C: January 9, 2021 Meeting Notes  
 Attachment D: April 30, 2021 Meeting Notes  
 Attachment E: July 30, 2021 Meeting Notes

**Advisory Council on Postsecondary Education  
for Persons with Intellectual and Developmental Disabilities (IDDAC)  
Member List  
September 2020-August 2021**

***Presiding Officer***

Christine Price  
STEPS Coordinator  
Austin Community College  
[cprice12@austincc.edu](mailto:cprice12@austincc.edu)

Jennifer Alexander, Ed.D.  
Associate Commissioner  
Office of Special Populations and Monitoring  
Texas Education Agency  
[jennifer.alexander@tea.texas.gov](mailto:jennifer.alexander@tea.texas.gov)

Robert Bezucha  
Graduate, TTU CASE Program  
Texas Tech University  
[drewbezucha@sbcglobal.net](mailto:drewbezucha@sbcglobal.net)

Rhett Calvert  
Student, TTU CASE Program  
Texas Tech University  
[rhett.calvert@ttu.edu](mailto:rhett.calvert@ttu.edu)

Taylor Fidler  
Director  
Connections for Academic Success and  
Employment (CASE)  
Texas Tech University  
[taylor.fidler@ttu.edu](mailto:taylor.fidler@ttu.edu)

Ashley Ford  
Deputy Director of Public Policy & Advocacy  
The Arc of Texas  
[aford@thearcoftexas.org](mailto:aford@thearcoftexas.org)

Leigh Ann Godinez, CRS, LPC  
Vocational Rehabilitation Supervisor  
Texas Workforce Solutions  
[leighann.godinez@twc.state.tx.us](mailto:leighann.godinez@twc.state.tx.us)

Jennifer Hines  
Program Specialist  
State Neurodevelopmental Disorders  
Texas Workforce Solutions  
[jennifer.hines@twc.state.tx.us](mailto:jennifer.hines@twc.state.tx.us)

Linda Litzinger  
Parent/Policy Specialist  
Texas Parent to Parent Advocacy Network  
[linda.litzinger@TxP2P.org](mailto:linda.litzinger@TxP2P.org)

Jana McLain, Ph.D.  
Student Support Counselor  
Humble ISD  
[mclainpoole@gmail.com](mailto:mclainpoole@gmail.com)

Susan Moraska  
Director  
Vocational Advancement and Social Skills  
Training (VAST) Academy  
Houston Community College  
[sue.moraska@hccs.edu](mailto:sue.moraska@hccs.edu)

DJ Puente  
Student  
South Texas College  
[djpuente4738@gmail.com](mailto:djpuente4738@gmail.com)

Jolene Sanders  
Advocacy Director  
Coalition of Texans with Disabilities (CTD)  
[jsanders@txdisabilities.org](mailto:jsanders@txdisabilities.org)

Beth Stalvey, Ph.D.  
Executive Director  
Texas Council for Developmental Disabilities  
[beth.stalvey@tcdd.texas.gov](mailto:beth.stalvey@tcdd.texas.gov)

Agatha Thibodeaux  
Parent/Governor Appointee  
TEA Continuing Advisory Committee on  
Special Education  
[agatha.thibodeaux@icloud.com](mailto:agatha.thibodeaux@icloud.com)

Dalun Zhang, Ph.D.  
Director  
Center on Disability and Development  
Texas A&M University  
[dalun@tamu.edu](mailto:dalun@tamu.edu)

Nina Zuna, Ph.D.  
Associate Director  
Texas Center for Disability Studies  
The University of Texas at Austin  
[nzuna@austin.utexas.edu](mailto:nzuna@austin.utexas.edu)

***THECB Staff***

Jerel Booker, J.D.  
Assistant Commissioner  
for College Readiness and Success  
[jerel.booker@highered.texas.gov](mailto:jerel.booker@highered.texas.gov)

Waylon Metoyer, M.Ed.  
Program Specialist V, College Completion  
Division for College Readiness & Success  
[waylon.metoyer@highered.texas.gov](mailto:waylon.metoyer@highered.texas.gov)

Suzanne Morales-Vale, Ph.D.  
Senior Director  
Division for College Readiness and Success  
[suzanne.morales-vale@highered.texas.gov](mailto:suzanne.morales-vale@highered.texas.gov)

Kendra Horn  
Administrative Assistant II  
Division for College Readiness and Success  
[kendra.horn@highered.texas.gov](mailto:kendra.horn@highered.texas.gov)

Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental  
Disabilities  
Meeting Notes  
October 2, 2020

The Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities convened at 10:32 a.m. on October 2, 2020, with the following committee members present, Leigh Ann Godinez, Jennifer Hines, Linda Litzinger, Jana McLain, Susan Moraska, Christine Price, DJ Puente, Beth Stalvey, Agatha Thibodeaux, Jolene Sanders, Jennifer Alexander, Dalun Zhang, Deann Lechtenberger.

Members Absent: Robert "Drew" Bezucha, Rhett Calvert, Ashley Ford, Amy Sharp

Guest(s)/Community Stakeholder(s): Tracy Glass, Director of the Postsecondary Access and Training in Human Services (PATHS) program at TAMU (Sub. for Dalun Zhang)  
Nina Zuna, Associate Director of Texas Center for Disability Studies (Sub. for Amy Sharp)

THECB Staff: Waylon Metoyer, Dakota Doman, Kendra Horn, Diana Foose, and Lisa Paiz

Location: Virtual Meeting Online via Zoom

The meeting was broadcasted live and recorded for our records at the following link:

<https://youtu.be/ehfef9zAgJc>.

<b>Agenda Item 1. Call to Order</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
DeAnn Lechtenberger called meeting to order and welcomed council members and guests.	

<b>Agenda Item 2. Advisory Council Member Roll Call</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer conducted roll call requesting each council member to voice their presence after calling their name.	

<b>Agenda Item 3. Approval of Minutes</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: Yes</b>	<b>Formal Decision/Action Required: Yes</b>



**Critical Discussion Points:**

- Approval of minutes from January 31, 2020, July 21, 2020, August 11, 2020 meetings
- Motioned by Jennifer Hines, Seconded by Linda Litzinger

<b>Agenda Item 4. Advisory Council Report to the Board</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: NO</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> Workgroups provided a brief review and highlights of their findings and recommendations for the IDD Accessibility report: <ul style="list-style-type: none"><li>• Agatha Thibodeaux gave an update on the findings from the IDD Programs workgroup. Topics included current post-secondary programs for students with IDD, recruitment strategies, best supports for students with IDD, and common barriers.</li><li>• The data and workforce group gave an update on their findings by Jennifer Hines. Topics included data collected should be focused on the four main neurodevelopmental disorders, require every public IHE to add ASD, AD/HD, IDD, and SLD to their CBM report, and require a designated a point of contact at every public IHE to collect and report data from all departments and programs.</li><li>• Linda Litzinger provided an update on behalf of the policy group. Topics included ADA definition updates, specific barriers around readiness, admission, retention and matriculation, and other policy considerations.</li></ul>	

<b>Agenda Item 5. Discussion of Potential Agenda Items and Next Meeting</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"><li>• November 13<sup>th</sup> next Advisory Council meeting</li><li>• Relationship between the IDD Report and 60x30TX Strategic Plan</li><li>• Present report findings from advisory council at upcoming conferences (Virtual)</li></ul>	

<b>Agenda Item 6. Adjournment</b>	DeAnn Lechtenberger, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Meeting adjourned at 11:47 a.m.	

Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities  
Meeting Notes  
January 29, 2021

The Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities convened at 10:35 a.m. on January 29, 2021, with the following committee members present,

Leigh Ann Godinez, Jennifer Hines, Linda Litzinger, Susan Moraska, Christine Price, DJ Puente, Beth Stalvey, Agatha Thibodeaux, Jolene Sanders, Jennifer Alexander, Deann Lechtenberger, Ashley Ford.

Members Absent: Robert "Drew" Bezucha, Rhett Calvert, Amy Sharp, Dalun Zhang, Jana McLain

Guest(s)/Community Stakeholder(s): Tracy Glass, Director of the Postsecondary Access and Training in Human Services (PATHS) program at TAMU (Sub. for Dalun Zhang)  
Nina Zuna, Associate Director of Texas Center for Disability Studies (Sub. for Amy Sharp)  
Anne Ginnett, Lone Star College lifePATH Program Presenter

THECB Staff: Waylon Metoyer, Kendra Horn, Diana Foose, and Lisa Paiz

Location: Virtual Meeting Online via Zoom

The meeting was broadcasted live and recorded for our records at the following link:

<https://youtu.be/bax4e0yRRoo>.

<b>Agenda Item 1. Call to Order</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
DeAnn Lechtenberger called meeting to order at 10:35 a.m. and welcomed council members and guests.	

<b>Agenda Item 2. Advisory Council Member Roll Call</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer conducted roll call requesting each council member to voice their presence after calling their name.	

<b>Agenda Item 3. Approval of Minutes</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: Yes</b>	<b>Formal Decision/Action Required: Yes</b>

**Critical Discussion Points:**

- Approval of minutes from October 2, 2020 meetings
- Motioned by Jennifer Hines, Seconded by Linda Litzinger

<b>Agenda Item 4. Lone Star College lifePATH Program Presentation</b>	Dr. Anne Gissett, Presenter
<b>Handout Provided: NO</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"> <li>• First 2 years are experiential and immersive time to recognize needs and how to navigate processes and the college environment. (developing and enhancing soft and hard skills)</li> <li>• 4-year program, at 2 yrs a decision is made to determine if an alternative degree is a better option (25% does this vs the other who finishes the lifePATH program)</li> <li>• The OLSA (Occupational and Life Skills Associate) Degree is the legislative degree as of Fall 2020, had to seek and receive accreditation for program</li> <li>• There around 80-90 students in program at a given time (Freshman – Seniors)</li> <li>• LoneStar only college currently able to offer degree, able to create their own core curriculum and specialization area such as the Business Operations Certificate.</li> <li>• Baseline IQ is 70 or above; however, an holistic evaluation is done for acceptance criteria to properly support the students in the program.</li> <li>• Future legislative may provide opportunities for additional colleges to provide degree and use lifePATH's Program as a model across the state.</li> <li>• Inquiries and more information can be found at <a href="https://www.lonestar.edu/lifepath">https://www.lonestar.edu/lifepath</a></li> </ul>	

<b>Agenda Item 5. Potential Agenda Items and 2021 Plans</b>	DeAnn Lechtenberger, Chair
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"> <li>• Continuing the work to review and research accessibility, policies, and marketing outreach material</li> <li>• Participating in the 60x30TX Refresh virtual listening sessions and submitting a letter to the Board regarding the Council's interest for inclusion and equity for the IDD population.</li> </ul>	

<b>Agenda Item 6. Announcements</b>	DeAnn Lechtenberger, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"> <li>• Legislative Updates: HB 855 &amp; SB 54</li> <li>• Tentative Next Meetings: April 30, July 30, October 29</li> </ul>	

<b>Agenda Item 6. Adjournment</b>	DeAnn Lechtenberger, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Meeting adjourned at 12:09 p.m.	

Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities  
Meeting Notes  
April 30, 2021

The Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities convened at 10:35 a.m. on January 29, 2021, with the following committee members present,

Leigh Ann Godinez, Linda Litzinger, Susan Moraska, Christine Price, DJ Puente, Beth Stalvey, Agatha Thibodeaux, Jolene Sanders, Jennifer Alexander, Nina Zuna, Taylor Fidler

Members Absent: Robert "Drew" Bezucha, Rhett Calvert, Dalun Zhang, Jana McLain, Jennifer Hines

Guest(s)/Community Stakeholder(s): Tracy Glass, Director of the Postsecondary Access and Training in Human Services (PATHS) program at TAMU (Sub. for Dalun Zhang)  
Jennifer Martinez, Chief Executive Director, The Arc of Texas (Sub. for Ashley Ford)  
Sabrina Gonzales, Education Specialist, TWC

THECB Staff: Waylon Metoyer, Kendra Horn, Diana Foose, and Lisa Paiz

Location: Virtual Meeting Online via Zoom

The meeting was broadcasted live and recorded for our records at the following link:  
<https://youtu.be/aahbvYDtQr8>.

<b>Agenda Item 1. Call to Order</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer called meeting to order at 10:35 a.m. and welcomed council members and guests.	

<b>Agenda Item 2. Advisory Council Member Roll Call</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer conducted roll call requesting each council member to voice their presence after calling their name.	

<b>Agenda Item 3. Approval of Minutes</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: Yes</b>	<b>Formal Decision/Action Required: Yes</b>

**Critical Discussion Points:**

- Motion by Beth Stalvey, Second by Susan Moraska, Minutes accepted

<b>Agenda Item 4. New Member Introductions</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: NO</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"><li>• Taylor Fidler, Director, Connections for Academic Success and Employment (CASE), Texas Tech University</li><li>• Nina Zuna, Associate Director Texas Center for Disability Studies, UT Austin</li></ul>	

<b>Agenda Item 5. Election of Chairperson</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"><li>• Agatha Thibodeaux nominated Linda Litzinger, accepted</li><li>• Linda Litzinger nominated Agatha Thibodeaux, declined</li><li>• Linda Litzinger nominated Jolene Sanders, declined</li><li>• Jolene Sanders 2<sup>nd</sup> nomination for Linda Litzinger</li><li>• Beth Stalvey nominated Christine Price, accepted</li><li>• Susan Moraska 2<sup>nd</sup> nomination for Christine Price</li><li>• Linda Litzinger withdrew nomination</li><li>• Christine Price accepted position by unanimous decision</li></ul>	

<b>Agenda Item 6. 60x30TX Refinement Plan</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"><li>• Christine Price and Nina Zuna attended 60x30TX refinement sessions. Sessions were broad but seem more career focused with discussions around businesses and STEM.</li><li>• Christine and Nina will be invited for upcoming community sessions.</li><li>• Council decided to finalize letter to submit to committee and the agency regarding the inclusion of the IDD population.</li></ul>	

<b>Agenda Item 7. Marketing Outreach &amp; Recommendations</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required:</b>

	<b>N/A</b>
<ul style="list-style-type: none"> <li>• Presentation from ADVi by Erin Willig, Tracy Heim, Stacie Brodie</li> <li>• Chatbot to respond to questions for students</li> <li>• Database for IDD programs at IHEs</li> <li>• ThinkCollege has list that may be helpful</li> <li>• Education Service Centers a possible outreach opportunity</li> <li>• Test before publicizing ADVi</li> </ul>	

<b>Agenda Item 8. Announcements</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"> <li>• Tentative Next Meetings: July 30, October 29</li> <li>• New contact list shared to members</li> </ul>	

<b>Agenda Item 9. Adjournment</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"> <li>• Motion by Linda Litzinger</li> <li>• Second by Beth Stalvey</li> <li>• Meeting adjourned by Waylon Metoyer at 11:47 p.m.</li> </ul>	

Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental  
Disabilities  
Meeting Notes  
July 30, 2021

The Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities convened at 10:35 a.m. on January 29, 2021, with the following committee members present,

Leigh Ann Godinez, Jennifer Hines, Linda Litzinger, Susan Moraska, Christine Price, DJ Puente, Beth Stalvey, Agatha Thibodeaux, Jolene Sanders, Jennifer Alexander, Ashley Ford, Nina Zuna, Taylor Fidler

Members Absent: Robert "Drew" Bezucha, Rhett Calvert, Dalun Zhang, Jana McLain

Guest(s)/Community Stakeholder(s): Tracy Glass, Director of the Postsecondary Access and Training in Human Services (PATHS) program at TAMU (Sub. for Dalun Zhang)

THECB Staff: Waylon Metoyer, Kendra Horn, Diana Foose, and Lisa Paiz

Location: Virtual Meeting Online via Zoom

The meeting was broadcasted live and recorded for our records at the following link:

<https://www.youtube.com/watch?v=lke7GRqt49Y>.

<b>Agenda Item 1. Call to Order</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer called meeting to order at 1:06 p.m. and welcomed council members and guests.	

<b>Agenda Item 2. Advisory Council Member Roll Call</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
Waylon Metoyer conducted roll call requesting each council member to voice their presence after calling their name.	

<b>Agenda Item 3. Approval of Minutes</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: Yes</b>	<b>Formal Decision/Action Required: Yes</b>



**Critical Discussion Points:**

- Motion by Beth Stalvey,
- Second by Sue Moraska,
- Minutes accepted with the following changes:
  - Jennifer Hines, absent
  - Sabrina Gonzales, Education Specialist, TWC
  - Jennifer Martinez, Chief Executive Director, The Arc of Texas, sub for Ashley Ford

<b>Agenda Item 4. 60X30TX Refresh Inclusion Letter</b>	Christine Price, THECB Staff
<b>Handout Provided: NO</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <ul style="list-style-type: none"> <li>• Change heading for letter to new presiding officer</li> <li>• Taylor Fidler and Ashley Ford will volunteer to review before submitting.</li> <li>• Need contact information to address letter to Commissioner Keller.</li> </ul>	

<b>Agenda Item 5. Marketing &amp; Outreach</b>	Christine Price, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<b>Critical Discussion Points:</b> <p>PEAT (Postsecondary Educational Alliance of Texas) Meeting</p> <ul style="list-style-type: none"> <li>• Nina introduced PEAT that they may be an organization to work closely with.</li> <li>• IDDAC shared information and report</li> <li>• Taylor and Sue introduced our council to start collaborating and seeing how we can work together by providing services, navigating resources, and making it all user friendly. Also, by sharing best practices is a main priority with PEAT.</li> <li>• PEAT August 4, 2021 has an open house.</li> <li>• Cheryl is helping to lead the initiative, but still working on goals.</li> </ul> <p>Comprehensive College List</p> <ul style="list-style-type: none"> <li>• ThinkCollege is now showing 15 programs which has added 4 since our initial list.</li> <li>• Needs updating and add new programs.</li> <li>• Jennifer, is there a mandate for IHEs to report programs?</li> <li>• Ashley Ford not sustainable and need CB support.</li> <li>• Are we including Private IHEs beyond Public IHEs?</li> <li>• AC, Who are the reporting individuals to respond to IDD survey and inventory?</li> <li>• Families are really needing this list by Linda Litzininger.</li> <li>• Needs to get in the hands of transition specialist – Taylor</li> <li>• College for All Texans by inclusive – Ashley Ford</li> <li>• SMS Texting, knowledgebase can link to College For All Texans and our site</li> <li>• AC, Who's the designated contact person to report campus data for serving students with disabilities?</li> <li>• Alignment with campus reporting individuals and survey contacts.</li> <li>• CB Working with TWC to identify programs they can support.</li> <li>• Include private institution programs.</li> </ul>	

#### Resources and Agency List

- May not be able to use google drive but we will identify a single person to use
- Sue Moraska can send all information
- Agatha doesn't mind compiling the information and format the data.
- AC, Any parameters around highlighting organizations, private entities, community groups regarding resources and services to place on CB's site?

#### Implementation recommendations

- Any recommendations that we have not spoken about that needs to be added let's discuss and email Christine.
- Parents are asking for various communication methods to discuss
- Social Media private parent's page, or method to ask questions, and
- Consider Spanish speaking population, access to other diverse groups
- Nina asked about prioritization and implementation plan of recommendations from Council's report
- Beth – important to still highlight our progress in our Report

<b>Agenda Item 6. Announcements</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"><li>• Tentative Next Meetings: October 29</li><li>• New contact list shared to members</li></ul>	

<b>Agenda Item 7. Adjournment</b>	Waylon Metoyer, THECB Staff
<b>Handout Provided: No</b>	<b>Formal Decision/Action Required: N/A</b>
<ul style="list-style-type: none"><li>• Motion by Sue Moraska</li><li>• Second by Linda Litzinger</li><li>• Meeting adjourned by Waylon Metoyer at 2:46 p.m.</li></ul>	

## AGENDA ITEM IX-G

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 111 near-peer college advisers to serve 108 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, Professor of Education 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 2020-2021 school year, Advise TX advisers met with over 50,000 Texas high school seniors and held more than 84,000 one-on-one advising sessions. Advisers assisted 31,000 students complete at least one college application, nearly 25,000 FAFSA submissions, and over 5,000 individual scholarship applications.

Annual reports on college enrollment outcomes for the graduating classes of 2017 and 2018 found impacts on low-income students of 1.2 and 0.6 percentage points, respectively. For this report, the focus was on the 2019 graduating class, the most recent graduating class for which complete data is available, and the measured impacts on low-income students are similar. Low-income students were 1.1 percentage points more likely to attend college when served by Advise TX. Additionally, African American students saw a 1.3 percentage point

increase in four-year college attendance when served by Advise TX, and Hispanic students saw a 2.2 percentage point decline in four-year college attendance but a 1.3 percentage point 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-H (1)

### Consideration of approving the request from Texas A&M University for a Doctor of Nursing Practice (DNP) degree with a major in Nursing Practice

RECOMMENDATION: Approval, beginning fall 2022

#### **Rationale:**

Texas A&M University (TAMU) is seeking approval to offer a Doctor of Nursing Practice (DNP) degree program. The online post-master's program would require 38 semester credit hours (SCHs) beginning fall 2022. The proposed program would prepare advanced practice nurses to become clinical leaders who are skilled in the translation of evidence into clinical practice.

Workforce data suggest that there is a need for nurse practitioners. According to the United States Bureau of Labor Statistics (BLS), the employment rate for nursing practice as a field is expected to grow at a much greater rate (52.4%) than the average for all occupations (3.7%). The Texas Workforce Commission (TWC) recognizes nursing practice as one of the fastest growing careers requiring a graduate degree in Texas and expects the state employment rate for nurse practitioners to grow at a faster rate (31.9%) than the average for all occupations (12.6%). The BLS and TWC anticipate an increased need for nurse practitioners through 2029.

While workforce projections consider a master's degree to be sufficient for nurse practitioners, the American Association of Colleges of Nursing adopted a position statement identifying the Doctor of Nursing Practice as the most appropriate degree for Advanced Practice Registered Nurses (APRNs) to enter practice and endorsed a position that master's programs educating APRNs should transition to the DNP as the entry-level for APRNs. The proposed program would support the national movement toward making the DNP the necessary degree for advanced nursing practice.

The proposed post-master's DNP at TAMU would not produce additional nurse practitioners to enter the workforce. Students would enter the program with a master's degree in nursing.

The institution will seek accreditation for the DNP program from the Commission on Collegiate Nursing Education (CCNE).

**Texas A&M University** (*Accountability Peer Group: Research University*)

<b>Completion Measures</b>		<b>Institution</b>	<b>State</b>
<i>Graduate</i>	Master's 5-Year Graduation Rate	90.4%	76.3%
	Doctoral 10-Year Graduation Rate	76.8%	65.4%
<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:	<b>Yes</b>	No N/A
	Recently Approved Doctoral Programs:		
	<ul style="list-style-type: none"> <li>• Astronomy (2016)</li> <li>• Marine and Coastal Management and Science (2019)</li> <li>• Pharmaceutical Sciences (2019)</li> <li>• Marine Biology (2020)</li> <li>• PhD Construction Science (2021)</li> </ul>		
	The institution has met its resource commitments for new doctoral program(s) approved in the last five years:	<b>Yes</b>	No N/A

**Proposed Program:**

The proposed online program would require 38 SCHs and would be available beginning in fall 2022. The proposed curriculum would align with the Essentials of Doctoral Education for Advanced Nursing Practice, which is required for CCNE accreditation. The proposed program would prepare advanced practice nurses to become clinical leaders trained to improve patient outcomes and advance safety.

The institution estimates that five-year costs would total \$3,882,743.

**Existing Programs:**

There are 13 public and 5 independent universities offering the DNP in Nursing Practice in Texas.

**Public Universities:**

Prairie View A&M University  
 Texas A&M University-Corpus Christi  
 Texas Woman's University  
 The University of Texas at Arlington  
 The University of Texas at Austin  
 The University of Texas at El Paso  
 The University of Texas at Tyler  
 The University of Texas Rio Grande Valley  
 University of Houston  
 Texas Tech University Health Sciences Center  
 The University of Texas Health Science Center at Houston  
 The University of Texas Health Science Center at San Antonio  
 The University of Texas Medical Branch at Galveston

Abilene Christian University  
Baylor University  
Texas Christian University  
Texas Wesleyan University  
University of the Incarnate Word

In 2020, there were a total of 687 declared majors enrolled at the public universities.

FIVE-YEAR COSTS	
Personnel	
Faculty	\$ 1,017,566
Faculty (Reallocated)	\$ 1,266,686
Program Administration (New)	\$ 148,055
Program Administration (Reallocated)	\$ 226,073
Graduate Assistants (New)	\$ 0
Graduate Assistants (Reallocated)	\$ 0
Clerical/Staff (New)	\$ 565,075
Clerical/Staff (Reallocated)	\$ 0
Student Support	\$ 0
Supplies and Materials	\$ 18,040
Library and IT Resources	\$ 0
Equipment	\$ 0
Facilities	\$ 0
Other	\$ 641,248
<b>Total</b>	<b>\$ 3,882,743</b>

FIVE-YEAR FUNDING	
Formula Funding (Years 3-5)	\$ 1,237,332
Other State Funding	\$ 0
Reallocation of Existing Resources	\$ 1,690,422
Federal Funding (In-Hand Only)	\$ 0
Tuition and Fees	\$ 1,462,244
Other	\$ 0
<b>Total</b>	<b>\$ 4,389,998</b>

**Major Commitments:**

The institution will seek accreditation for its DNP in Nursing Practice degree program from the Commission on Collegiate Nursing Education.

The institution will submit reports in years one, three, and five confirming institutional commitments and assessing the progress of program implementation.

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



# Online Resume for Legislators and Other Policymakers

## TEXAS A&M UNIVERSITY

Location: College Station, Central Region

Research Accountability Peer Group: UT Austin

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 2015		Fall 2019		Fall 2020	
	Number	Percent	Number	Percent	Number	Percent
White	34,825	59.5%	35,370	55.4%	36,014	55.2%
Hispanic	11,397	19.5%	14,194	22.2%	14,843	22.7%
African American	2,130	3.6%	2,042	3.2%	2,089	3.2%
Asian	3,307	5.7%	5,030	7.9%	5,631	8.6%
International	5,142	8.8%	5,130	8.0%	4,326	6.6%
Other & Unknown	1,714	2.9%	2,093	3.3%	2,369	3.6%
<b>Total</b>	<b>58,515</b>	<b>100.0%</b>	<b>63,859</b>	<b>100.0%</b>	<b>65,272</b>	<b>100.0%</b>
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	1,547	3.3%	1,756	3.4%	2,080	3.9%
Two-Year Institutions	501	1.1%	662	1.3%	827	1.6%
Other Institutions						

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	\$9,494	.0%	\$9,652	.0%
2017	\$9,707	2.2%	\$9,758	1.1%
2018	\$9,882	1.8%	\$9,987	2.3%
2019	\$10,316	4.4%	\$10,357	3.7%
2020	\$10,562	2.4%	\$10,438	.8%
2021	\$11,404	8.0%	\$10,993	5.3%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2018	32%	\$6,267	34%	\$6,254	32%	\$6,207
2019	31%	\$6,127	33%	\$5,420	0%	\$0
Federal, State, Institutional or Other Grants Known by Institutions						
2018	55%	\$8,570	52%	\$9,620	56%	\$14,266
2019	56%	\$9,723	52%	\$10,193	0%	\$0
Federal (Pell) Grants						
2018	22%	\$4,702	22%	\$4,623	21%	\$4,640
2019	22%	\$4,782	22%	\$4,693	0%	\$0

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2014	Enter Fall 2018	Enter Fall 2019	Cohort	Peer Group
Cohort	Total	8,989	9,682	9,265	Fall 2011 4-year	57.1%
	Same	96.0%	97.0%	95.6%	Fall 2015 4-year	65.7%
	Other	89.6%	93.1%	92.5%	Fall 2016 4-year	67.8%
	Other	6.4%	3.8%	3.1%	Fall 2010 5-year	79.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2014 5-year	85.3%	85.3%
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Fall 2015 5-year	86.2%
Institution Persistence				Fall 2009 6-year	84.9%	83.3%
Cohort	Total	8,493	9,651	9,666	Fall 2013 6-year	87.4%
	Same	93.5%	93.6%	93.5%	Fall 2014 6-year	88.6%
	Other	85.7%	86.2%	86.2%	National Comparison (IPEDS Definition)	
	Other	7.8%	7.4%	7.3%	Cohort	OOS Peers
Peer Group Persistence				Fall 2010 4-year	50.0%	67.2%
Cohort	Total	7,797	8,939	9,232	Fall 2014 4-year	69.6%
	Same	92.7%	93.7%	94.7%	Fall 2015 4-year	71.4%
	Other	86.4%	88.2%	89.7%	Fall 2009 5-year	83.0%
	Other	6.3%	5.5%	5.0%	Fall 2013 5-year	83.8%
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution Grads	Sem	SCH	Peer Group Average Grads	Sem	SCH
FY 2016	9,024	10.09	130.00	8,681	9.78	128.50
FY 2019	11,123	9.40	130.00	9,819	9.10	126.50
FY 2020	10,839	9.40	128.00	*****	9.00	124.50

Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution Grads	Sem	SCH	Peer Group Average Grads	Sem	SCH
FY 2016	9,024	10.09	130.00	8,681	9.78	128.50
FY 2019	11,123	9.40	130.00	9,819	9.10	126.50
FY 2020	10,839	9.40	128.00	*****	9.00	124.50

Six-year Graduation & Persistence Rate, Fall 2014		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	88	70.5%
Peer Group	140	79.3%
<i>For Students NOT Needing Dev Ed</i>		
Institution	8,901	91.1%
Peer Group	7,870	91.6%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2015 Amount	Pct of Total	FY 2019 Amount	Pct of Total	FY 2020 Amount	Pct of Total
Appropriated Funds	\$466,286,314	30.8%	\$589,652,293	31.5%	\$616,375,472	32.5%
Federal Funds	\$129,106,006	8.5%	\$165,745,986	8.9%	\$190,098,608	10.0%
Tuition & Fees	\$450,717,786	29.8%	\$592,727,096	31.7%	\$630,571,283	33.3%
<b>Total Revenue</b>	<b>\$1,513,337,736</b>	<b>100.0%</b>	<b>\$1,869,446,467</b>	<b>100.0%</b>	<b>\$1,895,403,725</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## TEXAS A&M UNIVERSITY

Location: College Station, Central Region

Research Accountability Peer Group: UT Austin

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 2020	
	Number	Percent
White	36,014	55.2%
Hispanic	14,843	22.7%
African American	2,089	3.2%
Asian	5,631	8.6%
International	4,326	6.6%
Other & Unknown	2,369	3.6%
<b>Total</b>	<b>65,272</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	2,080	3.9%
Other Institutions	827	1.6%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students		
Measure	Entering	
	Fall	Rate
4-year Rate Total	2016	62.1%
Same Institution		59.1%
Other Institutions		3.0%
5-year Rate Total	2015	85.5%
Same Institution		80.6%
Other Institutions		4.9%
6-year Rate Total	2014	87.6%
Same Institution		82.1%
Other Institutions		5.4%
<a href="#">Grad Rates by Ethnicity</a>		

1-Year Persistence, Fall 2019	
Total	95.6%
Same	92.5%
Other	3.1%
2-Year Persistence, Fall 2018	
Total	93.5%
Same	86.2%
Other	7.3%

Avg Number SCH for Bachelor's Degree		
FY 2020 Average		
Sem	SCH	
All	9.40	128.00

Degrees Awarded	
Type	FY 2020
Bachelor's	11,982
Master's	3,299
Doctoral	777
Professional	263
<b>Total</b>	<b>16,321</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
FY 2020	
Field	Rate
Law	90.9%
Pharmacy	%
Nursing	%
Engineering	88.4%

\*Data for FY 2019

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2020		
Test Section	ACT	SAT
Composite		
Math		
English		
Critical Reading		

<https://nces.ed.gov/>

Application for First-time Undergraduate Admission			
Fall 2020			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	18,080	63.9%	51.7%
African American	2,228	44.6%	30.8%
Hispanic	12,136	57.4%	38.3%
Asian	6,874	72.5%	26.9%
International	1,675	58.6%	5.4%
Other	1,393	66.0%	41.3%
<b>Total</b>	<b>42,386</b>	<b>62.3%</b>	<b>40.6%</b>

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2016	\$9,494	.0%	\$9,810	.0%
2017	\$9,707	2.2%	\$9,810	.0%
2018	\$9,882	1.8%	\$10,092	2.8%
2019	\$10,316	4.2%	\$10,398	2.9%
2020	\$10,562	2.3%	\$10,314	-.8%
2021	\$11,404	7.4%	\$10,582	2.5%

Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2021	
Type of Cost	Average Amount
Total Academic Cost	\$11,404
On-campus Room & Board	\$11,400
Books & Supplies	\$1,222
Off-Campus Transportation & Personal Expenses	\$5,998
<b>Total Cost</b>	<b>\$30,024</b>

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

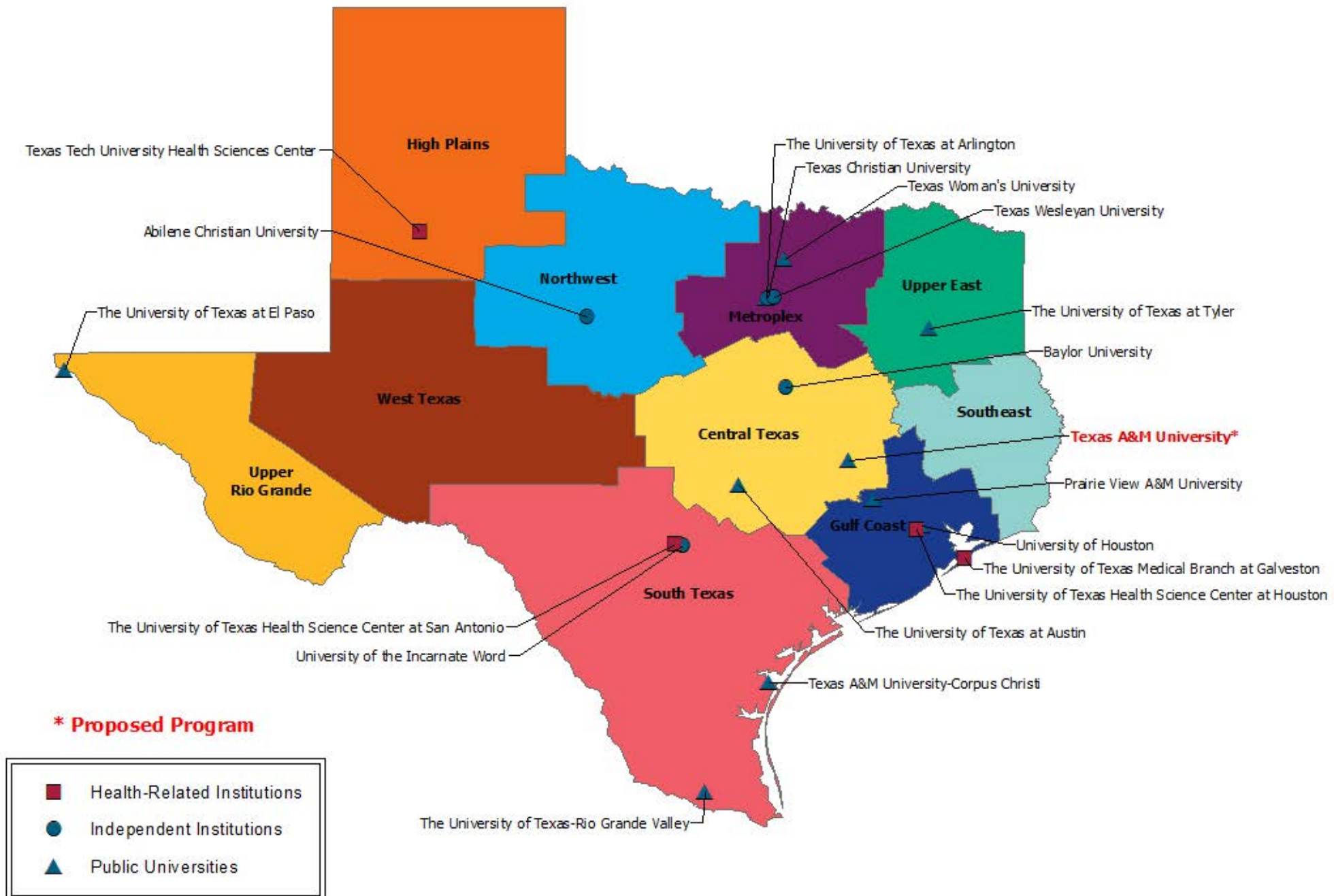
Instruction	
Measure of Excellence	Fall 2020
Undergraduate Classes with < 20 Students	31.0%
Undergraduate Classes with > 50 Students	26.1%
% of Teaching Faculty Tenured/Tenure-track *	68.1%
Student/Faculty Ratio *	25:1

\* Fall 2019 Data

Financial Aid		
Enrolled in FY 2019		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	56%	\$9,723
Federal (Pell) Grants	22%	\$4,782
Federal Student Loans	31%	\$6,127

Funding		
Source	FY 2020 Amount	Pct of Total
Appropriated Funds	\$616,375,472	32.5%
Federal Funds	\$190,098,608	10.0%
Tuition & Fees	\$630,571,283	33.3%
<b>Total Revenue</b>	<b>\$1,895,403,725</b>	<b>100.0%</b>

## Proposal for a Doctor of Nursing Practice (DNP) degree with a major in Nursing Practice.



## AGENDA ITEM IX-H (2)

### Consideration of approving the request from Texas State University for a Bachelor of Science (BS) degree with a major in Mechanical Engineering

RECOMMENDATION: Approval, beginning fall 2022

#### **Rationale:**

Texas State University (Texas State) is seeking approval to offer a Bachelor of Science (BS) in Mechanical Engineering. If approved, the proposed face-to-face program would prepare students for careers with a strong foundation in traditional mechanical engineering principles combined with an education in designing and developing mechanical systems that are intelligent, interconnected, and integrated with the virtual world and emerging digital infrastructure, known as Industry 4.0 tools and technologies. The primary objective of the proposed program is to prepare students to enter the workforce with an ability to understand and implement Industry 4.0 concepts. There are 22 public universities that offer a bachelor's-level mechanical engineering degree program in Texas. The proposed program, which would be housed in the Ingram School of Engineering, would consist of 126 semester credit hours (SCHs).

The proposed program would be designed to prepare students with Industry 4.0 tools and technologies such as sensor systems, real-time communication, big data and analytics, engineering simulation, additive manufacturing including rapid prototyping, and human-machine collaborations. In addition, students would also be prepared to pass the Fundamentals of Engineering Examination as the first step toward professional licensure. The institution will seek accreditation through ABET upon graduation of its first class.

The data from the U.S. Bureau of Labor Statistics and the Texas Workforce Commission indicate the national and state workforce need for mechanical engineers is being met, with a surplus of mechanical engineering graduates based on the projected available jobs from 2019 to 2029. The Texas Workforce Commission indicates a state average of 1,710 annual job openings for related jobs for the proposed program in mechanical engineering. However, mechanical engineers are readily employed, with a low unemployment rate (~3%). The institution showed able workforce demand in the region. The prospect for their future graduates getting jobs remains realistic despite high degree production statewide.

In accordance with the institution's proposed hiring schedule, Texas State will hire 11 core faculty members. Two new core faculty members would be hired in years one and two of the program. Four new core faculty members would be hired in year three of the program. Three new core faculty members would be hired in year four of the program. By June 1, before the academic year in which faculty are hired, the institution would provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of mechanical engineering courses to be taught.

**Texas State University** (*Accountability Peer Group: Emerging Research*)*Related Programs*

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

Texas State offers seven engineering degree programs:

- MS in Software Engineering (1998)
- BS in Manufacturing Engineering (2000)
- BS in Industrial Engineering (2004)
- BS in Electrical Engineering (2007)
- PhD in Materials Science, Engineering, and Commercialization (2011)
- MS in Engineering (2014)
- BS in Civil Engineering (2019)

**Proposed Program:**

The proposed face-to-face program in mechanical engineering represents 126 semester credit hours of instruction. The institution anticipates beginning the proposed program in fall 2022. The proposed program would prepare students for careers with a strong foundation in traditional mechanical engineering principles combined with an education in designing and developing mechanical systems that are intelligent, interconnected, and integrated with the virtual world and emerging digital infrastructure, known as Industry 4.0 tools and technologies.

The institution estimates that five-year costs would total \$12,410,451. Formula funding would represent 22% of all funding at \$3,180,263. Total funding is estimated to be \$14,109,046.

FIVE-YEAR COSTS		FIVE-YEAR FUNDING	
Personnel		Formula Funding (Years 3-5)	\$ 3,180,263
Faculty (New)	\$ 6,274,680	Other State Funding	\$ 0
Faculty (Reallocated)	\$ 0	Reallocated Funding	\$ 0
Program Administration (New)	\$ 0	Tuition and Fees	\$ 10,928,783
Program Administration (Reallocated)	\$ 0	Federal Funding	\$ 0
Graduate Assistants (New)	\$ 1,295,397	Other	\$ 0
Graduate Assistants (Reallocated)	\$ 0		
Clerical/Staff (New)	\$ 775,000		
Clerical/Staff (Reallocated)	\$ 0		
Student Support	\$ 0		
Supplies & Materials	\$ 160,744		
Library & IT Resources	\$ 56,630		
Equipment	\$ 843,000		
Facilities	\$ 0		
Other	\$ 3,005,000		
<b>Total</b>	<b>\$ 12,410,451</b>	<b>Total</b>	<b>\$ 14,109,046</b>

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

<i>Duplication of Programs</i>			
Number of institutions with bachelor's degree programs in the state with the same 6-digit CIP (14.0201): <b>22</b>			
Number of degree programs within a 60-minute drive with the same 6-digit CIP (14.0201): <b>2</b>			
<i>Job Market Need:</i>			
Advertisements for job openings	<b><u>Yes</u></b>	No	N/A
Employer surveys	<b><u>Yes</u></b>	No	N/A
Projections from government agencies, professional entities, etc.	<b><u>Yes</u></b>	No	N/A
<i>Student Demand:</i>			
Increased enrollment in related programs at the institution	<b><u>Yes</u></b>	No	N/A
High enrollment in similar programs at other institutions	<i>Yes</i>	<b><u>No</u></b>	N/A
Applicants turned away at similar programs at other institutions	<i>Yes</i>	<b><u>No</u></b>	N/A
Student surveys	<i>Yes</i>	<b><u>No</u></b>	N/A



<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>Student Headcount</i>	66	108	143	156	164
<i>Student FTE</i>	66	108	143	156	164
<i>Core Faculty Headcount</i>	5	7	11	14	14
<i>Core Faculty FTE</i>	5	7	11	14	14

### **Major Commitments:**

In accordance with the institution's proposed hiring schedule, Texas State would hire 11 core faculty members. Two new core faculty members would be hired in years one and two of the program. Four new core faculty members would be hired in year three of the program. Three new core faculty members would be hired in year four of the program. By June 1, before the academic year in which faculty are hired, the institution would provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of mechanical engineering courses to be taught.

The institution will seek ABET accreditation upon graduation of its first class.

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

# Online Resume for Legislators and Other Policymakers

## TEXAS STATE UNIVERSITY

Location: San Marcos, Central Region

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

Out-Of-State Peers: University Of Arkansas, University Of Central Florida, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus, University Of Wisconsin-Milwaukee

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2015		Fall 2019		Fall 2020	
	Number	Percent	Number	Percent	Number	Percent
White	18,889	49.7%	16,927	44.3%	16,387	43.3%
Hispanic	12,614	33.2%	14,636	38.3%	14,621	38.7%
African American	3,819	10.1%	4,114	10.8%	4,207	11.1%
Asian	950	2.5%	1,053	2.8%	1,075	2.8%
International	537	1.4%	524	1.4%	486	1.3%
Other & Unknown	1,170	3.1%	933	2.4%	1,036	2.7%
<b>Total</b>	<b>37,979</b>	<b>100.0%</b>	<b>38,187</b>	<b>100.0%</b>	<b>37,812</b>	<b>100.0%</b>
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	2,574	7.7%	2,685	7.9%	2,083	6.3%
Two-Year Institutions	850	2.5%	571	1.7%	623	1.9%
Other Institutions						

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	\$9,940	.0%	\$9,777	.0%
2017	\$10,200	2.6%	\$10,201	4.3%
2018	\$10,620	4.1%	\$10,443	2.4%
2019	\$10,920	2.8%	\$10,712	2.6%
2020	\$11,240	2.9%	\$11,011	2.8%
2021	\$11,540	2.7%	\$11,455	4.0%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2018	53%	\$9,479	45%	\$7,437	43%	\$6,856
2019	51%	\$6,446	43%	\$6,780	0%	\$0
Federal, State, Institutional or Other Grants Known by Institutions						
2018	52%	\$7,471	59%	\$7,729	67%	\$6,935
2019	53%	\$7,458	61%	\$8,004	0%	\$0
Federal (Pell) Grants						
2018	37%	\$4,576	39%	\$4,482	30%	\$4,389
2019	37%	\$4,642	38%	\$4,638	0%	\$0

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2014	Enter Fall 2018	Enter Fall 2019	Cohort	Peer Group
Cohort	Total	5,234	5,966	6,116	Fall 2011 4-year	29.7%
	Same	88.9%	87.2%	87.0%	Fall 2015 4-year	35.6%
	Other	78.2%	75.6%	76.4%	Fall 2016 4-year	38.9%
	Other	10.7%	11.6%	10.6%	Fall 2010 5-year	54.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2014 5-year	56.6%	57.9%
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Fall 2015 5-year	59.6%
Institution Persistence				Fall 2009 6-year	62.1%	59.2%
Cohort	Total	5,302	5,717	5,955	Fall 2013 6-year	62.9%
	Same	81.9%	81.6%	80.1%	Fall 2014 6-year	63.9%
	Other	66.3%	65.8%	64.7%	National Comparison (IPEDS Definition)	
	Other	15.5%	15.8%	15.4%	Cohort	OOS Peers
Peer Group Persistence				Fall 2010 4-year	27.0%	28.6%
Cohort	Total	3,603	4,380	4,534	Fall 2014 4-year	28.0%
	Same	81.4%	82.2%	82.8%	Fall 2015 4-year	28.0%
	Other	65.4%	68.9%	70.5%	Fall 2009 5-year	48.0%
	Other	16.0%	13.3%	12.3%	Fall 2013 5-year	50.0%
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution	Grads	Sem	SCH	Peer Group Average	SCH
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2016	4,777	10.77	136.00	3,673	11.27	139.87
FY 2019	5,579	10.00	132.00	4,447	10.52	136.87
FY 2020	5,821	9.80	132.00	4,658	10.37	135.75

Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution	Grads	Sem	SCH	Peer Group Average	SCH
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2016	4,777	10.77	136.00	3,673	11.27	139.87
FY 2019	5,579	10.00	132.00	4,447	10.52	136.87
FY 2020	5,821	9.80	132.00	4,658	10.37	135.75

Six-year Graduation & Persistence Rate, Fall 2014		
Student Group	Cohort	Rate
For Students Needing Dev Ed		
Institution	285	61.4%
Peer Group	215	53.0%
For Students NOT Needing Dev Ed		
Institution	4,949	73.4%
Peer Group	3,755	75.2%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2015 Amount	Pct of Total	FY 2019 Amount	Pct of Total	FY 2020 Amount	Pct of Total
Appropriated Funds	\$166,778,860	34.0%	\$211,197,383	35.2%	\$225,892,189	35.3%
Federal Funds	\$76,327,465	15.6%	\$97,998,921	16.3%	\$126,061,854	19.7%
Tuition & Fees	\$205,160,296	41.8%	\$238,678,109	39.8%	\$242,885,556	37.9%
<b>Total Revenue</b>	<b>\$490,525,370</b>	<b>100.0%</b>	<b>\$599,715,036</b>	<b>100.0%</b>	<b>\$640,021,337</b>	<b>100.0%</b>



# Online Resume for Prospective Students, Parents and the Public

## TEXAS STATE UNIVERSITY

Location: San Marcos, Central Region

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

Out-Of-State Peers: University Of Arkansas, University Of Central Florida, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus, University Of Wisconsin-Milwaukee

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2020	
	Number	Percent
White	16,387	43.3%
Hispanic	14,621	38.7%
African American	4,207	11.1%
Asian	1,075	2.8%
International	486	1.3%
Other & Unknown	1,036	2.7%
<b>Total</b>	<b>37,812</b>	<b>100.0%</b>
TX First Time Transfers		
Number	% of UG	
Two-Year Institutions	2,083	6.3%
Other Institutions	623	1.9%

Baccalaureate Success

Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2016	38.9%
Same Institution		34.7%
Other Institutions		4.3%
5-year Rate Total	2015	59.6%
Same Institution		52.2%
Other Institutions		7.4%
6-year Rate Total	2014	63.9%
Same Institution		54.9%
Other Institutions		9.1%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2019	
Total	87.0%
Same	76.4%
Other	10.6%
2-Year Persistence, Fall 2018	
Total	80.1%
Same	64.7%
Other	15.4%

Avg Number SCH for Bachelor's Degree		
FY 2020 Average		
	Sem	SCH
All	9.80	132.00

Degrees Awarded	
Type	FY 2020
Bachelor's	7,554
Master's	1,278
Doctoral	55
Professional	36
<b>Total</b>	<b>8,923</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2020 Rate
Law	%
Pharmacy	%
Nursing	100.0%
Engineering	55.6%

\*Data for FY 2019

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2020		
Test Section	ACT	SAT
Composite	<a href="https://nces.ed.gov/">https://nces.ed.gov/</a>	
Math		
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2020			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	8,744	89.2%	29.2%
African American	3,719	77.3%	28.1%
Hispanic	13,585	85.7%	21.2%
Asian	927	90.5%	16.1%
International	110	82.7%	9.9%
Other	642	87.5%	29.0%
<b>Total</b>	<b>27,727</b>	<b>85.9%</b>	<b>24.6%</b>

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2021
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	
2016	\$9,940	.0%	\$9,753	.0%	Type of Cost
2017	\$10,200	2.5%	\$10,201	4.4%	
2018	\$10,620	4.0%	\$10,417	2.1%	Average Amount
2019	\$10,920	2.7%	\$10,682	2.5%	
2020	\$11,240	2.8%	\$10,979	2.7%	Total Academic Cost
2021	\$11,540	2.6%	\$11,443	4.1%	On-campus Room & Board
					Books & Supplies
					Off-Campus Transportation & Personal Expenses
					<b>Total Cost</b>

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

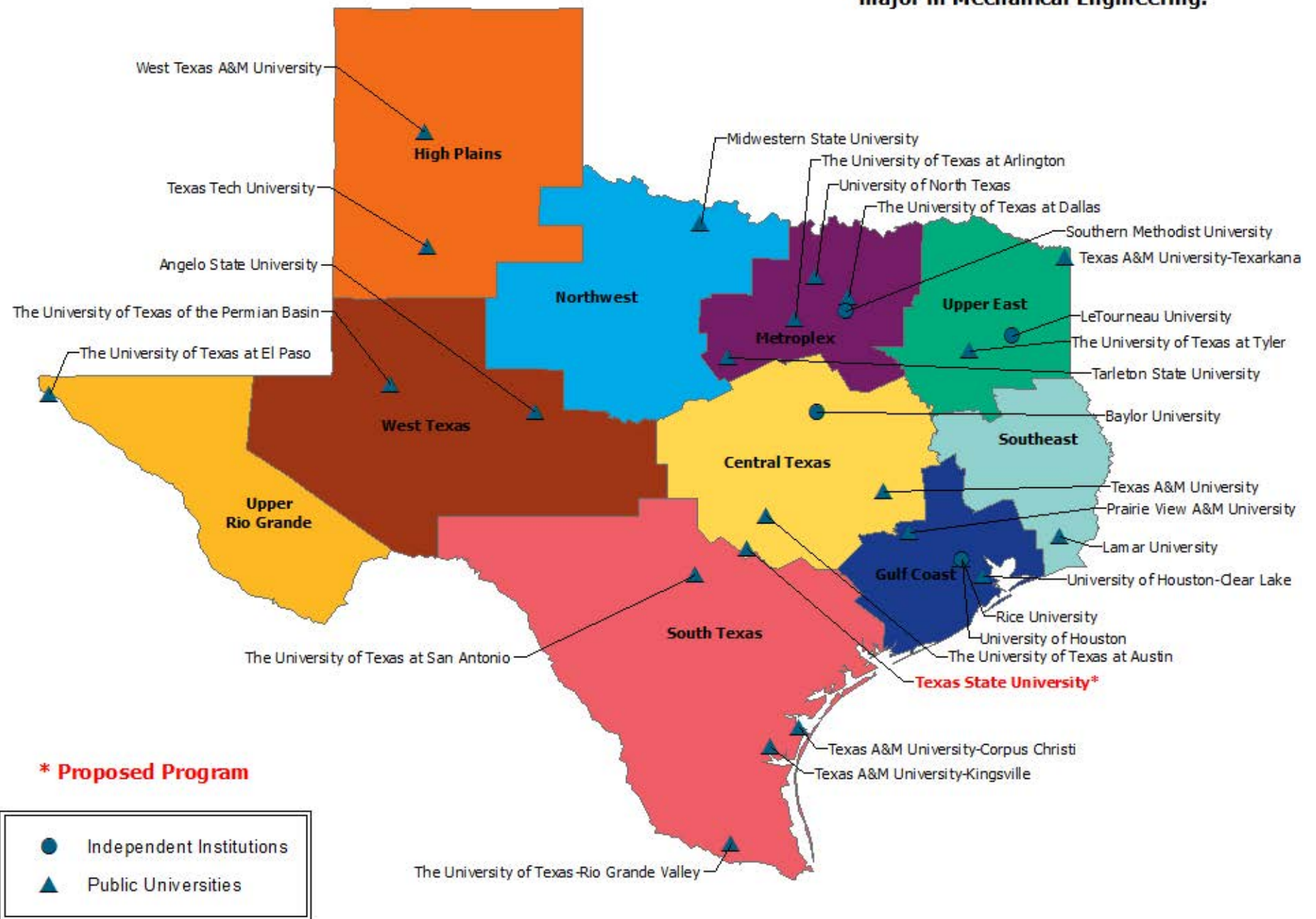
Instruction		
Measure of Excellence	Fall 2020	
Undergraduate Classes with < 20 Students	30.2%	
Undergraduate Classes with > 50 Students	14.2%	
% of Teaching Faculty Tenured/Tenure-track *	42.3%	
Student/Faculty Ratio *	26:1	

\* Fall 2019 Data

Financial Aid		
Enrolled in FY 2019		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	53%	\$7,458
Federal (Pell) Grants	37%	\$4,642
Federal Student Loans	51%	\$6,446

Funding		
Source	FY 2020 Amount	Pct of Total
Appropriated Funds	\$225,892,189	35.3%
Federal Funds	\$126,061,854	19.7%
Tuition & Fees	\$242,885,556	37.9%
<b>Total Revenue</b>	<b>\$640,021,337</b>	<b>100.0%</b>

## Proposal for a Bachelor of Science (BS) degree with a major in Mechanical Engineering.



### AGENDA ITEM IX-H (3)

#### Consideration of approving the request from Texas Tech University Health Science Center for a Doctor of Science (ScD) degree with a major in Rehabilitation Sciences

RECOMMENDATION: Approval, beginning fall 2022

#### **Rationale:**

Texas Tech University Health Sciences Center (TTUHSC) is seeking approval to offer a Doctor of Science (ScD) degree program in Rehabilitation Sciences to be delivered primarily online in a hybrid format, with approximately 64% of the program offered online. The proposed post-professional program would require 70 semester credit hours (SCHs) for students entering with a bachelor's degree, and 48 SCHs for students entering with a master's degree beginning in fall 2022.

The proposed ScD program would offer students the option of two tracks: 1) clinical research and 2) clinical education. Both tracks would require students to complete dissertations.

Workforce data suggest that there is a greater than average need for the rehabilitation sciences fields of physical therapy, occupational therapy, and athletic training. According to the United States Bureau of Labor Statistics, there would be a 17% combined increase in the rehabilitation sciences specialties of physical therapy, occupational therapy, and athletic training, with approximately 25,000 combined average job openings per year. The Texas Workforce Commission anticipates a combined average of 21% growth in the indicated rehabilitation sciences specialties for the decade 2019-2029. This would create a combined average of 723 annual job openings due to growth and replacement.

Currently, there are no bachelor's, master's, or doctoral-level rehabilitation sciences programs in Texas with the CIP code 51.2300. In accordance with the institution's proposed hiring schedule, TTUHSC will hire two additional core faculty members in years three and five. By June 1, before 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 courses to be taught.

**Texas Tech University Health Science Center** (*Accountability Peer Group: Health-Related Institutions*)

<i>Completion Measures</i>		<i>Institution</i>	<i>State</i>
<i>Graduate</i>	Master's 5-Year Graduation Rate	76.7%	78.2%
	Doctoral 10-Year Graduation Rate	47.8%	64.3%
<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: <b><u>Yes</u></b> No N/A		
	The institution has one recently approved doctoral program, the Doctor of Occupational Therapy that began in summer 2020.		
	The institution has met its resource commitments for new doctoral program(s) approved in the last five years: <b><u>Yes</u></b> No N/A		

**Proposed Program:**

The proposed hybrid program (64% online) would require 70 SCHs beyond a bachelor's degree and 48 SCHs beyond a master's degree beginning in fall 2022. There is currently a well-documented shortage of the rehabilitation sciences fields of physical therapy, occupational therapy, and athletic training.

The institution estimates that five-year costs would total \$3,276,462.

**Existing Programs:**

The institution has offered the Doctor of Science in Physical Therapy since 2002, the PhD in Rehabilitation Sciences since 2004, and the Doctor of Physical Therapy since 2007.

There are currently no public or independent institutions offering a doctorate in Rehabilitation Sciences in the CIP Code 51.2300.

There are no existing Doctor of Science in Rehabilitation Sciences programs within a 60-minute drive of proposed program. The nearest existing program to the West Texas region is at The University of Oklahoma Health Sciences Center, which is approximately 333 miles away.

	<i>Yr. 1</i>	<i>Yr. 2</i>	<i>Yr. 3</i>	<i>Yr. 4</i>	<i>Yr. 5</i>
<b><i>Start-Up Projections:</i></b>					
<i>Students Enrolled*</i>	74	83	92	101	110
<i>Graduates</i>	8	8	8	8	8
<i>Avg. Financial Assistance</i>	0	0	0	0	0
<i>Students Assisted</i>	0	0	0	0	0
<i>Core Faculty (FTE)</i>	3.2	3.2	4.2	4.2	4.2
<i>Total Costs</i>	\$562,957	\$579,538	\$692,118	\$693,846	\$748,004
<i>Total Funding</i>	\$637,812	670,457	\$705,060	\$739,674	\$774,290
<i>% From Formula Funding</i>	0	0	31%	31%	38%

\*Assumes the program begins with 65 current ScD-PT students

<b>FIVE-YEAR COSTS</b>		<b>FIVE-YEAR FUNDING</b>	
Personnel		Formula Funding (Years 3-5)	\$ 918,979
Faculty (New)	\$ 614,800	Other State Funding	\$ 151,800
Faculty (Reallocated)	\$ 2,104,500	Reallocation of Existing Resources	\$ \$397,194
Program Administration (New)	\$ 0	Federal Funding (In-Hand Only)	\$ 0
Program Administration (Reallocated)	\$ 56,500	Other (Tuition and Fees and Industry Support)	\$ 2,059,320
Graduate Assistants (New)	\$ 0		
Graduate Assistants (Reallocated)	\$ 0		
Clerical/Staff (New)	\$ 0		
Clerical/Staff (Reallocated)	\$ 231,800		
Other	\$ 0		
Student Support	\$ 0		
Supplies and Materials	\$ 9,500		
Library and IT Resources	\$ 217,775		
Equipment	\$ 0		
Facilities	\$ 29,587		
Other (travel expenses)	\$ 12,000		
<b>Total</b>	<b>\$ 3,276,462</b>	<b>Total</b>	<b>\$ 3,527,293</b>

### Major Commitments:

In accordance with the institution's proposed hiring schedule, TTUHSC will hire one additional faculty member to start in the program's third year and another in the fifth year.

By June 1, before 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 courses to be taught.

The institution will submit reports in years one, three, and five confirming institutional commitments and assessing the progress of program implementation.

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

# Online Resume for Legislators and Other Policymakers

## TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Location: Lubbock, High Plains Region

Health Related Institution Accountability Peer Group: Texas A&M System HSC, Texas Tech Univ HSC - El Paso, UNT HSC, UT Austin Dell Medical School, UT HSC Houston, UT HSC San Antonio, UT HSC Tyler, UT M. D. Anderson Cancer Center, UT Southwestern Medical Center, UTMB Galveston, UTRGV - Medical School

Out-Of-State Peers: Georgia Health Sciences University, Louisiana State University Health Sciences Center-, University Of Oklahoma Health Science Center

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment			
Category	Fall 2015	Fall 2019	Fall 2020
Medical School Students	665	728	737
Total Enrollment	4,337	5,141	5,128
Physicians Certified in Residency	421	501	536

Costs				
Average Annual Total Academic Costs for Resident Full-time Student				
Undergraduate Student			Graduate Student	
Year	Institution	Peer Group	Institution	Peer Group
FY 2016	\$8,886	\$5,469	\$10,112	\$5,817
FY 2020	\$8,886	\$5,938	\$8,838	\$6,833
FY 2021	\$9,760	\$7,063	\$7,854	\$6,710

Student Success									
Nursing and Allied Health Degrees Awarded						National Data: Nursing or Allied Health Degrees Awarded			
FY 2015		FY 2019		FY 2020		FY 2014		FY 2018	
Type	Peer Institution	Peer Group	Institution	Peer Group	Institution	Institution	Out-of-state Peers Ave.	Institution	Out-of-state Peers Ave.
Bachelor's	956	278	1233	341	1186	4			
Master's	395	140	508	183	532	396	1,155	1,293	
Doctoral	33	12	31	16	31	207	425	488	
Professional	87	35	98	32	107	3	100	103	

Research Expenditures	
Year	Amount
FY 2015	\$58,939,133
FY 2019	\$43,909,753
FY 2020	\$44,091,705

Percent of Medical School Students Practicing Primary Care in Texas after Graduation		
Year	Institution	Peer Group
FY 2015	27.50%	32.42%
FY 2019	24.21%	23.84%
FY 2020	23.39%	25.33%

Pass Rate of Medical School Students on Part 1 or Part 2 of Any Examination for a Medical License		
Year	Institution	Peer Group
FY 2015	94.67%	96.05%
FY 2019	97.00%	97.60%
FY 2020	98.00%	98.24%

Funding			
Total Appropriated Funds Including Faculty and Staff Health and Retirement		Total Amount of Money from Any Source Available in FY	
Year	Amount	Year	Amount
FY 2016	\$169,147,781	FY 2016	\$434,664,747
FY 2019	\$178,658,143	FY 2019	\$466,971,696
FY 2020	\$202,766,858	FY 2020	\$516,832,381



# Online Resume for Prospective Students, Parents and the Public

## TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Location: Lubbock, High Plains Region

Health Related Institution Accountability Peer Group: Texas A&M System HSC, Texas Tech Univ HSC - El Paso, UNT HSC, UT Austin Dell Medical School, UT HSC Houston, UT HSC San Antonio, UT HSC Tyler, UT M. D. Anderson Cancer Center, UT Southwestern Medical Center, UTMB Galveston, UTRGV - Medical School

Out-Of-State Peers: Georgia Health Sciences University, Louisiana State University Health Sciences Center-, University Of Oklahoma Health Science Center

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Fall 2020						
Race/Ethnicity	Total Students		Medical Students		Physicians Certified in Residency*	
	Number	% of Total	Number	% of Total	Number	% of Total
White	2,632	51.3%	343	46.5%	234	43.7%
Hispanic	1,117	21.8%	103	14.0%	81	15.1%
African American	472	9.2%	46	6.2%	29	5.4%
Asian/Pacific Isl.	584	11.4%	172	23.3%	187	34.9%
International	88	1.7%	0	.0%	2	.4%
Other & Unknown	235	4.6%	73	9.9%	3	.6%
<b>Total</b>	<b>5,128</b>	<b>100.0%</b>	<b>737</b>	<b>100.0%</b>	<b>536</b>	<b>100.0%</b>

\* Data for FY 2021

Costs	
Annual Academic Costs for Full-time Resident Student, FY 2021	
Type of Cost	Average Amount
Undergraduate	\$9,760
Graduate	\$7,854
<b>First-time Medical Student</b>	<b>\$20,486</b>

[Rates of Tuition per SCH](#)

[Mandatory Fees as Defined by CB](#)

[Amount & Percent of Tuition Increase \(UGrad\)](#)

[Amount & Percent of Tuition Increase \(Grad\)](#)

Financial Aid		
Need-based Aid for Graduate Students (GS)		
Fall 2019		
Type of Aid	% of GSs Receiving	Average Amount
Grants or Scholarships	42.2%	\$2,097
Loans		.
Work Study		.
Grants, Scholarships, Loans or Workstudy	42.2%	\$2,097

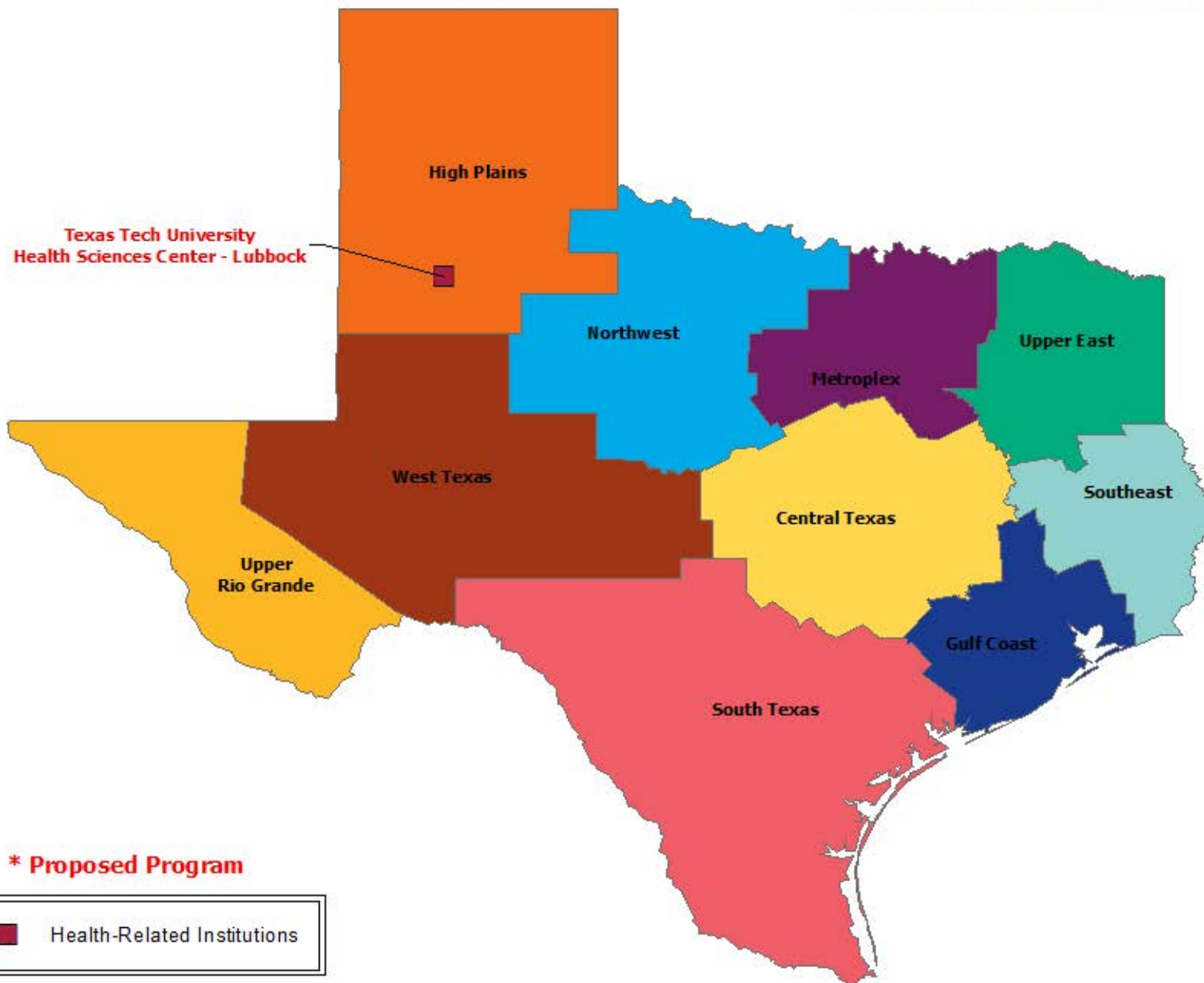
Student Success								
Pass Rate of Medical School Students on Part 1 or Part 2 of Any Examination for a Medical License			Percent of Medical School Students Practicing Primary Care in Texas after Graduation			Nursing and Allied Health Degrees, FY 2020		
						Year	Institution	Peer Group
Year	Institution	Peer Group	Year	Institution	Peer Group	Bachelor's	1186	333
FY 2020	98.00%	98.24%	FY 2020	23.39%	25.33%	Master's	532	185
						Doctoral	31	15
						Professional	107	32

First-time Licensure or Certification Examination Pass Rate		
FY 2020		
Field	Institution	Peer Group
Dental	N/A	93.0%
Allied Health	89.2%	96.1%
Nursing	97.2%	96.2%
Pharmacy	92.6%	89.1%
Medical	98.0%	98.2%

Research Expenditures	
Year	Amount
FY 2020	\$44,091,705



**Proposal for a Doctor of Science (ScD) degree with a  
major in Rehabilitation Sciences.**



#### AGENDA ITEM IX-H (4)

##### Consideration of approving the request from Texas Woman's University for a Doctor of Philosophy (PhD) degree with a major in Education, Leadership, and Organization

RECOMMENDATION: Approval, beginning spring 2022

##### **Rationale:**

Texas Woman's University (TWU) is seeking approval to offer a Doctor of Philosophy (PhD) degree in Education, Leadership, and Organization. The proposed 100% online PhD program would prepare students for educational leadership roles in Early Childhood through 12th grade (EC-12), higher education, and interdisciplinary nonprofit settings. The anticipated start date would be January 2022. The proposed 100% online program would require a minimum 75 semester credit hours (SCHs) post-master's degree. Most students would be full-time, practicing educators and enroll in the program part-time. Students would be allowed to transfer courses from other institutions. The transfer course(s) would be approved on a case-by-case basis by the TWU Graduate School. The proposed PhD program would be housed in the Department of Teacher Education within the College of Professional Education.

The proposed PhD program would offer students the option to pursue one of three tracks: 1) Superintendent/EC-12 Leadership; 2) Higher Education Organizational Leadership; and 3) Interdisciplinary Nonprofit Organizational Leadership.

Workforce data suggest that there is a need for additional education administrators. The United States Bureau of Labor Statistics projects a 9.5% increase in school administrator positions during the 2019-29 decade. This increase would lead to approximately 27,100 available education administration positions annually. The Texas Workforce Commission (TWC) anticipates an 18% growth in school administrator positions for the decade 2018-28. This would create approximately 2,695 annual job openings due to growth and replacement.

In Texas, there are 30 public and independent institutions with doctoral programs within the same CIP code (13.0401.00, Educational Administration and Leadership, General). There are four programs in educational leadership within 60 miles of Denton. The nearest program is at University of North Texas (UNT), which is 1.7 miles away, and The University of Texas at Arlington's (UTA's) program is located 46.5 miles from TWU. The institution has no plans to hire additional faculty during the first five years of the program.

**Texas Woman's University** (*Accountability Peer Group: Doctoral*)

<i>Completion Measures</i>		<i>Institution</i>	<i>State</i>
<i>Graduate</i>	Master's 5-Year Graduation Rate	76.3%	76.3%
	Doctoral 10-Year Graduation Rate	54.3%	65.4%
<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:	Yes	No <b>N/A</b>
	The institution has met its resource commitments for new doctoral program(s) approved in the last five years:	Yes	No <b>N/A</b>

**Proposed Program:**

The proposed 100% online program would require a minimum 75 SCHs and would be available beginning in spring 2022. The proposed program would prepare graduates for educational leadership roles in EC-12, higher education, and interdisciplinary nonprofit settings.

The institution estimates that five-year costs would total \$2,252,967.

**Existing Programs:**

There are 30 public and independent universities offering doctoral programs in educational leadership and administration in Texas.

**Public Universities:**

Lamar University (EdD)  
 Midwestern State University (EdD)  
 Prairie View A&M University (PhD)  
 Sam Houston State University (EdD)  
 Stephen F. Austin State University (EdD)  
 Tarleton State University (EdD)  
 Texas A&M University (EdD and PhD)  
 Texas A&M University-Commerce (EdD)  
 Texas A&M University-Corpus Christi (EdD)  
 Texas A&M University-Kingsville (EdD)  
 Texas A&M University-Texarkana (EdD)  
 Texas Southern University (EdD)  
 Texas State University (PhD)  
 Texas Tech University (EdD and PhD)  
 The University of Texas at Arlington  
 The University of Texas at Austin (EdD and PhD)  
 The University of Texas at El Paso (EdD)  
 The University of Texas at San Antonio (EdD and PhD)  
 The University of Texas Rio Grande Valley (EdD)  
 The University of Texas at Tyler (EdD)

University of Houston (EdD)  
 University of Houston-Clear Lake (EdD)  
 University of North Texas (EdD and PhD)  
 West Texas A&M University (EdD)

### **Independent Institutions:**

Abilene Christian University (EdD)  
 Baylor University (EdD and PhD)  
 Dallas Baptist University (EdD)  
 Houston Baptist University (EdD)  
 Texas Christian University (EdD and PhD)  
 Texas Wesleyan University (EdD)

There are two existing hybrid/blended online (51%-85%) EdD programs; three offered fully online (86%-99%), and three offered 100% online.

### **Distance Education Programs:**

Lamar University, Ed.D. in Educational Leadership, 100% online and hybrid/blended  
 Sam Houston State University, Ed.D. in Educational Leadership, 100% online  
 Texas A&M University-Commerce, Ed.D. in Educational Administration, 100% online  
 The University of Texas at Tyler, Ed.D. in School Improvement, fully online  
 University of Houston, Ed.D. Professional Leadership, fully online  
 West Texas A&M University, Ed.D. in Educational Leadership, fully online  
 Texas Tech University, Ed.D. in Educational Leadership, hybrid/blended

There are four existing programs within a 60-minute drive of proposed program; two are public and two are independent. UNT's program is located 1.7 miles from TWU. UTA's program is located 46.5 miles from TWU.

In fall 2020, there were a total of 2,209 declared majors in doctoral programs in CIP 13.0401.00 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>	10	10	12	14	15
<i>Graduates</i>	0	0	0	10	11
<i>Avg. Financial Assistance</i>	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
<i>Students Assisted</i>	5	5	5	5	5
<i>Core Faculty (FTE)</i>	4.75	4.75	4.75	4.75	4.75
<i>Total Costs</i>	\$292,044	\$445,156	\$463,372	\$522,750	\$529,645
<i>Total Funding</i>	\$288,057	\$473,756	\$685,685	\$850,709	\$862,214
<i>% From Formula Funding</i>	0	0	24%	28%	28%

FIVE-YEAR COSTS	
Personnel	
Faculty (New)	\$ 13,800
Faculty (Reallocated)	\$ 1,632,961
Program Administration (New)	\$ 0
Program Administration (Reallocated)	\$ 198,083
Graduate Assistants (New)	\$ 75,000
Graduate Assistants (Reallocated)	\$ 0
Clerical/Staff (New)	\$ 0
Clerical/Staff (Reallocated)	\$ 59,928
Student Support	\$ 25,000
Supplies and Materials	\$ 46,800
Library and IT Resources	\$ 100,395
Equipment	\$ 0
Facilities	\$ 0
Other (Marketing, Accreditation)	\$ 101,000
<b>Total</b>	<b>\$ 2,252,967</b>

FIVE-YEAR FUNDING	
Formula Funding (Years 3-5)	\$ 647,601
Other State Funding	\$ 0
Reallocation of Existing Resources	\$ 1,890,972
Federal Funding (In-Hand Only)	\$ 0
Tuition and Fees	\$ 546,848
Other (Institutional Advancement)	\$ 75,000
<b>Total</b>	<b>\$ 3,160,421</b>

### Major Commitments:

The institution would submit reports in years one, three, and five confirming institutional commitments and assessing the progress of program implementation.

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

# Online Resume for Legislators and Other Policymakers

## TEXAS WOMAN'S UNIVERSITY

Location: Denton, Metroplex Region

Doctoral Accountability Peer Group: Sam Houston State Univ, Texas A&M - Commerce, Texas A&M - Corpus Christi, Texas A&M - Kingsville, Texas Southern Univ, UT Pan American

Out-Of-State Peers: East Tennessee State University, University Of Central Arkansas, University Of North Carolina At Greensboro, University Of Northern Colorado, University Of Southern Mississippi

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2015		Fall 2019		Fall 2020	
	Number	Percent	Number	Percent	Number	Percent
White	6,627	43.8%	6,292	40.1%	6,286	39.2%
Hispanic	3,376	22.3%	4,289	27.3%	4,470	27.9%
African American	3,044	20.1%	2,838	18.1%	2,954	18.4%
Asian	1,334	8.8%	1,477	9.4%	1,522	9.5%
International	282	1.9%	326	2.1%	359	2.2%
Other & Unknown	483	3.2%	488	3.1%	441	2.8%
<b>Total</b>	<b>15,146</b>	<b>100.0%</b>	<b>15,710</b>	<b>100.0%</b>	<b>16,032</b>	<b>100.0%</b>
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	1,098	11.6%	993	9.9%	930	9.2%
Other Institutions	148	1.6%	151	1.5%	141	1.4%

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	\$8,522	.0%	\$8,261	.0%
2017	\$8,790	3.1%	\$8,728	5.7%
2018	\$9,360	6.5%	\$7,697	-11.8%
2019	\$9,360	.0%	\$7,955	3.4%
2020	\$9,480	1.3%	\$8,178	2.8%
2021	\$9,630	1.6%	\$8,470	3.6%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
<b>Federal Student Loans</b>						
2018	49%	\$1,053	45%	\$5,902	52%	\$7,146
2019	46%	\$6,983	45%	\$6,185	0%	\$0
<b>Federal, State, Institutional or Other Grants Known by Institutions</b>						
2018	66%	\$6,756	55%	\$6,104	74%	\$8,361
2019	66%	\$6,791	55%	\$6,321	0%	\$0
<b>Federal (Pell) Grants</b>						
2018	41%	\$4,320	39%	\$4,103	42%	\$4,735
2019	39%	\$4,612	39%	\$4,318	0%	\$0

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2014	Enter Fall 2018	Enter Fall 2019	Cohort	Institution Rate
Cohort		1,152	1,226	1,279	Fall 2011 4-year	20.3%
Total		88.2%	85.8%	87.0%	Fall 2015 4-year	26.7%
Same		75.8%	72.9%	77.3%	Fall 2016 4-year	29.3%
Other		12.4%	12.9%	9.7%	Fall 2010 5-year	39.8%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates						
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Fall 2014 5-year	46.7%
Institution Persistence					Fall 2015 5-year	46.1%
Cohort		1,079	1,260	1,223	Fall 2009 6-year	49.9%
Total		77.0%	76.2%	77.2%	Fall 2013 6-year	48.9%
Same		57.7%	58.4%	61.2%	Fall 2014 6-year	56.2%
Other		19.3%	17.8%	15.9%	<b>National Comparison (IPEDS Definition)</b>	
Peer Group Persistence					Cohort	OOS Peers Rate
Cohort		1,722	1,656	1,589	Fall 2010 4-year	23.0%
Total		73.5%	70.5%	70.7%	Fall 2014 4-year	22.0%
Same		45.6%	53.0%	54.5%	Fall 2015 4-year	22.0%
Other		34.3%	17.5%	16.2%	Fall 2009 5-year	38.0%
					Fall 2013 5-year	37.0%
					Fall 2014 5-year	38.0%
					Fall 2008 6-year	44.0%
					Fall 2012 6-year	43.0%
					Fall 2013 6-year	43.0%

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 2016	1,164	12.11	144.00	1,172	11.32	143.33
FY 2019	1,225	11.00	139.00	1,359	10.40	140.00
FY 2020	1,397	11.20	138.00	1,403	10.43	139.33

Six-year Graduation & Persistence Rate, Fall 2014		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	318	56.0%
Peer Group	386	39.9%
<i>For Students NOT Needing Dev Ed</i>		
Institution	834	73.3%
Peer Group	1,219	66.7%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2015 Amount	Pct of Total	FY 2019 Amount	Pct of Total	FY 2020 Amount	Pct of Total
Appropriated Funds	\$80,328,320	43.6%	\$92,495,779	42.9%	\$102,814,185	43.0%
Federal Funds	\$23,834,528	13.0%	\$25,830,688	12.0%	\$31,122,777	13.0%
Tuition & Fees	\$71,114,836	38.6%	\$77,541,183	36.0%	\$87,137,532	36.4%
<b>Total Revenue</b>	<b>\$184,040,809</b>	<b>100.0%</b>	<b>\$215,543,736</b>	<b>100.0%</b>	<b>\$239,291,117</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## TEXAS WOMAN'S UNIVERSITY

Location: Denton, Metroplex Region

Doctoral Accountability Peer Group: Sam Houston State Univ, Texas A&M - Commerce, Texas A&M - Corpus Christi, Texas A&M - Kingsville, Texas Southern Univ, UT Pan American

Out-Of-State Peers: East Tennessee State University, University Of Central Arkansas, University Of North Carolina At Greensboro, University Of Northern Colorado, University Of Southern Mississippi

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2020 Number	Percent
White	6,286	39.2%
Hispanic	4,470	27.9%
African American	2,954	18.4%
Asian	1,522	9.5%
International	359	2.2%
Other & Unknown	441	2.8%
<b>Total</b>	<b>16,032</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	930	9.2%
Other Institutions	141	1.4%

Baccalaureate Success

Graduation Rate of First-time, Full-time Degree-seeking Students		
Entering		
Measure	Fall	Rate
4-year Rate Total	2016	29.3%
Same Institution		26.2%
Other Institutions		3.1%
5-year Rate Total	2015	46.1%
Same Institution		41.4%
Other Institutions		4.7%
6-year Rate Total	2014	56.2%
Same Institution		47.8%
Other Institutions		8.3%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2019	
Total	87.0%
Same	77.3%
Other	9.7%
2-Year Persistence, Fall 2018	
Total	77.2%
Same	61.2%
Other	15.9%

Avg Number SCH for Bachelor's Degree		
FY 2020 Average		
	Sem	SCH
All	11.20	138.00

Degrees Awarded	
Type	FY 2020
Bachelor's	2,263
Master's	1,396
Doctoral	114
Professional	95
<b>Total</b>	<b>3,868</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2020 Rate
Law	%
Pharmacy	%
Nursing	99.8%
Engineering	%

\*Data for FY 2019

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2020		
Test Section	ACT	SAT
Composite	<a href="https://nces.ed.gov/">https://nces.ed.gov/</a>	
Math		
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2020			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	902	95.6%	33.5%
African American	1,180	86.3%	25.4%
Hispanic	3,310	92.4%	14.2%
Asian	490	96.5%	25.6%
International	83	95.2%	3.8%
Other	100	95.0%	29.5%
<b>Total</b>	<b>6,065</b>	<b>92.1%</b>	<b>20.3%</b>

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2021
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	Type of Cost
2016	\$8,522	.0%	\$8,209	.0%	Total Academic Cost
2017	\$8,790	3.0%	\$8,715	5.8%	On-campus Room & Board
2018	\$9,360	6.1%	\$7,420	-17.5%	Books & Supplies
2019	\$9,360	.0%	\$7,721	3.9%	Off-Campus Transportation & Personal Expenses
2020	\$9,480	1.3%	\$7,961	3.0%	Total Cost
2021	\$9,630	1.6%	\$8,277	3.8%	

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

Instruction		
Measure of Excellence	Fall 2020	
Undergraduate Classes with < 20 Students	37.1%	
Undergraduate Classes with > 50 Students	12.5%	
% of Teaching Faculty Tenured/Tenure-track *	48.0%	
Student/Faculty Ratio *	17:1	

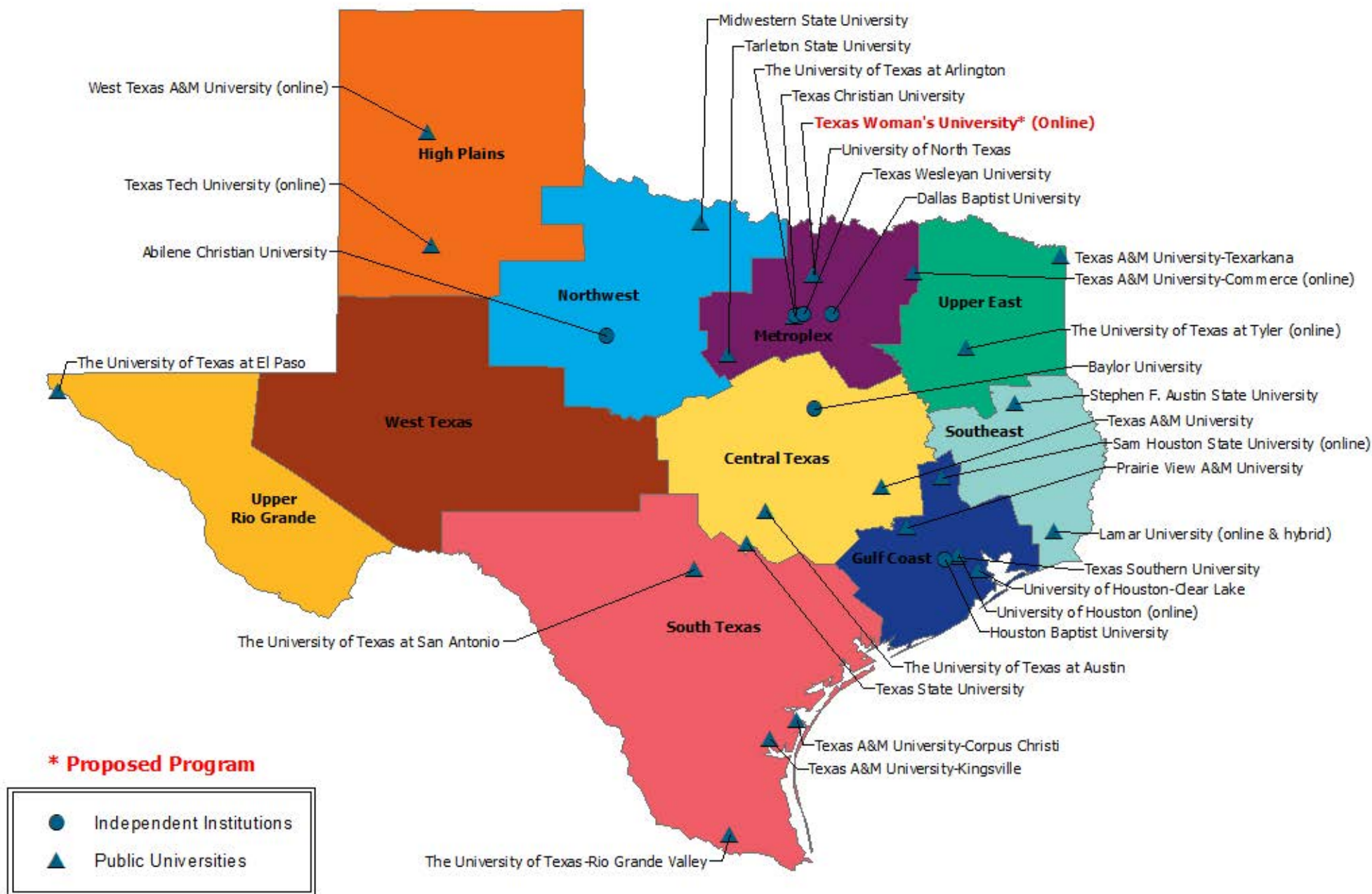
\* Fall 2019 Data

Financial Aid		
Enrolled in FY 2019		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	66%	\$6,791
Federal (Pell) Grants	39%	\$4,612
Federal Student Loans	46%	\$6,983

Funding		
Source	FY 2020 Amount	Pct of Total
Appropriated Funds	\$102,814,185	43.0%
Federal Funds	\$31,122,777	13.0%
Tuition & Fees	\$87,137,532	36.4%
<b>Total Revenue</b>	<b>\$239,291,117</b>	<b>100.0%</b>



## Proposal for a Doctor of Philosophy (PhD) degree with a major in Education, Leadership, and Organization.





## AGENDA ITEM IX-H (5)

### Consideration of approving the request from The University of Texas at San Antonio for a Doctor of Philosophy (PhD) degree with a major in School Psychology

RECOMMENDATION: Approval, beginning fall 2022

#### **Rationale:**

The University of Texas at San Antonio (UT-San Antonio) is seeking approval to offer a Doctor of Philosophy (PhD) in School Psychology. The proposed face-to-face program would prepare graduates for careers as scientist practitioners and as licensed psychologists in the state of Texas. If approved, UT-San Antonio will seek accreditation from the National Association of School Psychologists and American Psychological Association (APA). The proposed PhD program would consist of a minimum of 54 semester credit hours (SCHs) for students entering with a master's degree and 87 SCHs for students entering with a bachelor's degree. The curriculum would adhere to the APA requirements, which includes practicum hours and a dissertation. Consistent with other doctoral programs in the field, the proposed program would admit students each fall semester.

Workforce data suggest that there is need for school psychologists. According to the United States Bureau of Labor Statistics projections, there would be a 3% increase in school psychology positions during the 2019-2029 decade. This increase would lead to approximately 10,500 available school psychology positions annually. The Texas Workforce Commission anticipates a 16% growth in school psychology positions for the decade 2018-2028. This would create approximately 890 annual job openings due to growth and replacement.

School psychologists are uniquely qualified members of school teams that support students' ability to learn and teachers' ability to teach. School psychologists partner with families, teachers, school administrators, and other professionals to create safe, healthy, and supportive learning environments that strengthen connections between home, school, and the community. Currently, there are five public and independent universities in Texas that offer PhD programs in School Psychology with the CIP code 42.2805.00.

In accordance with the institution's proposed hiring schedule, UT-San Antonio will hire two core faculty members. One additional core faculty member would be hired in the first year, and one in the second year of the program. By June 1, before the academic year in which faculty are hired, the institution would provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of school psychology courses to be taught.

**The University of Texas at San Antonio** (*Accountability Peer Group: Emerging Research*)

<b>Completion Measures</b>		<b>Institution</b>	<b>State</b>
<i>Graduate</i>	Master's 5-Year Graduation Rate	77.5%	76.3%
	Doctoral 10-Year Graduation Rate	59.8%	65.4%
<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: <b>Yes</b> No N/A		
	Recently Approved Doctoral Programs: <ul style="list-style-type: none"> <li>Civil Engineering (2018)</li> </ul>		
	The institution has met its resource commitments for new doctoral program(s) approved in the last five years: <b>Yes</b> No N/A		

**Proposed Program:**

The proposed face-to-face program would require a minimum of 54 SCHs and would be available beginning in fall 2022. The proposed program would prepare graduates for careers as scientist practitioners and licensed psychologists. Students would demonstrate an understanding of basic content areas in psychology, as well as professional issues, including ethical and legal principles, cultural diversity, communication, and quality assurance principles necessary for professional competencies in assessment, intervention, consultation, and supervision of psychological services with diverse populations. Students would be prepared to become licensed in Texas.

The institution estimates that five-year costs would total \$4,063,856.

**Existing Programs:**

There are currently are five public universities and one independent university offering doctoral programs in School Psychology.

**Public Universities:**

Stephen F. Austin State University  
 Texas A&M University  
 Texas Woman's University  
 University of Houston  
 University of Houston-Clear Lake

**Independent University:**

Baylor University

<b>Start-Up Projections:</b>	<b>Yr. 1</b>	<b>Yr. 2</b>	<b>Yr. 3</b>	<b>Yr. 4</b>	<b>Yr. 5</b>
<i>Students Enrolled</i>	5	5	6	6	6
<i>Graduates</i>	0	0	0	1	4
<i>Avg. Financial Assistance</i>	\$16,500	\$16,500	\$16,500	\$16,500	\$16,500
<i>Students Assisted</i>	10	14	20	28	36
<i>Core Faculty (FTE)</i>	3	4	4	4	4
<i>Total Costs</i>	\$413,500	\$606,075	\$805,428	\$1,058,101	\$1,180,753
<i>Total Funding</i>	\$1,004,366	\$877,385	\$732,808	\$849,071	\$952,092
<i>% From Formula Funding</i>	0	0	22%	27%	31%

<b>FIVE-YEAR COSTS</b>	
Personnel	
Faculty (New)	\$ 806,299
Faculty (Reallocated)	\$ 1,195,883
Program Administration (New)	\$ 87,601
Program Administration (Reallocated)	\$ 0
Graduate Assistants (New)	\$ 450,000
Graduate Assistants (Reallocated)	\$ 0
Clerical/Staff (New)	\$ 0
Clerical/Staff (Reallocated)	\$ 57,073
Student Support	\$ 1,350,000
Supplies and Materials	\$ 87,000
Library and IT Resources	\$ 30,000
Equipment	\$ 0
Facilities	\$ 0
Other (Marketing, Accreditation)	\$ 0
<b>Total</b>	<b>\$ 4,063,856</b>

<b>FIVE-YEAR FUNDING</b>	
Formula Funding (Years 3-5)	\$ 689,019
Other State Funding	\$ 264,000
Reallocation of Existing Resources	\$ 1,195,884
Federal Funding (In-Hand Only)	\$ 602,356
Tuition and Fees	\$ 193,851
Other (Institutional Advancement)	\$ 1,470,612
<b>Total</b>	<b>\$ 4,415,722</b>

### Major Commitments:

In accordance with the institution's proposed hiring schedule, UT-San Antonio would hire two core faculty members. One additional core faculty member would be hired in the first year, and one in the second year of the program. By June 1, before the academic year in which faculty are hired, the institution would provide documentation of the hires through submission of a letter of intent, curricula vitae, and list of school psychology courses to be taught.

The institution would submit reports in years one, three, and five confirming institutional commitments and assessing the progress of program implementation.

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

# Online Resume for Legislators and Other Policymakers

## THE UNIVERSITY OF TEXAS AT SAN ANTONIO

Location: San Antonio, South Texas Region

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

Out-Of-State Peers: Florida Atlantic University-Boca Raton, Georgia State University, University Of Central Florida, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2015		Fall 2019		Fall 2020	
	Number	Percent	Number	Percent	Number	Percent
White	7,719	26.8%	7,386	22.8%	7,638	22.2%
Hispanic	14,408	50.1%	18,071	55.8%	19,635	57.1%
African American	2,770	9.6%	3,173	9.8%	3,326	9.7%
Asian	1,574	5.5%	1,866	5.8%	1,941	5.6%
International	1,473	5.1%	979	3.0%	926	2.7%
Other & Unknown	843	2.9%	914	2.8%	936	2.7%
<b>Total</b>	<b>28,787</b>	<b>100.0%</b>	<b>32,389</b>	<b>100.0%</b>	<b>34,402</b>	<b>100.0%</b>
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	1,669	6.8%	2,213	8.0%	2,312	7.9%
Other Institutions	426	1.7%	613	2.2%	561	1.9%

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	\$9,361	.0%	\$9,777	.0%
2017	\$9,677	3.4%	\$10,201	4.3%
2018	\$10,013	3.5%	\$10,443	2.4%
2019	\$9,978	-.3%	\$10,712	2.6%
2020	\$9,724	-2.5%	\$11,011	2.8%
2021	\$10,600	9.0%	\$11,455	4.0%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
<b>Federal Student Loans</b>						
2018	50%	\$6,459	45%	\$7,437	42%	\$6,785
2019	49%	\$6,331	43%	\$6,780	0%	\$0
<b>Federal, State, Institutional or Other Grants Known by Institutions</b>						
2018	68%	\$7,808	59%	\$7,729	72%	\$7,379
2019	78%	\$6,658	61%	\$8,004	0%	\$0
<b>Federal (Pell) Grants</b>						
2018	44%	\$4,297	39%	\$4,482	37%	\$4,754
2019	44%	\$4,428	38%	\$4,638	0%	\$0

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2014	Enter Fall 2018	Enter Fall 2019	Cohort	Peer Group
Cohort	Total	4,948	4,864	4,342	Fall 2011 4-year	29.7%
	Same	86.4%	88.3%	89.6%	Fall 2015 4-year	38.4%
	Other	67.6%	73.4%	77.4%	Fall 2016 4-year	40.7%
	Other	18.9%	14.9%	12.2%	Fall 2010 5-year	50.7%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2014 5-year	57.9%	
		Enter Fall 2013	Enter Fall 2017	Enter Fall 2018	Fall 2015 5-year	59.8%
Institution Persistence				Fall 2009 6-year	59.2%	
Cohort	Total	3,555	4,938	4,856	Fall 2013 6-year	63.5%
	Same	80.8%	80.8%	81.9%	Fall 2014 6-year	65.3%
	Other	51.6%	61.2%	64.1%	<b>National Comparison (IPEDS Definition)</b>	
	Other	29.1%	19.6%	17.8%	Cohort	OOS Peers
Peer Group Persistence				Institution Rate	Rate	Rate
Cohort	Total	3,603	4,380	4,534	Fall 2010 4-year	26.2%
	Same	81.4%	82.2%	82.8%	Fall 2014 4-year	32.2%
	Other	65.4%	68.9%	70.5%	Fall 2015 4-year	34.4%
	Other	16.0%	13.3%	12.3%	Fall 2009 5-year	49.0%
<b>Average Number of Fall &amp; Spring Semesters and SCH Attempted for Bachelor's Degree</b>						
Year	Institution	Peer Group Average				
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2016	3,365	11.11	141.00	3,673	11.27	139.87
FY 2019	4,214	10.00	133.00	4,447	10.52	136.87
FY 2020	4,536	10.00	133.00	4,658	10.37	135.75

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 2016	3,365	11.11	141.00	3,673	11.27	139.87
FY 2019	4,214	10.00	133.00	4,447	10.52	136.87
FY 2020	4,536	10.00	133.00	4,658	10.37	135.75

Six-year Graduation & Persistence Rate, Fall 2014		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	111	38.7%
Peer Group	215	53.0%
<i>For Students NOT Needing Dev Ed</i>		
Institution	4,837	73.2%
Peer Group	3,755	75.2%

\*Peer Group data is average for peer group.

Funding						
Source	FY 2015 Amount	Pct of Total	FY 2019 Amount	Pct of Total	FY 2020 Amount	Pct of Total
Appropriated Funds	\$146,950,855	32.4%	\$158,607,508	30.9%	\$171,517,169	30.4%
Federal Funds	\$83,760,620	18.5%	\$109,935,970	21.4%	\$131,831,406	23.4%
Tuition & Fees	\$167,758,047	37.0%	\$183,418,781	35.8%	\$203,601,417	36.1%
<b>Total Revenue</b>	<b>\$453,823,442</b>	<b>100.0%</b>	<b>\$512,547,554</b>	<b>100.0%</b>	<b>\$564,371,844</b>	<b>100.0%</b>

# Online Resume for Prospective Students, Parents and the Public

## THE UNIVERSITY OF TEXAS AT SAN ANTONIO

Location: San Antonio, South Texas Region

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

Out-Of-State Peers: Florida Atlantic University-Boca Raton, Georgia State University, University Of Central Florida, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2020 Number	Percent
White	7,638	22.2%
Hispanic	19,635	57.1%
African American	3,326	9.7%
Asian	1,941	5.6%
International	926	2.7%
Other & Unknown	936	2.7%
<b>Total</b>	<b>34,402</b>	<b>100.0%</b>
<b>TX First Time Transfers</b>	<b>Number</b>	<b>% of UG</b>
Two-Year Institutions	2,312	7.9%
Other Institutions	561	1.9%

Baccalaureate Success		
Graduation Rate of First-time, Full-time Degree-seeking Students Entering		
Measure	Fall	Rate
4-year Rate Total	2016	39.0%
Same Institution		32.3%
Other Institutions		6.7%
5-year Rate Total	2015	59.0%
Same Institution		45.8%
Other Institutions		13.2%
6-year Rate Total	2014	62.7%
Same Institution		46.2%
Other Institutions		16.5%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2019		
Total		89.6%
Same		77.4%
Other		12.2%

2-Year Persistence, Fall 2018		
Total		81.9%
Same		64.1%
Other		17.8%

Avg Number SCH for Bachelor's Degree		
FY 2020 Average		
Sem	SCH	
All	10.00	133.00

Degrees Awarded	
Type	FY 2020
Bachelor's	5,924
Master's	1,338
Doctoral	153
Professional	0
<b>Total</b>	<b>7,415</b>

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2020 Rate
Law	%
Pharmacy	%
Nursing	%
Engineering	72.2%

\*Data for FY 2019

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2020		
Test Section	ACT	SAT
Composite		
Math		
English		
Critical Reading		

<https://nces.ed.gov/>

Application for First-time Undergraduate Admission Fall 2020			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	3,331	88.4%	34.1%
African American	2,417	78.6%	29.3%
Hispanic	13,815	82.1%	28.4%
Asian	1,450	91.5%	27.7%
International	210	91.4%	27.6%
Other	402	88.3%	34.1%
<b>Total</b>	<b>21,625</b>	<b>83.5%</b>	<b>29.5%</b>

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2016	\$9,361	.0%	\$9,836	.0%
2017	\$9,677	3.3%	\$10,276	4.3%
2018	\$10,013	3.4%	\$10,504	2.2%
2019	\$9,978	-.4%	\$10,817	2.9%
2020	\$9,724	-2.6%	\$11,195	3.4%
2021	\$10,600	8.3%	\$11,578	3.3%

Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2021	
Type of Cost	Average Amount
Total Academic Cost	\$10,600
On-campus Room & Board	\$12,112
Books & Supplies	\$1,000
Off-Campus Transportation & Personal Expenses	\$2,568
<b>Total Cost</b>	<b>\$26,280</b>

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

Instruction	
Measure of Excellence	Fall 2020
Undergraduate Classes with < 20 Students	19.7%
Undergraduate Classes with > 50 Students	30.0%
% of Teaching Faculty Tenured/Tenure-track *	52.3%
Student/Faculty Ratio *	24:1

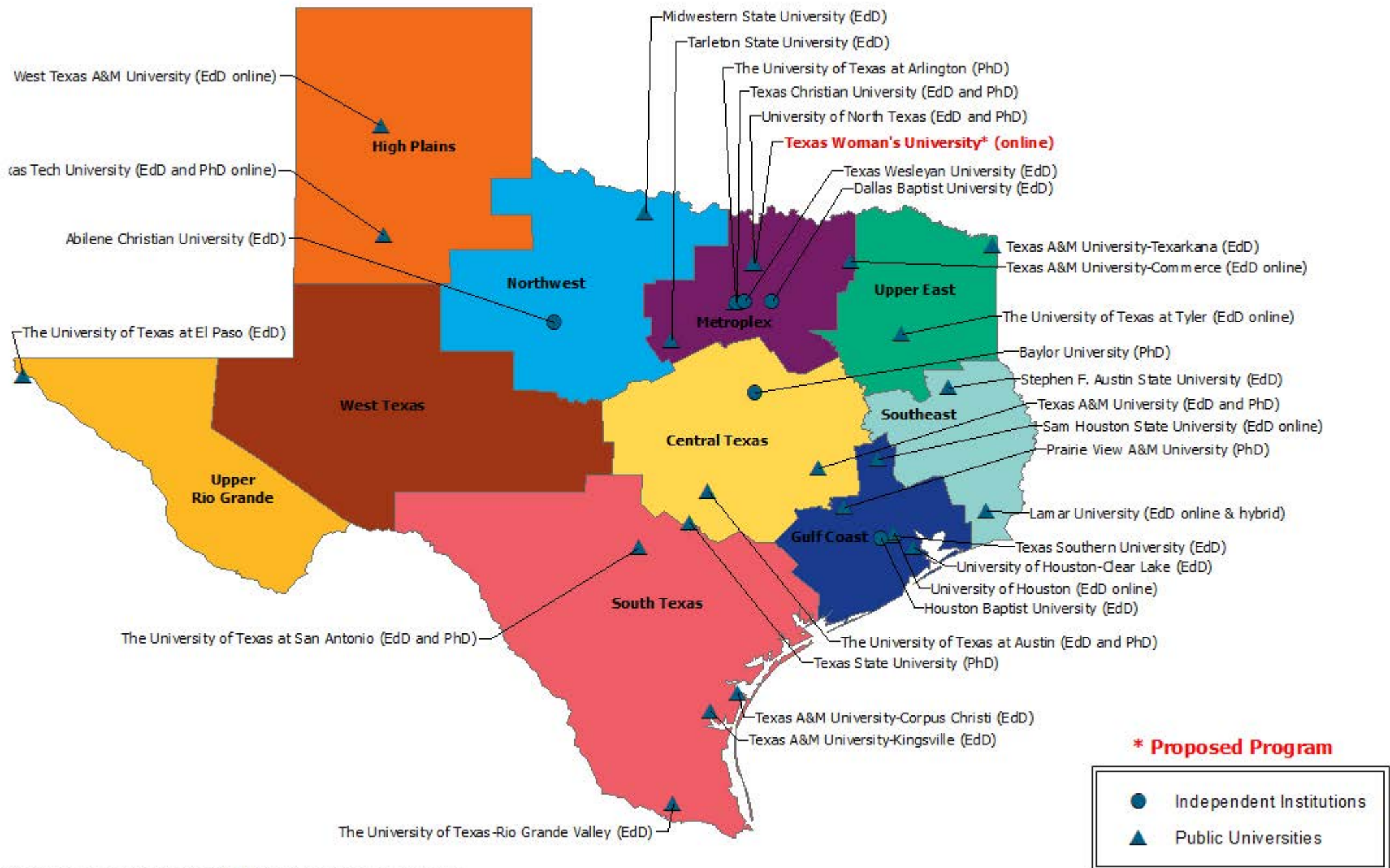
\* Fall 2019 Data

Financial Aid		
Enrolled in FY 2019		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	78%	\$6,658
Federal (Pell) Grants	44%	\$4,428
Federal Student Loans	49%	\$6,331

Funding		
Source	FY 2020 Amount	Pct of Total
Appropriated Funds	\$171,517,169	30.4%
Federal Funds	\$131,831,406	23.4%
Tuition & Fees	\$203,601,417	36.1%
<b>Total Revenue</b>	<b>\$564,371,844</b>	<b>100.0%</b>



## Proposal for a Doctor of Philosophy (PhD) degree with a major in Education, Leadership, and Organization.



### Online Distance Education/Hybrid and Blended Programs and Courses

Online distance education in the state of Texas is also known as "electronic to individuals" and is divided into two categories: fully online and hybrid/blended.

1. Fully online: A course or program with 85%-100% of the content/curriculum delivered online. Mandatory face-to-face sessions may total no more than 15% of the instruction time.
2. Hybrid/Blended: A course or program with 50-85% of the content/curriculum delivered online.

## AGENDA ITEM IX-I

### Report on institutional requests related to new degree and certificate programs acted on by the Commissioner or Assistant Commissioners since the last Board meeting

RECOMMENDATION: No action required

#### Background Information:

The Board authorized the Commissioner or the Assistant Commissioner of Academic and Health Affairs 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 and Health Affairs. 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 45 new degree and certificate programs; approved 11 institutional requests to phase out programs; issued five Certificates of Authorization (new, renewed, revised, or cancelled); and received nine planning notifications. Detailed information is provided in the tables on the following pages.

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



**REPORT ON INSTITUTIONAL REQUESTS RELATED TO DEGREE AND CERTIFICATE PROGRAMS ACTED ON BY THE COMMISSIONER OR ASSISTANT COMMISSIONERS SINCE THE LAST BOARD MEETING**

June 1, 2021 – August 31, 2021

**NEW DEGREE AND CERTIFICATE PROGRAMS**

<b>Institution</b>	<b>Degree</b>	<b>Program</b>	<b>Date Approved</b>
<b>Community &amp; Technical Colleges</b>			
Alvin Community College	AS	AS Engineering	08/18/2021
Alvin Community College	AAS, Level 1 Certificate, & Level 2 Certificate	Automotive Technology	08/02/2021
Alvin Community College	AAS, Level 1 Certificate, & Level 2 Certificate	Automotive Technology (TDC)	08/02/2021
Alvin Community College	AAS, Level 1 Certificate, & Level 2 Certificate	Welding Technology	08/02/2021
Blinn College	AAS	Mechatronics	07/15/2021
Blinn College	AAS, Level 1 Certificate, & Level 2 Certificate	Simulation and Game Programming	07/15/2021
Blinn College	AAS, Level 1 Certificate, & Level 2 Certificate	Small Unmanned Aircraft System Technician	07/15/2021
College of the Mainland	AAS & Level 1 Certificate	Accounting	06/16/2021
College of the Mainland	AS	AS Chemical Engineering	06/16/2021
College of the Mainland	BSN	NR-BSN in Nursing	7/1/2021
Del Mar College	AAS, Level 1 Certificate, & Level 2 Certificate	Electrician	08/18/2021
Del Mar College	AAS	Fitness & Exercise Science	08/02/2021
Lamar State College - Orange	AAS & Level 1 Certificate	Building Construction Management	08/02/2021

Lamar State College - Orange	AAS & Level 1 Certificate	Business Real Estate Management	08/02/2021
Laredo College	BASORGL	Organizational Leadership	8/5/2021
Midland College	BAS	Early Childhood Education	7/23/2021
Ranger College	AAS & Level 1 Certificate	Automotive Technology	06/30/2021
Texas Southmost College	AA	AA Psychology	06/16/2021
Texas Southmost College	AS	AS Engineering	06/16/2021
Vernon College	Continuing Education	Massage Therapy	08/02/2021
Weatherford College	AAS, Level 1 Certificate, & Level 2 Certificate	Cybersecurity	06/30/2021
Weatherford College	BAT	Medical and Health Services Management	8/24/2021
Western Texas College	AAS	Farm and Ranch Management	08/18/2021
<b>Universities &amp; Health-Related</b>			
Stephen F. Austin State University	MA	Applied Educational Psychology	7/14/2021
Sul Ross Rio Grande College	BAS	Child Development	7/16/2021
Tarleton State University	BAAS	Public Administration	8/16/2021
The University of Texas at Austin	BBA	Business Analytics	8/16/2021
The University of Texas at Dallas	BS	Business Analytics	7/14/2021
The University of Texas at El Paso	MED	Early Childhood Education	6/2/2021
The University of Texas at San Antonio	BA	Equity and Education	6/17/2021
The University of Texas at San Antonio	MS	Artificial Intelligence	8/16/2021
Texas A&M University	BS	Ecology and Conservation Biology	6/18/2021
Texas A&M University	BS	Rangeland, Wildlife and Fisheries Management	6/25/2021
Texas A&M University	MNSI	National Security and Intelligence	6/25/2021
Texas A&M University-Commerce	BBA	Supply Chain Management	6/9/2021
Texas A&M University-Commerce	MS	Supply Chain Management	6/9/2021
Texas A&M University-Commerce	BS	Applied Economics	6/14/2021
Texas A&M University-Commerce	MS	Healthcare Leadership	8/24/2021
Texas A&M University -San Antonio	BGS	General Studies	7/1/2021
Texas A&M University -San Antonio	BS	Human Services	6/24/2021
Texas State University	BA	Education	8/16/2021

Texas Woman's University	MA	Multilingual and Multicultural Studies	6/15/2021
University of North Texas	BA	Critical Studies in Music and Society	8/16/2021
University of North Texas Health Science Center	BS	Biomedical Science	8/2/2021
West Texas A&M University	MPA	Public Administration	7/1/2021

### **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>			
Sam Houston State University	BA/BS	Family and Consumer Sciences	5/31/2023
Sam Houston State University	MS	Health	9/1/2021
The University of Texas at San Antonio	BS	Health	8/31/2027
The University of Texas MD Anderson Cancer Center	BS	Magnetic Resonance Imaging	8/24/2021
Texas State University	BS	Interdisciplinary Science	8/15/2026
Texas State University	MS	Software Engineering	8/15/2025
Texas Tech University	MS	Library and Information Science	9/1/2021
Texas Woman's University	MS	Food Systems Administration	8/15/2024
Texas Woman's University	MSN	Clinical Nurse Leader	8/15/2024
University of Houston-Clear Lake	MS	Reading	12/1/2022
University of Houston-Clear Lake	MA	Behavioral Sciences	8/15/2024

**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>			
Austin Community College	Bachelor	Manufacturing Engineering Technology/Technician	6/9/2021
Collin College	Bachelor	Construction Management, General	7/26/2021
Lamar University	Doctoral	Community Organization and Advocacy	6/14/2021
Tarleton State University	Doctoral	Business Administration and Management, General	7/6/2021
The University of Texas at Arlington	Master's	Medical Informatics	8/16/2021
The University of Texas at San Antonio	Doctoral	Chemical Engineering	7/24/2021
The University of Texas Health Science Center at Tyler	Doctoral	Biomedical Sciences, General	7/28/2021
University of North Texas	Doctoral	Exercise Physiology and Kinesiology	7/28/2021
Weatherford College	Bachelor	Health/Health Care Administration/Management	6/11/2021

**CERTIFICATES OF AUTHORIZATION**

<b>Non-Public and Out-of-State Institution</b>	<b>Authorization Type</b>	<b>Certificate of Authorization Issue Date</b>
Denver College of Nursing - Houston	Authority to grant credits toward degrees and to use certain protected academic terms.	August 20, 2021
Galen College of Nursing – Austin	Authority to grant credits toward degrees and to use certain protected academic terms.	July 16, 2021
Rocky Vista University (Colorado)	Authority to place students in clinical, internship, and field-based educator training experiences in Texas.	July 26, 2021
Texas Healthtech Institute – Beaumont	Provisional authority to grant credits toward degrees and to use certain protected academic terms.	August 20, 2021
Universal Technical Institute – Austin	Authority to grant credits toward degrees and to use certain protected academic terms.	June 23, 2021

## AGENDA ITEM IX-J (1)

Consideration of adopting proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Rule 4.8 of Board rules, concerning the excused absence for a person called to required military service

RECOMMENDATION: Approval

### Background Information:

The proposed amendments are based on legislative changes made to the Texas Education Code by Senate Bill 937, 87th Texas Legislature, Regular Session, which directs the Coordinating Board to adopt rules for determining the maximum duration a student must be excused because of military service. Senate Bill 937 amended the statute, Texas Education Code, Section 51.9111, by changing the phrase "active military service" to "required military service," clarifying that absence of a student from attending classes or other activities is excused because of required military service. These amendments are limited to implementing the revision to statute enacted in Senate Bill 937.

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

Date approved by the commissioner for publication in the *Texas Register*: July 16, 2021

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the Texas Register ended on: September 18, 2021

At this time no comments have been received.

## Chapter 4 – Rules Applying to All Public Institutions of Higher Education in Texas

## Subchapter A – General Provisions

4.8 Excused Absence for a Person Called to Required [Active] Military Service.

(a) Upon notice from a student required to participate in required [active] military service, an institution shall excuse a student from attending classes or engaging in other required activities, including examinations.

(b) A student shall not be penalized for an absence which is excused under this subsection and shall be allowed to complete an assignment or take an examination from which the student is excused within a reasonable time after the absence.

(c) Each institution shall adopt a policy under this subsection which includes:

(1) the retention of a student's course work completed during the portion of the course prior to the student being called to required [active] military service;

(2) the course syllabus or other instructional plan, so that the student will be able to complete the course without prejudice and under the same course requirements that were in effect when the student enrolled in the course;

(3) a definition of a reasonable time after the absence for the completion of assignments and examinations;

(4) procedures for failure of a student to satisfactorily complete the assignment or examination within a reasonable time after the absence; and

(5) an institutional dispute resolution process regarding the policy.

(d) The maximum period for which a student may be excused under this section shall be no more than 25% (twenty-five percent) of the total number of class meetings or the contact hour equivalent (not including the final examination period) for the specific course or courses in which the student is currently enrolled at the beginning of the period of required [active] military service.

(e) Institutions are directed to develop and publish policies and procedures to ensure that students enrolled in distance learning, self-paced, correspondence, and other asynchronous courses receive equivalent consideration for the purposes of determining acceptable duration of excused absences and time limits for the completion of course work following an excused absence under this section.

AGENDA ITEM IX-J (2)

Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, Section 4.9 of Board Rules, implementing the express provisions of new Texas Education Code, Title 3, Subtitle A, Chapter 51, Section 51.907(e) (2), enacted by the 87th Texas Legislature, Regular Session

RECOMMENDATION:    Approval

Background Information:

The proposed amendments are based on legislative changes made to the Texas Education Code by Senate Bill 165, which directs the Coordinating Board to adopt rules for determining the duration of no or limited in-person course attendance at institutions that significantly affects the student's ability to participate in coursework under the conditions of an event which the governor has declared a disaster. This amendment will allow students to exceed the maximum limitation of courses dropped in the event of a disaster, recognized and declared by the governor, which results in the cessation or limitation of in-person course attendance by students at the institution. Under general circumstances, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses.

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

Date approved by the commissioner for publication in the *Texas Register*: July 16, 2021

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the Texas Register ended on: September 18, 2021

At this time no comments have been received.

## Chapter 4 – Rules Applying to All Public Institutions of Higher Education in Texas

## Subchapter A – General Provisions

## 4.9 Limitations on the Number of Courses That May Be Dropped under Certain Circumstances By Undergraduate Students

(a) Beginning with the fall 2007 academic term, and applying to students who enroll in higher education for the first time during the fall 2007 academic term or any term subsequent to the fall 2007 term, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses, including any course a transfer student has dropped at another institution of higher education, unless:

(1) the institution has adopted a policy under which the maximum number of courses a student is permitted to drop is less than six; or

(2) a disaster declared by the governor results in cessation or limitation of in-person course attendance by students at the institution of a duration determined by the institution to significantly affect the student's ability to participate in course work with consideration of the length of time of the cessation or limitation of in-person course attendance, the type of courses, and the personal circumstances of students affected by the disaster; or

(3) ~~[(2)]~~ the student shows good cause for dropping more than that number, including but not limited to a showing of:

(A) a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete the course;

(B) the student's responsibility for the care of a sick, injured, or needy person if the provision of that care affects the student's ability to satisfactorily complete the course;

(C) the death of a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's death is considered to be a showing of good cause;

(D) the active duty service as a member of the Texas National Guard or the armed forces of the United States of either the student or a person who is considered to be a member of the student's family or who is otherwise considered to have a sufficiently close relationship to the student that the person's active military service is considered to be a showing of good cause;

(E) the change of the student's work schedule that is beyond the control of the student, and that affects the student's ability to satisfactorily complete the course; or

(F) other good cause as determined by the institution of higher education.

(4) ~~[(3)]~~ the enrollment is for a student who qualifies for a seventh course enrollment, who:



(A) has reenrolled at the institution following a break in enrollment from the institution or another institution of higher education covering at least the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(B) successfully completed at least 50 semester credit hours of course work at an institution of higher education that are not exempt from the limitation on formula funding set out in §13.104(1) - (6) of this title (relating to Exemptions for Excess Hours) before that break in enrollment.

(b) – (e) (No Change.)

### AGENDA ITEM IX-J (3)

Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, Section 4.84 of Board rules, concerning institutional agreements for dual credit programs

RECOMMENDATION: Approval

#### Background Information:

The proposed amendments are based on legislative changes made to the Texas Education Code by Senate Bill 1277, 87th Texas Legislature, Regular Session, which require specific criteria be included in a dual credit agreement established between an institution of higher education and school district. Senate Bill 1277 amended the statute, Texas Education Code, Section 28.009, by requiring the dual credit agreement to designate at least one employee of the district or institution as responsible for providing academic advising to a student who enrolls in a dual credit course under the program before the student begins the course. These amendments are limited to implementing the revision to statute enacted in Senate Bill 1277.

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

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the *Texas Register* ended on: September 18, 2021

Summary of comments received: No comments were received regarding this rule.

## Chapter 4 – Rules Applying to All Public Institutions of Higher Education in Texas

### Subchapter D – Dual Credit Partnerships between Secondary Schools and Texas Public Colleges

- 4.81 Purpose
- 4.82 Authority
- 4.83 Definitions
- 4.84 Institutional Agreements
- 4.85 Dual Credit Requirements

4.81 – 4.83 No Changes.

#### 4.84 Institutional Agreements

(a) Need for Institutional Agreements. For any dual credit partnership between a secondary school and a public college, an agreement must be approved by the governing boards or designated authorities (e.g., principal and chief academic officer) of both the public school district or private secondary school and the public college prior to the offering of such courses.

(b) Elements of Institutional Agreements. Any dual credit agreement must address the following elements:

- (1) Eligible Courses;
- (2) Student Eligibility;
- (3) Location of Class;
- (4) Student Composition of Class;
- (5) Faculty Selection, Supervision, and Evaluation;
- (6) Course Curriculum, Instruction, and Grading;
- (7) Academic Policies and Student Support Services;
- (8) Transcribing of Credit;
- (9) Funding; and
- (10) Defined sequences of courses, where applicable.

(c) Institutional Agreement between Public Institution of Higher Education and Public School District. Any agreement entered into or renewed between a public institution of higher education and public school district on or after September 1, 2021 [~~September 1, 2019~~], including a memorandum of understanding or articulation agreement, must:

- (1) include specific program goals aligned with the statewide goals developed under TEC 28.009, Subsection (b-1);

(2) establish common advising strategies and terminology related to dual credit and college readiness;

(3) provide for the alignment of endorsements described by Section 28.025 (c-1) offered by the district, and dual credit courses offered under the agreement that apply towards those endorsements, with postsecondary pathways and credentials at the institution and industry certifications;

(4) identify tools, including tools developed by the Texas Education Agency, Texas Higher Education Coordinating Board, or the Texas Workforce Commission, to assist counselors, students, and families in selecting endorsements offered by the district and dual credit courses offered under the agreement;

(5) establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including developing a course equivalency crosswalk or other method of equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;

(6) describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;

(7) establish the institution of higher education's and the school district's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program;

(8) state the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program;

(9) require the district and the institution to consider the use of free or low-cost open educational resources in courses offered under the program; ~~and~~

(10) designate at least one employee of the district or institution as responsible for providing academic advising to a student who enrolls in a dual credit course under the program before the student begins the course; and

(11) ~~[(10)]~~ be posted each year on the institution of higher education's and the school district's respective Internet websites.

4.85 No Changes.

## AGENDA ITEM IX-J (4)

Consideration of adopting the proposed repeal to Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, Section 5.51 of Board rules, concerning Publishing of Doctoral Program Data

RECOMMENDATION: Approval

### Background Information:

The intent of the proposed repeal is to remove the requirement that public four-year institutions publish data annually regarding the performance of their doctoral programs, thereby reducing their reporting burden. Coordinating Board staff regularly reviews statutory language to repeal any unnecessary or duplicative data reporting, and the proposed repeal reduces duplicative institutional reporting.

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

Date approved by the commissioner for publication in the *Texas Register*: August 8, 2021

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the Texas Register ended on: September 18, 2021

At this time seven comments have been received.

### Two comments from University of Houston:

I write to share my support of the repeal of rules for posting doctoral data (Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, §5.51). Repealing this rule will save much time that is spent by numerous people across our campus to put this data together. Not only does my office have to spend time with a number of the items, the graduate schools works with people in all our colleges to gather pieces that are not easily obtained in either our HR or student information system. It really takes a couple of months to put together once everything is done. And the effort to work on this is on top of everyone's regular work activity. We have much information about our students at the doctoral level already published on our website if individuals wanted to learn about them. I strongly support repealing this rule.

I wanted to record my comments in support of repealing the reporting tied to the 18 Characteristics of PhD programs. In my position, I help put together this data for one of the colleges, around 10 individual programs, for the University of Houston. I find it to be very tedious to put this data together each year. While there are certain data points from that report that we regularly tabulate, use in strategic planning, and make available to the public, putting together some of the other data points to be very time consuming and hard to keep uniform across disciplines. I would absolutely do the work if I thought potential students were using this

students rarely look for this kind of data. Even if they stumble onto the data, I just don't think it factors into their decision to choose/ not choose our programs. They're much more likely to be using the opinions of mentors, peers, and the important people in their lives over these reports. Please allow us to skip this report. It just doesn't have the value for which it was originally intended and has become a groan-worthy part of each year's cycle of reports. Thank you for your time

Comment from The University of Texas System:

I write to express my support to the Texas Higher Education Coordinating Board for repealing Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, §5.51, regarding the publishing of doctoral program data.

Comment from The University of Texas at Tyler:

I am writing to express my support of the proposed repeal of rules for publishing doctoral program data (Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter C, §5.51). Even for our institution, which currently has relatively few doctoral programs, this requirement has been an undue burden. This reporting typically requires more than 40 hours each year across several departments. Repeal of this requirement will allow us to better use this time to serve our students.

Comment from University of North Texas:

I am writing to support the removal of the above named reporting requirement. The amount of staff time dedicated to this reporting requirement could and should instead be focused on supporting student success and institutional outcomes that align with the 60x30xTX plan. This reporting effort does not appear to be utilized broadly and given the wide range of data now available in the market place this is a duplicative reporting effort. I would encourage the removal of this expectation so that our institutional data practitioners can prioritize more pressing projects with a direct outcome on Texas residents.

Comment from The University of Texas Health Science Center at Houston:

I am in agreement with the proposal to repeal the requirement for doctoral programs to publish program data on their website. Specifically, doctoral programs are all very unique, not least because doctoral programs tend to be very individualized once the required courses are completed. Without standardized comparison data, it is difficult to know how to interpret the data.

Comment from The University of Texas at El Paso:

Thank you for considering the elimination of the annual publication of doctoral program data to assess a doctoral program's performance. These data are already available in multiple formats and locations on the THECB website (e.g., THECB Accountability) and on most institutional websites. Repeal of this requirement will reduce duplicative institutional reporting at both the State and federal levels (NCES).

Coordinating Board staff concur with these comments in favor of the repeal.

Chapter 5 – Rules Applying to Public Universities, Health-Related Institutions, and/or Selected Public Colleges of Higher Education in Texas

Subchapter C – Approval of New Academic Programs at Public Universities, Health-Related Institutions, and Review of Existing Degree Programs

- 5.41 Purpose
- 5.42 Authority
- 5.43 Definitions
- 5.44 Presentations of Requests and Steps for Implementation
- 5.45 Criteria for New Baccalaureate and Master's Degree Programs
- 5.46 Criteria for New Doctoral Programs
- 5.48 Criteria for Certificate Programs at Universities and Health-Related Institutions
- 5.50 Approvals by the Commissioner
- 5.51 Publishing of Doctoral Program Data
- 5.52 Review of Existing Degree Programs
- 5.53 Annual Evaluation of New Doctoral Degree Programs
- 5.54 Noncompliance with Conditions of Approval for New Doctoral Degree Programs
- 5.55 Revisions to Approved Programs

5.41 – 5.50 No changes.

~~[5.51—Publishing of Doctoral Program Data~~

~~Each public university and health-related institution with one or more doctoral programs on its program inventory shall collect and publish information on its website regarding the "Characteristics of Texas Public Doctoral Programs" as approved by the Board, on a schedule determined by the Commissioner. Each institution must develop and implement a plan for using the Characteristics of Texas Public Doctoral Programs for ongoing evaluation and quality improvement of each doctoral program course credit.]~~

5.52 – 5.55 No changes.

AGENDA ITEM IX-J (5)

Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 7, Subchapter A, Sections 7.7 and 7.8 of Board rules, incorporating restrictions added by Texas Education Code, Title 3, Subtitle B, Chapter 61, Section 61.303(c) and (c-1) and Section 61.306(a), (c), (c-1), and (d), enacted by the 87th Texas Legislature, Regular Session

RECOMMENDATION: Approval

Background Information:

The proposed amendments are based on legislative changes made to the Texas Education Code by Senate Bill 1490, 87th Texas Legislature, Regular Session, concerning private postsecondary institutions' compliance requirements and restrictions for authorizing professional degrees. Proposed amendments will also delete an unnecessary date reference for documentation of reserves, lines of credit, or surety instruments; clarify use of an outside consultant in desk reviews of Certificate of Authority applications; correct a reference to institutional accreditors to be consistent with US Department of Education terminology; and add the Coordinating Board's delegation of its authority to the appropriate assistant commissioner to approve institution closures.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, will present this item and be available to answer questions.

Date approved by the commissioner for publication in the *Texas Register*: July 21, 2021

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the Texas Register ended on: September 18, 2021

At this time no comments have been received.



## Chapter 7 – Degree-granting Colleges and Universities other than Texas Public Institutions

## Subchapter A – General Provisions

- 7.1 Purpose
- 7.2 Authority
- 7.3 Definitions
- 7.4 Standards for Operation of Institutions
- 7.5 Administrative Injunctions, Limitations, and Penalties
- 7.6 Recognition of Accrediting Agencies
- 7.7 Institutions Accredited by Board-Recognized Accreditors
- 7.8 Institutions Not Accredited by a Board-Recognized Accreditor
- 7.9 Religious Institutions Offering Degrees in Religious Disciplines
- 7.10 Registration of Agents
- 7.11 Changes of Ownership and Other Substantive Changes
- 7.12 Review and Use of Degrees from Institutions Not Eligible for Certificates of Authority
- 7.13 Student Data Reporting
- 7.14 Distance Education Approval Processes for Degree Granting Colleges and Universities Other Than Texas Public Institutions
- 7.15 Academic Records Maintenance, Protection, and Repository of Last Resort
- 7.16 Financial Protections for Student Tuition and Fees

7.1 – 7.6 No Changes.

7.7. Institutions Accredited by Board-Recognized Accreditors.

An institution which does not meet the definition of an institution of higher education contained in Texas Education Code §61.003, is accredited by a Board-recognized accreditor, and is interested in offering degrees or courses leading to degrees in the State of Texas is subject to the restriction on professional degrees in paragraph (1) and must follow the requirements in paragraphs (2) – (5) [(1) - (4)] of this section.

(1) Restriction on Professional Degrees. The Board may not approve the issuance of a Certificate of Authorization for an exempt institution to grant a professional degree, as defined in §7.3 of this title (relating to Definitions), or to represent that credits earned in this state are applicable toward a professional degree except to the extent allowed for an authorized institution operating under a State Authorization Reciprocity Agreement (SARA).

(2) [(1)] Authorization to Offer Degrees or Courses Leading to Degrees in Texas.

(A) Each institution and/or campus location must submit an application for a Certificate of Authorization to offer degree(s) or courses leading to degrees in Texas. The application form for the Certificate of Authorization may be found on the Board's website. The application must contain the following information:

- (i) Name of the institution;

(ii) Physical location of campus, or in the case of only providing clinicals or internships in Texas, the physical location of all clinical or internship sites, number of students in clinicals or internships and start and end date of clinicals or internships;

(iii) Name and contact information of the Chief Administrative Officer of the campus and name and contact information of the designated Single Point of Contact as defined in §7.3 of this chapter (relating to Definitions). In the case of an application based on clinicals or internships, name and contact information of clinical or internship site supervisors;

(iv) Name of Board-recognized accreditor;

(v) Level of degree, degree program name, and CIP code as authorized by the Board-recognized accreditor;

(vi) Documentation of notification to students and potential students of any program which does not make the graduate eligible to take required professional examinations in that field or to practice regulated professions in that field in Texas;

(vii) Dates of accreditation granted by the Board-recognized accreditor.

(I) If the institution or a location in Texas is currently subject to a negative or adverse action by its Board-recognized accreditor which has not resulted in a sanction, the institution must provide documentation explaining the reasons for the action and actions taken to reverse the negative or adverse action.

(II) If the institution or a location in Texas is currently subject to a sanction by its Board-recognized accreditor, the institution must provide documentation explaining the reasons for the action and actions taken to comply with the accrediting agency's standards or criteria, including a timeline for returning to compliance, in order to maintain accreditation.

(III) If the institution applies based on accreditation of its main campus while seeking final approval for the new Texas-based campus from its Board-recognized accreditor and the Texas Workforce Commission, the institution must provide documentation from its accreditor acknowledging that a decision on campus accreditation can be made within fifteen (15) months of the issuance of a provisional Certificate of Authorization.

(viii) Acknowledgement of student complaint procedure, compliance with the institutional accrediting agency's standards for operation of institutions, annual review reporting requirements, substantive change notification, and student data reporting requirements contained in this section, §§1.110 - 1.120 of this title (relating to Student Complaint Procedure), §7.4 of this chapter (relating to Standards for Operation of Institutions), §7.11 of this chapter (relating to Changes of Ownership and Other Substantive Changes), and §7.13 of this chapter (relating to Student Data Reporting), respectively;

(ix) Texas Workforce Commission Certificate of Approval or a Texas Workforce Commission exemption or exclusion from Texas Education Code, Chapter 132;

(x) Disclosure of most recent United States Department of Education financial responsibility composite score, including applicable academic year for score. If the institution has a score under 1.5, the institution must provide documentation of all actions taken since date of calculation to raise the score.

(xi) Documentation of reserves, lines of credit, or surety instruments that, when combined with tuition and fee receipts, are sufficient to allow the institution to fulfill its educational obligations for the current term to its enrolled students if the institution is unable to continue to provide instruction to its enrolled students for any reason. Such documentation must meet requirements as defined in §7.16 of this subchapter (relating to Financial Protections for Student Tuition and Fees).

(B) Board staff will verify information and accreditation status. Upon determination that an institution is in good standing with its Board recognized accreditor, has sufficient financial resources, and, if applicable, has provided sufficient documentation of correcting accreditation or financial issues, Board staff will provide a Certificate of Authorization to offer in Texas those degrees or courses leading to degrees for which it is accredited. If an institution is only providing clinicals or internships in the state of Texas, a Certificate of Authorization will be issued for the institution to offer in the state of Texas identified clinicals or internships in connection with those degrees or courses leading to degrees for which the institution is accredited. The Certificate of Authorization will be issued to the institution by name, city and state.

(C) Certificates of Authorization are subject to annual review for continued compliance with the Board-recognized accreditor's standards of operation, student complaint processes, financial viability, and accurate and fair representation in publications, advertising, and promotion.

(i) Institutions must submit the following documentation on an annual basis for Board staff review and recommendation to the Board for continuation or revocation of the Certificate of Authorization:

(I) Annual audited financial statements, issued less than one year from time of submission, prepared in accordance with Generally Accepted Accounting Principles by an independent certified public accountant;

(II) Documentation of reserves, lines of credit, or surety instruments that, when combined with tuition and fee receipts, are sufficient to allow the institution to fulfill its educational obligations for the current term to its enrolled students if the institution is unable to continue to provide instruction to its enrolled students for any reason. Institutions under a Certificate of Authorization as of September 1, 2017 are required to provide documentation of reserves, lines of credit, or surety instruments going forward with the 2019 annual compliance review.

(III) Certification that the institution is providing accurate and fair representation in publications, advertising, and promotion, including disclosure to students and potential students of any program which does not make the graduate eligible to take required professional examinations in that field or to practice regulated professions in that field in Texas. The institution shall further certify that it is maintaining any advertising used in Texas for a

minimum of five years and shall make any such advertisements available to the Board for inspection upon request.

(IV) An annotated copy of the student catalog or student handbook showing compliance with the principles addressed in §7.4 of this chapter with cross-reference to the operational standards of its institutional accrediting agency;

(V) A copy of the institution's student complaint policy, links to online student complaint procedures and forms, and summary of all complaints made by Texas residents or students enrolled at a Texas-based institution concerning the institution in accordance with §§1.110 - 1.120 of this title. The complaint summary shall include complaints which have been filed, with the institution, its accrediting agency, or the Board within the 12 months prior to the annual review reporting date and shall indicate whether pending or resolved;

(VI) Official statement of current accreditation status and any pending or final actions that change the institution's accreditation status from the institution's Board-recognized accreditor, including changes in degree levels or programs offered approvals, changes in ownership or management, changes in name, and changes in physical location within the 12 months prior to the annual review reporting date;

(VII) Information regarding heightened cash monitoring or other changes that affect students' federal financial aid eligibility through the US Department of Education;

(VIII) Attestation that all documentation submitted is true and correct and continued acknowledgement of student complaint procedure, annual review reporting requirements, substantive change notification, and student data reporting requirements contained herein this section, §§1.110 - 1.120 of this title, §§7.4, 7.11, 7.13, and 7.15 of this chapter, respectively.

(ii) Annual reviews are conducted based on an institution's name and initial date of authorization.

(I) Institutions with names starting with "A" through "O" must submit annual review documentation by January 15 of each year. The Board will review staff recommendations at the annual July Board meeting.

(II) Institutions with names starting with "P" through "Z" must submit annual review documentation by July 15 of each year. The Board will review staff recommendations at the annual January Board meeting.

(III) Institutions that have received their first Certificate of Authorization less than six months from the due date for submission of annual review documentation may wait to submit documentation until the following annual review submission date.

(iii) Prior to making a recommendation to the Board, staff has discretion to conduct a site visit at the institution if warranted by facts disclosed in the annual review documentation. The Board-recognized accreditor will be notified and invited to participate.

(D) Certificates of Authorization for institutions offering degrees or courses leading to degrees at a physical location in Texas, upon Board staff recommendation after annual review, expire at the end of the grant of accreditation by the Board-recognized accreditor.

(i) If a new grant of accreditation is awarded by the Board-recognized accreditor, the Certificate of Authorization may be renewed upon submission of documentation of the new grant of accreditation.

(ii) If an institution changes recognized accreditors, the institution must submit a new application for a Certificate of Authorization.

(E) Certificates of Authorizations based solely on providing clinicals or internships in Texas expire one year from date of issuance.

(i) If clinicals or internships are ongoing in Texas, the Certificate of Authorization based solely on providing clinicals or internships in Texas must be renewed on an annual basis. At least thirty (30) days, but no more than ninety (90) days, prior to the expiration of the current Certification of Authorization, an institution, if it desires renewal, is required to provide updated information regarding the physical location of all clinical or internship sites, number of students in clinicals or internships, and the start and end date of the clinicals or internships.

(ii) The Board shall renew the Certificate of Authorization based solely on providing clinicals or internships in Texas if it finds that the institution has maintained all requisite standards.

(F) Certificates of Authorization for Texas-based campuses which are provisionally-granted based on their main campus' accreditation expire at the end of fifteen (15) months.

(i) If accreditation has not been achieved by the expiration date, the provisionally-granted Certificate of Authorization will be withdrawn, the institution's authorization to offer degrees will be terminated, and the institution will be required to comply with the provisions of §7.8 of this chapter (relating to Institutions Not Accredited by a Board-Recognized Accreditor).

(ii) Subsequent provisionally-granted Certificates of Authorization will not be issued.

(iii) At least ninety (90) days prior to expiration of the certificate, institutions operating under a provisionally-granted Certificate of Authorization must submit either an application for a Certificate of Authorization under this section or an application for a Certificate of Authority under §7.8 of this chapter.

(G) Institutions under an existing Certificate of Authorization must immediately notify the Board if the institution or its main campus becomes subject to a sanction by its Board-recognized accreditor. The institution must provide documentation explaining its current status and actions taken to comply with the accrediting agency's standards or criteria, including a timeline for returning to compliance, in order to maintain accreditation.

(3) [(2)] Restrictions Placed on Institution under Sanctions by Its Accreditor.

(A) If an institution is under sanctions by its accreditor, limitations appropriate for the sanction shall be placed upon the institution's Certificate of Authorization. Limitations may include, but are not limited to:

- (i) Restrictions on adding degree programs to its authorization;
- (ii) An increase in the amount of financial reserves, lines of credit or surety instrument required to maintain a Certificate of Authorization; and
- (iii) Review every six months, including unannounced site visits.

(B) The Board will notify the institution via letter of all restrictions placed upon its Certificate of Authorization due to its accreditors' sanctions.

(C) The Board will place a notice of all sanctions placed upon an institution via the Board's website.

(D) Restrictions and public notification will be removed upon written documentation from the institution's accreditor that all sanctions have ended.

(4) [(3)] Grounds for Revocation of any Certificate of Authorization.

(A) Institution no longer holds a Certificate of Approval or Letter of Exemption issued by the Texas Workforce Commission.

(B) Institution loses accreditation from Board-recognized accreditor.

(C) Institution's Accreditor is removed from the U.S. Department of Education or the Board's list of approved accreditors.

(i) If the institution's Certificate of Authorization is revoked due to its accrediting agency's removal from the U.S. Department of Education and/or the Board's list of approved accreditors, the Board, or Board staff as delegated, shall set a provisional time period within which institutions may continue to operate, not to exceed any provisional time period set by the United States Department of Education.

(ii) If the institution's Certificate of Authorization is revoked due to its accrediting agency's removal from the U.S. Department of Education or the Board's list of approved accreditors, a request to extend its Certificate of Authorization for the provisional time period set under paragraph (3)(C)(i) of this section, must be submitted to the Commissioner within ten (10) days of publication, by either the U.S. Department of Education or the Board, of such revocation.

(D) Institution fails to comply with data reporting, substantive change notification requirements, or annual review reporting requirements.

(E) Board staff recommends revocation based on deficiencies in compliance with the principles addressed in §7.4 of this chapter as evidenced by lack of compliance with the Board-

recognized accreditor's standards, which are found in annual review documentation and not corrected by the institution upon request by Board staff.

(F) Institution offers degrees for which it does not have accreditor approval.

(5) [(4)] Process for Removal of Authorization.

(A) Commissioner notifies institution of grounds for revocation as outlined in paragraph (3) of this section unless paragraph (3)(C) of this section applies and the Board sets a provisional time period for compliance.

(B) Upon receipt of the notice of revocation, the institution shall not enroll new students and may only grant or award degrees or offer courses leading to degrees in Texas to students enrolled on the date of notice of revocation until it has either been granted a Certificate of Authority to grant degrees, or has received a determination that it did not lose its qualification for a Certificate of Authorization.

(C) Within ten (10) days of its receipt of the Commissioner's notice, the institution must provide, as directed by Board staff, one or more of the following:

(i) proof of its continued qualification for the exemption; or

(ii) submit data as required by §7.13 of this chapter; or

(iii) a plan to correct any non-compliance or deficiencies which lead to revocation; or

(iv) a plan to seek new Board-recognized accreditation; or

(v) written intention to apply for a Certificate of Authority within 60 days of the notice of revocation; or

(vi) a written teach-out plan, which must be approved by Board staff before implementation.

(D) After reviewing the evidence, the Commissioner will issue a notice of determination, which in the case of an adverse determination, shall contain information regarding the reasons for the denial, and the institution's right to a hearing.

(E) If a determination under this section is adverse to an institution, it shall become final and binding unless, within forty-five (45) days of its receipt of the adverse determination, the institution invokes the administrative remedies contained in Chapter 1, Subchapter B of this title (relating to Dispute Resolution).

(F) If a determination allows the institution to continue operating, a new Certificate of Authorization will be provisionally-granted. Provisions for continued operation under the new Certificate of Authorization may include, but are not limited to:

(i) requirements to provide updates to Board staff on a monthly basis;

(ii) continued progress toward full compliance with all Board rules and requirements;

(iii) continued progress toward new Board-recognized accreditation, if applicable, or toward approval for a Certificate of Authority; and

(iv) other requirements imposed by the Board.

(G) Certificates of Authorization which are provisionally-granted after a notice of revocation continue only as long as the institution complies with all such provisions.

(6) [(5)] Closure of an Institution.

(A) The governing board, owner, or chief executive officer of an institution that plans to cease operation shall provide the Board with written notification of intent to close at least ninety (90) days prior to the planned closing date.

(B) If an institution closes unexpectedly, the governing board, owner, or chief executive officer of the school shall provide the Board with written notification immediately.

(C) If an institution closes or intends to close before all currently enrolled students have completed all requirements for graduation, the institution shall assure the continuity of students' education by entering into a teach-out agreement with another institution authorized by the Board to hold a Certificate of Authority, with an institution operating under a Certificate of Authorization, or with a public or private institution of higher education as defined in Texas Education Code §61.003. The agreement shall be in writing, shall be subject to Board approval, shall contain provisions for student transfer, and shall specify the conditions for completion of degree requirements at the teach-out institution. The agreement shall also contain provisions for awarding degrees.

(D) The Certificate of Authorization for an institution is automatically withdrawn when the institution closes. The Commissioner may grant to an institution that has a degree-granting authority temporary approval to award a degree(s) in a program for which the institution does not have approval in order to facilitate a formal agreement as outlined under this section.

(E) The curriculum and delivery shall be appropriate to accommodate the remaining students.

(F) No new students shall be allowed to enter the transferred degree program unless the new entity seeks and receives permanent approval for the program(s) from the Board.

(G) The institution shall transfer all academic records pursuant to §7.15 of this chapter (relating to Academic Records Maintenance, Protection, and Repository of Last Resort).

(H) The Coordinating Board has delegated its authority to approve institution closure arrangements and agreements to the Assistant Commissioner with oversight of the closing institution.



### 7.8 Institutions Not Accredited by a Board-Recognized Accreditor

An institution which is not accredited by a Board-recognized accreditor and which does not meet the definition of institution of higher education contained in Texas Education Code, §61.003, must follow the Certificate of Authority process in paragraphs (1) - (9) of this section in order to offer degrees or courses leading to degrees in the state of Texas. Institutions are encouraged to contact the Board staff before filing a formal application.

(1) Certificate of Authority Eligibility.

(A) The Board will accept applications for a Certificate of Authority only from those applicants:

(i) proposing to offer a degree or credit courses leading to a degree; and

(ii) which meet one of the following conditions:

(I) has been legally operating, enrolling students, and conducting classes in Texas and has complied with state law as either a non-degree-granting institution or an exempt institution only offering degrees in religious disciplines for a minimum of two (2) years;

(II) has been legally operating, enrolling students, and conducting classes in Texas and has complied with state law as a degree-granting institution and seeks to open a new campus;

(III) has been legally operating as a degree-granting institution in another state for a minimum of four (4) years and can verify compliance with all applicable laws and rules in that state; or

(IV) does not meet one of the three previous operational history conditions, but meets additional application and review requirements for its initial application, and agrees to meet additional conditions, restrictions, or reporting requirements during its first two years of operation under a Certificate of Authority. The Certificate of Authority will be issued with written, specific conditions, restrictions, or reporting requirements placed upon the institution.

~~[(V) The Board may not issue a Certificate of Authority for a private postsecondary institution to grant a professional degree, as defined in §7.3 of this title (relating to Definitions) or to represent that credits earned in this state are applicable toward a degree if the institution is chartered in a foreign country or has its principal office or primary educational program in a foreign country.]~~

(B) To be considered by the Board as operating, means to have assembled a governing board, developed policies, materials, and resources sufficient to satisfy the requirements for a Certificate of Authority, and either have enrolled students and conducted classes or accumulated sufficient financing to do so for at least one year upon certification based on reasonable estimates of projected enrollment and costs. Sufficient financing may be demonstrated by proof of an adequate surety instrument meeting requirements as defined in §7.16 of this subchapter (relating to Financial Protections for Student Tuition and Fees), including but not limited to, a surety bond, an assignment of a savings or escrow account, certificate of deposit, irrevocable letter of credit, or a properly executed participation contract

with a private association, partnership, corporation, or other entity whose membership is comprised of postsecondary institutions.

(2) Certificate of Authority Restrictions for Professional Degrees.

(A) The Board may not issue a Certificate of Authority for a private postsecondary institution to grant a professional degree, as defined in §7.3 of this title (relating to Definitions), or to represent that credits earned in this state are applicable toward a degree unless the Board determines there is evidence of program need and institutional ability, including but not limited to the following:

(I) capacity and ability of similar professional degree programs at institutions of higher education and private or independent institutions of higher education are insufficient to meet the state's current market needs;

(II) the institution seeking the certificate of authority:

(a) has the necessary faculty and other resources to ensure student success; and

(b) is subject to and agrees to meet the same standards for approval and all academic criteria applicable to similar professional degree programs offered by institutions of higher education and private or independent institutions of higher education (as defined under Texas Education Code, §61.003).

(iii) sufficient placements are available to students for required field-based experience, such as clinicals or clerkships, for the proposed professional degree.

(B) The Board may not issue a Certificate of Authority for a private postsecondary institution to grant a professional degree or to represent that credits earned in this state are applicable toward a degree if the institution is chartered in a foreign country or has its principal office or primary educational program in a foreign country.

(3) [(2)] Certificate of Authority Application Submission and Requirements.

(A) An applicant must submit an application to the Board to be considered for a Certificate of Authority to offer identified proposed degree(s), and courses which may be applicable toward a degree, in Texas.

(i) Applications must be submitted as an original and a copy in an electronic format as specified by Board staff, and accompanied by the application fee described in paragraph (3) of this section.

(ii) A single desk review of the application will be conducted to determine completeness and readiness for a site team visit.

(iii) The desk review may be done, in consultation with Board staff, ~~[will be done]~~ by a reviewer who will act as the site review team leader if the application is deemed complete and ready for a site team visit.

(iv) The desk reviewer, in consultation with Board staff, may ~~[will]~~ make three possible recommendations. Board staff will make a final determination on acceptability of the application based on one of the three recommendations:

(I) The application is determined to be foundationally incomplete in one or more Standards for Operation of Institutions as described in §7.4 of this chapter and not ready for submission. A foundationally incomplete application is one where the Standards for Operation of Institutions have not been met to such a degree that the institution is unlikely to be sustainable or operational.

(II) The application may be resubmitted after incorporating revisions or additions suggested by the reviewer. The revisions or additions must allow the application to meet all Standards for Operation of Institutions.

(III) The application is acceptable and ready for a site review visit.

(v) If the application is foundationally incomplete and not ready for submission, a portion of the application fee, if not expended during the desk review, may be returned and another application may not be submitted for one year from the date of rejection of the foundationally incomplete application.

(B) The application form for the Certificate of Authority may be found on the Board's website.

(C) The Certificate of Authority application must include:

(i) The name and address of the institution;

(ii) The purpose and mission of the institution;

(iii) Documentary evidence of compliance with paragraph (1)(A)(i)-(ii) of this section;

(iv) Documentary evidence of either a Letter of Exemption or Certificate of Approval from the Texas Workforce Commission pursuant to Texas Education Code, Chapter 132;

(v) Documentary evidence of articles of incorporation or other Texas-authorized organizational documents, regulations, rules, constitutions, bylaws, or other regulations established for the governance and operation of the institution;

(vi) Identification, by name and contact information, of:

(I) The sponsors or owners of the institution;

(II) The designated Single Point of Contact as defined in §7.3 of this chapter (relating to Definitions);

(III) The chief administrative officer, the principal administrators, and each member of the board of trustees or other governing board;

(IV) Identification of faculty who will, in fact, teach in each program of study, including identification of colleges attended and copies of transcripts for every degree held by each faculty member;

(vii) Information regarding each degree or course leading to a degree which the applicant proposes to offer, including a full description of the proposed degree or degrees to be awarded and the course or courses of study prerequisite thereto;

(viii) A description of the facilities and equipment utilized by the applicant, including, if applicable, all equipment, software, platforms and other resources used in the provision of education via online or other distance education;

(ix) Detailed information describing the manner in which the applicant complies with each of the Standards of Operations of Institutions contained in §7.4 of this chapter (relating to Standards for Operations of Institutions);

(x) If applicable, institutions accredited by entities which are not recognized by the Board must submit all accrediting agency reports and any findings and institutional responses to such reports and findings for ten years immediately preceding the application for a Certificate of Authority. Accreditation by entities which are not recognized by the Board does not allow an institution to offer a degree or courses leading to a degree without a Certificate of Authority to offer such degree or courses;

(xi) A written accreditation plan, identifying:

(I) The Board-recognized accrediting agency with which the applicant intends to apply for institutional accreditation;

(II) The planned timeline for application with and approval by the Board-recognized accrediting agency;

(III) Any contacts already made with the Board-recognized accrediting agency, including supporting documents.

(xii) Any additional information which the board may request.

(D) An applicant that does not meet the previous operational history conditions described by paragraph (1)(A)(ii)(I)-(III) of this section must be able to demonstrate it is able to meet all Standards for Operation of Institutions found in §7.4 of this chapter through documentation and/or possession of adequate resources. Such demonstration includes, but is not limited to:

(i) Executed agreements with all administration and faculty identified in the application;

(ii) Complete curriculum, assessment, and learning tools for each proposed degree;

(iii) Possession of all listed facilities and resources.

(E) An applicant that does not meet the previous operational history conditions described by paragraph (1)(A)(ii)(I)-(III) of this section may not apply for a graduate degree or for more than one area of study as part of its initial application for a Certificate of Authority.

(4) ~~[(3)]~~ Fees Related to Certificates of Authority.

(A) Each biennium the Board shall set the fees for applications for Certificates of Authority, which shall not exceed the average cost, in the preceding two fiscal years, of staff time, review

and consultation with applicants, and evaluation of the applications by necessary consultants, including the cost of such consultants.

(B) Each biennium, the Board shall also set the fees for amendments to add additional degree programs to Certificates of Authority.

(C) The Commissioner shall request changes in the fees at a Board quarterly meeting.

(5) [(4)] Authorization Process.

(A) Based upon the information contained in the application, the Commissioner or his/her designee shall determine whether a site review team is necessary. A site review team is always required for applications for an initial Certificate of Authority.

(B) A site review team shall be composed of no fewer than three (3) members, all of whom have experience and knowledge in postsecondary education. The combined team experience and knowledge shall be sufficient to review all applicable standards of the agency.

(C) An institution must demonstrate it is prepared to be fully operational as of the date of the on-site evaluation; i.e., it must have in-hand or under contract all the human, physical, administrative, and financial resources necessary to demonstrate its capability to meet the standards for nonexempt institutions.

(D) The conditions found at the institution as of the date of the on-site evaluation review team's visit will provide the basis for the team's evaluation and report, the Certification Advisory Council's recommendation, the Commissioner's recommendation, and the Board's determination of the institution's qualifications for a Certificate of Authority.

(E) The site review team shall conduct an on-site review of the institution and prepare a report regarding the institution's ability to meet the Standards of Operation.

(F) The applicant shall have thirty (30) days in which to respond in writing to the report.

(G) The Certification Advisory Council shall review the site review team's report and the applicant's response and make a recommendation regarding disposition to the Board and Commissioner.

(i) If the applicant has no previous operational history as described by paragraph (1)(A)(ii)(I)-(III) of this section, the Council shall make recommendations for additional conditions, restrictions, or reporting requirements during the first two years of operation under a Certificate of Authority.

(ii) If the applicant has previous operational history as described by paragraph (1)(A)(ii)(I)-(III) of this section, the Council may make recommendations for additional conditions, restrictions, or reporting requirements during the first two years of operation under a Certificate of Authority.

(H) The Commissioner shall make his/her recommendation regarding the application to the Board. The Commissioner's recommendation shall be made independent of the Certification Advisory Council's recommendation. The Commissioner may make recommendations for

additional conditions, restrictions, or reporting requirements for the time the institution is operating under a Certificate of Authority.

(I) After review of the Commissioner's and Council's recommendations, if the Board approves the application, the Commissioner shall immediately have prepared a Certificate of Authority containing the issue date, a list of the approved degree(s) or courses leading to degrees, and the period for which the Certificate is valid. If applicable, the Certificate of Authority will be issued with any written, specific conditions, restrictions, or reporting requirements placed upon the institution and approved by the Board.

(J) After review of the Commissioner's and Council's recommendations, if the Board does not approve the application, the Commissioner shall immediately notify the applicant of the denial and the reasons for the denial.

(K) Upon denial, an applicant that has met the previous operational history conditions described by paragraph (1)(A)(ii)(I)-(III) of this section may not reapply for a period of one hundred eighty (180) days from date of denial.

(L) Upon denial, an applicant that has not met the previous operational history conditions described by paragraph (1)(A)(ii)(I)-(III) of this section may not reapply for a period of one year from date of denial.

(6) ~~[(5)]~~ Terms and Limitations of a Certificate of Authority.

(A) The Certificate of Authority to grant degrees is valid for a period of two (2) years from the date of issuance.

(B) Certification by the state of Texas is not accreditation, but merely a protection of the public interest while the institution pursues accreditation from a recognized agency, within the time limitations expressed in subparagraph (A) of this paragraph. Therefore, the institution awarded a Certificate of Authority shall not use terms to interpret the significance of the certificate which specify, imply, or connote greater approval than simple permission to operate and grant certain specified degrees in Texas. Terms which may not be used include, but are not limited to, "accredited," "supervised," "endorsed," and "recommended" by the state of Texas or agency thereof. Specific language prescribed by the Commissioner which explains the significance of the Certificate of Authority shall be included in all publications, advertisements, and other documents where certification and the accreditation status of the institution are mentioned.

(C) Institutions holding a Certificate of Authority will be required to:

- (i) furnish a list of their agents to the Board;
- (ii) maintain records of students enrolled, credits awarded, and degrees awarded, in a manner specified by the Board; and
- (iii) report any substantive change, including changes in administrative personnel, faculty, or facilities.

(D) Institutions that, upon application, did not meet one of the three previous operational history conditions described by paragraph (1)(A)(ii)(I)-(III) of this section, in addition to the requirements of subparagraph (C) of this paragraph, are required to provide, at the end of the first year of the initial Certificate of Authority:

(i) Documentary evidence of continued exemption or approval from the Texas Workforce Commission pursuant to Texas Education Code, Chapter 132;

(ii) Current audited financial statements, including a balance sheet, income statement, statement of changes in net worth, and statement of cash flow, updated since issuance of the initial Certificate of Authority;

(iii) Documentation of continued validity of any required financial surety instrument;

(iv) Current enrollment, retention, and graduation numbers for students in all approved degree programs; and

(v) An updated accreditation plan, including any progress made toward obtaining Board-recognized accreditation identified in the initial application or a change in plans to apply for accreditation with another Board-recognized accreditation agency.

(E) Authority to Represent Transferability of Course Credit. Any institution as defined in §7.3 of this chapter, whether it offers degrees or not, may solicit students for and enroll them in courses on the basis that such courses will be credited to a degree program offered by another institution, provided that:

(i) the other institution is named in such representation, and is accredited by a Board-recognized accrediting agency or has a Certificate of Authority;

(ii) the courses are identified and documented for which credit is claimed to be applicable to the degree programs at the other institution; and

(iii) the written agreement between the institution subject to these rules and the accredited institution is approved by both institutions' governing boards in writing, and is filed with the Board.

(7) [~~(6)~~] Amendments to a Certificate of Authority.

(A) An institution seeking to amend its Certificate of Authority to award a new or different degree during the period of time covered by its current Certificate of Authority may file an application for amendment, on forms provided by the Board upon request, subject to the following exceptions:

(i) An institution with no previous operational history described by paragraph (1)(A)(ii)(I)-(III) of this section which has been granted a Certificate of Authority may not apply for an amendment during the period of time covered by its initial Certificate of Authority.

(ii) An institution with operational history described by paragraph (1)(A)(ii)(I)-(III) of this section which has been granted a Certificate of Authority may not apply for an amendment

within the first one hundred eighty (180) days after the grant of its initial Certificate of Authority.

(iii) An institution with operational history described by paragraph (1)(A)(ii)(I)-(III) of this section which has been granted a Certificate of Authority with restrictions may not apply for an amendment during the period of time covered by the restricted Certificate of Authority.

(iv) An institution seeking to discontinue a degree program, without closure of the institution, shall assure the continuity of students' education by entering into a teach-out agreement with:

(I) another institution authorized by the Board to hold a Certificate of Authority; or

(II) an institution operating under a Certificate of Authorization; or

(III) a public or private institution of higher education as defined in Texas Education Code §61.003.

(v) The teach-out agreement shall be in writing, shall be subject to Board staff approval, shall contain provisions for student transfer, and shall specify the conditions for completion of degree requirements at the teach-out institution. The agreement shall also contain provisions for awarding degrees.

(B) Applications for amendments shall be accompanied by the fee described in paragraph (3) of this subsection for each amendment to an existing degree or for each application to award a new or different degree.

(C) Based upon the information contained in the application for amendment, the Commissioner or his/her designee may utilize an outside consultant, the Certification Advisory Council, or both, to review the application for amendment in order to make a recommendation to the Board.

(D) Upon Board approval that the new or revised degree program meets the required standards, the Board shall amend the institution's Certificate of Authority accordingly.

(E) A change of degree level or additional program would require an amended Certificate of Authority prior to beginning the program.

(8) ~~[(7)]~~ Renewal of Certificate of Authority.

(A) At least one hundred eighty (180) days, but no more than two hundred ten (210) days, prior to the expiration of the current Certificate of Authority, an institution seeking renewal shall make application to the Board on forms provided upon request. The renewal application must include any applications for or renewal of accreditation by institutional ~~[national or regional]~~ accrediting agencies. The renewal application shall be accompanied by the fee described in paragraph (3) of this subsection.

(B) The application for renewal of the Certificate of Authority will be evaluated in the same manner as that prescribed for evaluation of an initial application, except that the renewal application must include the institution's record of improvement and progress toward



accreditation. Evaluation of the renewal application will include review of compliance with any specific conditions, restrictions, or reporting requirements placed upon the institution during the period of the previous Certificate of Authority and whether continuation or addition of conditions, restrictions or reporting requirements is warranted.

(C) An institution may be granted consecutive Certificates of Authority for a total grant of no longer than eight (8) years. Absent sufficient cause, at the end of the eight (8) years, the institution must be accredited by a recognized accrediting agency.

(D) Subject to the application and authorization restrictions of this section, the Board shall renew the certificate if it finds that the institution has maintained all requisite standards and is making sufficient progress toward accreditation by a Board-recognized accrediting agency.

(9) ~~[(8)]~~ Revocation of Certificate of Authority.

(A) Grounds for revocation include:

(i) Institution no longer holds a Certificate of Approval or Letter of Exemption issued by the Texas Workforce Commission; or

(ii) Institution fails to comply with substantive change notification and data reporting requirements as outlined in §7.11 of this chapter (relating to Changes of Ownership and Other Substantive Changes) and §7.13 of this chapter (relating to Student Data Reporting), respectively; or

(iii) Institution offers degrees or courses leading to a degree for which it does not have Board approval; or

(iv) Institution fails to maintain the Standards of Operation as defined in §7.4 of this chapter; or

(v) Failure to comply with the requirement to submit all accrediting agency correspondence, reports, or findings and institutional responses to such correspondence, reports, and findings if an institution is accredited by entities which are not recognized by the Board; or

(vi) Failure to fully comply with any additional conditions, restrictions, or reporting requirements placed upon the institution as part of its current Certificate of Authority.

(B) Process for revocation of Certificate of Authority to offer degrees in Texas:

(i) Board notifies institution of grounds for revocation as outlined in this paragraph via registered or certified mail;

(ii) Within ten (10) days of its receipt of the Commissioner's notice, the institution must either cease and desist operations or respond and offer proof of its continued qualification for the authorization, and/or submit data as required by this chapter;

(iii) After reviewing the evidence, the Commissioner will issue a notice of determination, which in the case of an adverse determination, shall contain information regarding the reasons for the denial, and the institution's right to a hearing;

(iv) If a determination under this section is adverse to an institution, it shall become final and binding unless, within forty-five (45) days of its receipt of the adverse determination, the institution invokes the administrative remedies contained in Chapter 1, Subchapter B of this title (relating to Dispute Resolution).

(C) Without a valid Certificate of Authority, the institution must immediately cease and desist all operations, including granting degrees, offering courses leading to degrees, receiving payments from students for courses which may be applicable toward a degree, or enrolling new students.

(i) If an institution must cease and desist operations, within forty-five (45) days of the adverse determination becoming final and binding, the institution must assure the continuity of students' education by entering into a teach-out agreement with another institution authorized by the Board to hold a Certificate of Authority, with an institution operating under a Certificate of Authorization, or with a public or private institution of higher education as defined in Texas Education Code §61.003.

(ii) The teach-out agreement shall be in writing, shall be subject to Board staff approval prior to implementation, shall contain provisions for student transfer, and shall specify the conditions for completion of degree requirements at the teach-out institution. The agreement shall also contain provisions for awarding degrees.

(D) Reapplication After Revocation of Certificate of Authority.

(i) The institution will not be eligible to reapply for a period of one hundred eighty (180) days.

(ii) The subsequent application must show, in addition to all other requirements described herein, correction of the deficiencies which led to the denial.

(iii) The period of time during which the institution does not hold a Certificate of Authority shall not be counted against the eight (8) year period within which the institution must achieve accreditation from a Board-recognized accrediting agency absent sufficient cause, as described in paragraph (7)(C) of this section; the time period begins to run again upon reinstatement.

(10) ~~(9)~~ Closure of an Institution.

(A) The governing board, owner, or chief executive officer of an institution that plans to cease operation in the state of Texas shall provide the Board with written notification of intent to close at least ninety (90) days prior to the planned closing date.

(B) If an institution closes unexpectedly, the governing board, owner, or chief executive officer of the school shall provide the Board with written notification immediately.

(C) If an institution closes or intends to close before all currently enrolled students have completed all requirements for graduation, the institution shall assure the continuity of students' education by entering into a teach-out agreement with another institution authorized by the Board to hold a Certificate of Authority, with an institution operating under a Certificate of Authorization, or with a public or private institution of higher education as defined in Texas

Education Code §61.003. The agreement shall be in writing, shall be subject to Board approval prior to implementation, shall contain provisions for student transfer, and shall specify the conditions for completion of degree requirements at the teach-out institution. The agreement shall also contain provisions for awarding degrees.

(D) The Certificate of Authority for an institution is automatically withdrawn as of the date the institution closes. The Commissioner may grant to an institution that has existing degree-granting authority temporary approval to award a degree(s) in a program for which the institution does not have approval in order to facilitate a formal agreement as outlined under this section.

(i) The curriculum and delivery shall be appropriate to accommodate the remaining students.

(ii) No new students shall be admitted to the transferred degree program unless the new entity seeks and receives permanent approval for the program(s) from the Board, or Board staff, as delegated, or the transferred degree program already has such approval.

(E) The institution shall transfer all academic records pursuant to §7.15 of this chapter (relating to Academic Records Maintenance, Protection, and Repository of Last Resort).

(F) The Coordinating Board has delegated its authority to approve institution closure arrangements and agreements to the Assistant Commissioner with oversight of the closing institution.

7.9 – 7.16 No Changes.

## AGENDA ITEM IX-J (6)

Consideration of adopting the proposed amendments to Texas Administrative Code, Title 19, Part 1, Chapter 9, Subchapter N, Section 9.673 of Board rules, incorporating changes to Texas Education Code, Title 3, Subtitle G, Chapter 130, Section 130.306(a) and Section 130.307(b) and (b-1), enacted by the 87th Texas Legislature, Regular Session

RECOMMENDATION: Approval

### Background Information:

The proposed amendments are based on legislative changes made to the Texas Education Code by House Bills 3348 and 885, 87th Texas Legislature, Regular Session, concerning provisions for baccalaureate degree programs offered at public junior colleges. This amendment will allow public junior colleges to apply for Coordinating Board approval to offer a baccalaureate degree program in nursing if the college district has a taxable property valuation of at least \$4 billion in the previous year and there are no four-year institutions of higher education located within the same county. It also increases the number of baccalaureate programs public junior colleges may offer from three to five for colleges that were previously limited to offering three baccalaureate programs.

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

Date approved by the commissioner for publication in the *Texas Register*: July 16, 2021

Date published in the *Texas Register*: August 20, 2021

The 30-day comment period with the Texas Register ended on: September 18, 2021

At this time no comments have been received.

## Chapter 9 – Rules Applying to Program Development in Public Two-Year Colleges

## Subchapter N – Baccalaureate Degree Programs

- 9.670 Purpose
- 9.671 Authority
- 9.672 Definitions
- 9.673 General Provisions
- 9.674 Program Requirements
- 9.675 Required Articulation Agreements
- 9.676 Special Requirements for Nursing Degree Programs
- 9.677 Funding
- 9.678 Reporting

9.670 – 9.672 No Changes.

9.673 General Provisions

(a) All baccalaureate degree programs offered at public junior colleges must comply with the provisions of this subchapter.

(b) A public junior college offering a baccalaureate degree program under this subchapter must meet all applicable accreditation requirements of the Southern Association of Colleges and Schools Commission on Colleges of a Level II institution.

(c) A public junior college district offering a baccalaureate degree program may not offer more than five [~~three~~] baccalaureate degree programs at any time unless the institution previously participated in a pilot project to offer baccalaureate degree as defined in §9.672(10) of this subchapter notwithstanding if accredited as a single institution or as separate institutions within a district.

(d) Except as provided by Subsection (e), a public junior college may be approved to offer a baccalaureate degree program under this subchapter only if its junior college district:

(1) has a taxable property valuation of not less than \$6 billion based on the preceding year's calculations as determined by the county's appraisal district. This valuation shall include the valuation of the taxing district as well as any branch campus maintenance tax valuations; and

(2) has received a positive assessment of the overall financial health, as defined in §9.672 of this subchapter, on the most recent Community College Financial Condition Report. If changes to financial reporting, mandated by external financial governing bodies as defined in §9.672 of this subchapter directing financial reporting processes, or other extraordinary factors have a short-term impact to the assessment of the financial health of the institution, the Coordinating Board may, at the Commissioner's discretion:

(A) Use the most recent report not impacted by the mandated changes; or

(B) Calculate the financial health correcting for the mandated changes or extraordinary factors.

(e) The requirement of Subsection (d-1) does not apply to baccalaureate degree programs in nursing if the public junior college district:

(A) has a taxable property valuation of not less than \$4 billion on the preceding year's calculations as determined by the county's appraisal district; and

(B) does not have a four-year institution of higher education located in the same county as the public junior college district.

(f) Offering a baccalaureate degree program under this subchapter does not otherwise alter the role and mission of a public junior college.

(g) Degree programs offered under this subchapter are subject to the continuing approval of the coordinating board.

9.674 – 9.678 No Changes.

## AGENDA ITEM X-A

### Committee chair's overview

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

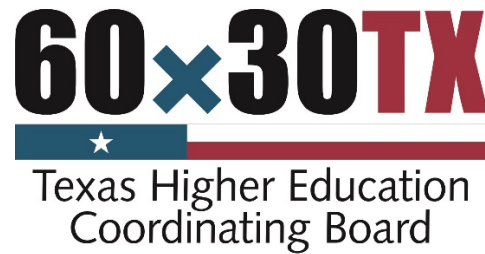
RECOMMENDATION: No action required

#### Background Information:

Title 19 Texas Administrative Code, Title 19, Rule 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.

Linda Natal, Director of Contracts and Procurements, is available to answer questions.





# **Texas Higher Education Coordinating Board**

**Contracts Executed by the Agency in Accordance with Board Rule 1.16**

**June 7, 2021 – September 8, 2021**

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Affairs & Workforce Education	25322	Catherine Howard	Content Advisor No-Cost Extension	9/7/2021	0.00
Academic Affairs & Workforce Education	25325	Janice Ann Fischer	Content Advisor No-Cost Extension	9/7/2021	0.00
Academic Affairs & Workforce Education	25339	Karen Hauer	Virtual Site Visit	9/7/2021	1,000.00
Academic Planning & Policy	25092	Compass Group USA dba/AT&T Executive and Conference Center	Annual Leadership Conference	7/29/2021	38,870.00
Academic Quality and Workforce	24736	Jangsup Choi	Amendment Open Education Resource Grant Program	7/19/2021	0.00
Academic Quality and Workforce	25198	Ming Lou	Amendment Open Education Resources Grant Program	8/25/2021	2,500.00
Academic Quality and Workforce	25199	Binod Nainabasti	Amendment Open Education Resources Grant Program	8/25/2021	2,500.00
Academic Quality and Workforce	24758	University of Houston -Clear Lake	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24759	Lone Star College System	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24760	Odessa College	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24761	Austin Community College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24762	South Texas College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24763	The University of Texas at Tyler	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24764	College of the Mainland	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24765	Dallas College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24766	Midwestern State University	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24767	Houston Community College System	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24768	San Jacinto College District	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24769	The University of Texas at Arlington	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24772	Texas A&M University-Kingsville	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24774	Texas State Technical College System	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24775	Galveston College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24776	Hill College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24777	The University of Texas at El Paso	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24778	Alamo Community College District	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24779	Lamar State College-Orange	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24780	Lamar State College-Port Arthur	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24781	Prairie View A&M University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24782	Grayson College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24783	Collin County Community College District	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24784	Texas A&M University-Texarkana	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24785	Tarrant County College District	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24786	Panola College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24787	Trinity Valley Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24788	Kilgore College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24789	Texas Southmost College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24790	University of Texas Rio Grande Valley	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24793	McLennan Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24794	Ranger College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24795	University of Houston-Downtown	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24796	Lamar University	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24797	El Paso Community College	Amendment Texas Reskilling Support Fund Grant	7/19/2021	0.00
Academic Quality and Workforce	24798	Texas Tech University	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24800	Tarleton State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24801	Temple College	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24802	Stephen F. Austin State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24803	Texas A&M International University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24807	Cisco College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24808	Collin County Community College District	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24809	Lamar State College-Orange	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24810	Lamar University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24811	Lone Star College System	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24812	McLennan Community College	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24813	Odessa College	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24814	Sam Houston State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24815	San Jacinto College District	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24816	South Texas College	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24817	Texas A&M University-Corpus Christi	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24818	Texas A&M University-Kingsville	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24819	Texas Southern University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24820	Texas State Technical College System	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24821	Trinity Valley Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	24822	University of Houston-Downtown	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24823	University of North Texas at Dallas	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24827	The University of Texas at Arlington	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24828	The University of Texas at Permian Basin	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24829	Vernon College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24830	Victoria College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24832	Wharton County Junior College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24833	Texas State University	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24834	El Paso Community College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24835	The University of Texas at San Antonio	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24507	Texas A&M University	Autism Grant Program No-Cost Extension	6/8/2021	0.00
Academic Quality and Workforce	24717	Gerald K LeTendre	Desk Review	6/23/2021	500.00
Academic Quality and Workforce	24898	James Graham	Desk Review	7/13/2021	500.00
Academic Quality and Workforce	25162	Lindsey E Eberman	Desk Review	7/29/2021	500.00
Academic Quality and Workforce	24636	Texas Correctional Industries	Employee Name Plate	6/11/2021	3.28
Academic Quality and Workforce	24533	South Texas College	GEER Funds Open Educational Resources Grant Program	9/2/2021	76,145.25
Academic Quality and Workforce	24571	West Texas A&M University	GEER Funds Open Educational Resources Grant Program	8/11/2021	69,248.00
Academic Quality and Workforce	24540	Tarrant County College District	GEER Funds Open Educational Resources Grant Program	8/11/2021	51,800.00
Academic Quality and Workforce	24572	El Paso County Community College District	GEER Funds Open Educational Resources Grant Program	8/11/2021	50,000.00
Academic Quality and Workforce	24537	Texas Woman's University	GEER Funds Open Educational Resources Grant Program	8/4/2021	31,434.00
Academic Quality and Workforce	24575	The University of Texas at San Antonio	GEER Funds Open Educational Resources Grant Program	9/2/2021	30,000.00
Academic Quality and Workforce	24625	Collin County Community College District	GEER Funds Open Educational Resources Grant Program	8/4/2021	24,500.00
Academic Quality and Workforce	24568	Austin Community College	GEER Funds Open Educational Resources Grant Program	8/4/2021	24,300.00
Academic Quality and Workforce	24569	Texas State University	GEER Funds Open Educational Resources Grant Program	7/19/2021	15,000.00
Academic Quality and Workforce	24623	Hill College	GEER Funds Open Educational Resources Grant Program	7/19/2021	10,000.00
Academic Quality and Workforce	24612	San Jacinto College District	GEER Funds Open Educational Resources Grant Program	8/26/2021	9,927.00
Academic Quality and Workforce	24608	Texas A&M International University	GEER Funds Open Educational Resources Grant Program	8/26/2021	5,000.00
Academic Quality and Workforce	24613	The University of Texas at Tyler	GEER Funds Open Educational Resources Grant Program	8/16/2021	5,000.00
Academic Quality and Workforce	24616	University of Houston-Downtown	GEER Funds Open Educational Resources Grant Program	8/17/2021	5,000.00
Academic Quality and Workforce	24618	Texas A&M University-Commerce	GEER Funds Open Educational Resources Grant Program	7/19/2021	5,000.00
Academic Quality and Workforce	24621	San Antonio College	GEER Funds Open Educational Resources Grant Program	7/19/2021	5,000.00
Academic Quality and Workforce	24622	Stephen F. Austin State University	GEER Funds Open Educational Resources Grant Program	8/19/2021	5,000.00
Academic Quality and Workforce	24614	Texas A&M University-Kingsville	GEER Funds Open Educational Resources Grant Program	8/9/2021	4,917.80
Academic Quality and Workforce	24604	North Central Texas Community College District	GEER Funds Open Educational Resources Grant Program	7/19/2021	3,540.00
Academic Quality and Workforce	24691	Shi Government Solutions Inc	HP Monitor	6/11/2021	321.00
Academic Quality and Workforce	25163	Lyncverse Technologies	HP Monitors	8/3/2021	530.00
Academic Quality and Workforce	24716	Competency-Based Education Network Inc	Membership Renewal Competency Based Education Network	6/16/2021	500.00
Academic Quality and Workforce	24510	The University of Texas Medical Branch at Galveston	Minority Health Grant Program No-Cost Extension	6/14/2021	0.00
Academic Quality and Workforce	24511	University of Houston	Minority Health Grant Program No-Cost Extension	6/7/2021	0.00
Academic Quality and Workforce	24512	University of the Incarnate Word	Minority Health Grant Program No-Cost Extension	6/7/2021	0.00
Academic Quality and Workforce	24735	Doctor's Hospital at Renaissance	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-150,000.00
Academic Quality and Workforce	24739	Houston Methodist Hospital	Negative Amendment Graduate Medical Education Expansion Grant	7/29/2021	-75,000.00
Academic Quality and Workforce	24740	Texas Tech University Health Sciences Center	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-75,000.00
Academic Quality and Workforce	24752	The University of Texas at Austin	Negative Amendment Graduate Medical Education Expansion Grant	8/9/2021	-75,000.00
Academic Quality and Workforce	24806	HCA Gulf Coast Division Inc	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-75,000.00
Academic Quality and Workforce	24753	The University of Texas Health Science Center at Tyler	Negative Amendment Graduate Medical Education Expansion Grant	7/26/2021	-225,000.00
Academic Quality and Workforce	24754	University of Texas Rio Grande Valley	Negative Amendment Graduate Medical Education Expansion Grant	8/2/2021	-225,000.00
Academic Quality and Workforce	24770	HCA Gulf Coast Division Inc	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-225,000.00
Academic Quality and Workforce	25150	Texas Tech University HSC at El Paso Paul L Foster School of Medicine (774)	Negative Amendment Graduate Medical Education Expansion Grant	8/3/2021	-75,000.00
Academic Quality and Workforce	24496	The University of Texas Health Science Center at Tyler (Service)	Negative Amendment Northeast Texas Initiative	6/29/2021	-125,000.00
Academic Quality and Workforce	25266	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/26/2021	115,000.00
Academic Quality and Workforce	25237	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/26/2021	89,000.00
Academic Quality and Workforce	25190	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/16/2021	5,000.00
Academic Quality and Workforce	24455	Texas Education Agency	Pathways in Technology Early College High School No-Cost Extension	8/5/2021	0.01
Academic Quality and Workforce	25026	Texas State Technical College System	Perkins Basic Grant	9/1/2021	2,336,321.00
Academic Quality and Workforce	24964	Alamo Community College District	Perkins Basic Grant	9/1/2021	2,066,281.00
Academic Quality and Workforce	24983	Dallas College	Perkins Basic Grant	9/1/2021	1,343,288.00
Academic Quality and Workforce	25029	Tyler Junior College	Perkins Basic Grant	9/7/2021	1,101,916.00
Academic Quality and Workforce	24972	Austin Community College	Perkins Basic Grant	9/1/2021	1,013,398.00
Academic Quality and Workforce	24981	Collin County Community College District	Perkins Basic Grant	9/1/2021	927,546.00
Academic Quality and Workforce	24969	Amarillo College	Perkins Basic Grant	9/1/2021	774,087.00
Academic Quality and Workforce	24987	El Paso Community College	Perkins Basic Grant	9/8/2021	765,905.00

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	24976	Central Texas College	Perkins Basic Grant	9/2/2021	656,295.00
Academic Quality and Workforce	25015	South Plains College	Perkins Basic Grant	9/2/2021	640,355.00
Academic Quality and Workforce	24985	Del Mar College	Perkins Basic Grant	9/8/2021	620,142.00
Academic Quality and Workforce	24992	Grayson College	Perkins Basic Grant	9/2/2021	524,866.00
Academic Quality and Workforce	24973	Blinn College	Perkins Basic Grant	9/8/2021	482,986.00
Academic Quality and Workforce	24979	Coastal Bend College	Perkins Basic Grant	9/8/2021	380,467.00
Academic Quality and Workforce	24996	Kilgore College	Perkins Basic Grant	9/8/2021	350,072.00
Academic Quality and Workforce	25008	North Central Texas Community College District	Perkins Basic Grant	9/7/2021	338,708.00
Academic Quality and Workforce	24999	Lamar State College-Port Arthur	Perkins Basic Grant	9/2/2021	316,708.00
Academic Quality and Workforce	25028	Trinity Valley Community College	Perkins Basic Grant	9/7/2021	311,677.00
Academic Quality and Workforce	24971	Angelina College	Perkins Basic Grant	9/1/2021	306,980.00
Academic Quality and Workforce	25011	Panola College	Perkins Basic Grant	9/2/2021	276,221.00
Academic Quality and Workforce	25038	Wharton County Junior College	Perkins Basic Grant	9/7/2021	208,098.00
Academic Quality and Workforce	24980	College of the Mainland	Perkins Basic Grant	9/1/2021	203,825.00
Academic Quality and Workforce	25034	Victoria College	Perkins Basic Grant	9/7/2021	196,128.00
Academic Quality and Workforce	25036	Weatherford College	Perkins Basic Grant	9/7/2021	182,491.00
Academic Quality and Workforce	24977	Cisco College	Perkins Basic Grant	9/1/2021	171,794.00
Academic Quality and Workforce	25021	Temple College	Perkins Basic Grant	9/7/2021	157,914.00
Academic Quality and Workforce	24991	Galveston College	Perkins Basic Grant	9/2/2021	155,248.00
Academic Quality and Workforce	24966	Alvin Community College	Perkins Basic Grant	9/8/2021	133,308.00
Academic Quality and Workforce	24975	Brazosport College	Perkins Basic Grant	9/1/2021	124,338.00
Academic Quality and Workforce	25013	Ranger College	Perkins Basic Grant	9/2/2021	102,246.00
Academic Quality and Workforce	24978	Clarendon College	Perkins Basic Grant	9/1/2021	89,427.00
Academic Quality and Workforce	25303	Creative Commons Corporation	Registration Fees Creative Commons Conference	8/23/2021	90.00
Academic Quality and Workforce	25143	TxDLA Inc	Registration Fees TXDLA Digital Accessibility Certification	7/29/2021	600.00
Academic Quality and Workforce	25424	Workquest Temps	Temporary Personnel Grants Coordinator IV	9/8/2021	31,524.00
Academic Quality and Workforce	24824	Workquest Temps	Temporary Personnel Grants Coordinator IV	8/30/2021	26,480.16
Academic Quality and Workforce	24732	Christina Robinson	Virtual Site Visit	7/21/2021	1,500.00
Academic Quality and Workforce	24486	Laura Crothers	Virtual Site Visit	6/24/2021	1,000.00
Academic Quality and Workforce	24660	Lee Schmidt	Virtual Site Visit	6/14/2021	1,000.00
Academic Quality and Workforce	24683	Barbara Turner	Virtual Site Visit	6/15/2021	1,000.00
Academic Quality and Workforce	24684	Laura Fennimore	Virtual Site Visit	6/14/2021	1,000.00
Academic Quality and Workforce	24799	Gerald K LeTendre	Virtual Site Visit	7/13/2021	1,000.00
Academic Quality and Workforce	24804	Richard Halverson	Virtual Site Visit	7/12/2021	1,000.00
Academic Quality and Workforce	24805	William C Frick	Virtual Site Visit	7/8/2021	1,000.00
Academic Quality and Workforce	24893	Carin Hutchins	Virtual Site Visit	7/21/2021	1,000.00
Academic Quality and Workforce	25095	James Garry Smith	Virtual Site Visit	7/26/2021	1,000.00
Academic Quality and Workforce	25107	AVI-SPL LLC	Zoom Licenses and Webinar	7/27/2021	3,624.60
College Readiness and Success	25252	Prairie View A&M University	Amendment GradTX 2.0	8/26/2021	30,000.00
College Readiness and Success	25254	San Jacinto College District	Amendment GradTX 2.0	8/24/2021	30,000.00
College Readiness and Success	25255	University of Houston-Downtown	Amendment GradTX 2.0	8/25/2021	30,000.00
College Readiness and Success	25257	Lone Star College System	Amendment GradTX 2.0	8/26/2021	30,000.00
College Readiness and Success	25098	Texas Southern University	Amendment GradTX 2.0	8/26/2021	15,000.00
College Readiness and Success	24826	PS Promotions Inc	Banners and Posters	7/8/2021	852.10
College Readiness and Success	24825	University of Texas at Austin - UT Copy Center	Branded Boxes	7/2/2021	290.00
College Readiness and Success	25271	Texas Digital Library University of Texas Libraries	Closed Captioning Service	9/1/2021	960.00
College Readiness and Success	25274	Lone Star College System	College Readiness and Completion Models Grant	8/25/2021	100,000.00
College Readiness and Success	25278	Northwest Vista College	College Readiness and Completion Models Grant	8/25/2021	100,000.00
College Readiness and Success	25279	Texas A&M International University	College Readiness and Completion Models Grant	8/23/2021	100,000.00
College Readiness and Success	25286	Texas State University	College Readiness and Completion Models Grant	8/24/2021	100,000.00
College Readiness and Success	25287	University of Houston-Downtown	College Readiness and Completion Models Grant	8/24/2021	99,995.00
College Readiness and Success	25276	North Central Texas Community College District	College Readiness and Completion Models Grant	8/25/2021	99,970.00
College Readiness and Success	25280	Texas A&M University-San Antonio	College Readiness and Completion Models Grant	8/23/2021	99,135.00
College Readiness and Success	25288	University of Texas Rio Grande Valley	College Readiness and Completion Models Grant	8/26/2021	97,180.00
College Readiness and Success	25284	Texas Southmost College	College Readiness and Completion Models Grant	8/25/2021	32,500.00
College Readiness and Success	25290	Texas State University	College Readiness and Completion Models Grant	8/23/2021	32,500.00
College Readiness and Success	25291	University of Houston-Downtown	College Readiness and Completion Models Grant	8/25/2021	32,494.00
College Readiness and Success	25283	San Antonio College	College Readiness and Completion Models Grant	8/23/2021	30,506.00
College Readiness and Success	25176	Grayson College	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25178	North Central Texas Community College District	College Readiness and Success Models No-Cost Extension	8/25/2021	0.00
College Readiness and Success	25179	Palo Alto College	College Readiness and Success Models No-Cost Extension	8/19/2021	0.00
College Readiness and Success	25180	Sam Houston State University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25181	San Jacinto College District	College Readiness and Success Models No-Cost Extension	8/12/2021	0.00

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
College Readiness and Success	25182	Texas A&M University-Kingsville	College Readiness and Success Models No-Cost Extension	8/19/2021	0.00
College Readiness and Success	25183	Texas A&M University	College Readiness and Success Models No-Cost Extension	8/24/2021	0.00
College Readiness and Success	25184	Tarleton State University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25185	Texas Southmost College	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25186	Texas Tech University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25187	University of Houston-Downtown	College Readiness and Success Models No-Cost Extension	8/24/2021	0.00
College Readiness and Success	25188	The University of Texas at Permian Basin	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	24477	Houston Community College System	GradTX 2.0 Grant	8/12/2021	30,000.00
College Readiness and Success	24476	University of St Thomas	GradTX 2.0 Participation Agreement	8/16/2021	0.00
College Readiness and Success	24738	National Association of Colleges and Employers	Membership Renewal National Association of Colleges and Employers	6/29/2021	645.00
College Readiness and Success	24737	National College Attainment Network	Membership Renewal National College Attainment Network	7/2/2021	1,500.00
College Readiness and Success	24953	AHI Enterprises LLC	Poly Bubble Mailers	8/9/2021	768.75
College Readiness and Success	25125	Career and Technical Association of Texas	Registration Fees Career and Technical Association of Texas Conference	7/23/2021	1,250.00
College Readiness and Success	25152	National College Attainment Network	Registration Fees National College Attainment Network Conference	8/16/2021	200.00
College Readiness and Success	25253	Atomic Jolt	Renewal Atomic Jolt Search Solution	8/17/2021	995.00
College Readiness and Success	24666	Workquest Temps	Temporary Personnel Editor II	6/30/2021	13,714.40
College Readiness and Success	25229	Workquest Temps	Temporary Personnel Program Specialist V	8/20/2021	14,064.75
College Readiness and Success	25226	Workquest Temps	Temporary Personnel Program Specialist V	8/6/2021	5,087.25
College Readiness and Success	25302	Workquest Temps	Temporary Personnel Program Specialist V	8/19/2021	5,087.25
College Readiness and Success	25364	Lockbox Objectwin Technology Inc	Temporary Personnel Programmer/Developer Analyst	8/31/2021	98,800.00
College Readiness and Success	25361	Esolvit Inc	Temporary Personnel Software Developer Level 1	8/30/2021	95,222.40
College Readiness and Success	25230	Annette S Granat	Temporary Personnel Spanish Translation	8/30/2021	15,750.00
College Readiness and Success	25223	Workquest Temps	Temporary Personnel Technical Writer III	8/20/2021	14,064.75
College Readiness and Success	25240	Workquest Temps	Temporary Personnel Technical Writer III	8/20/2021	11,060.00
College Readiness and Success	25220	Workquest Temps	Temporary Personnel Technical Writer III	8/6/2021	5,087.25
College Readiness and Success	25159	Nationstar Mortgage LLC dba Mr. Cooper	Texas Working Off-Campus Grant	8/25/2021	40,000.00
College Readiness and Success	25148	Sky 5 Solutions	Texas Working Off-Campus Grant	8/26/2021	31,600.00
College Readiness and Success	24725	FI Companies	Texas Working Off-Campus Grant	7/16/2021	24,960.00
College Readiness and Success	24734	Insane Vinyl LLC	Texas Working Off-Campus Grant	7/19/2021	24,960.00
College Readiness and Success	24692	Contract Land Staff LLC	Texas Working Off-Campus Grant	7/12/2021	18,400.00
College Readiness and Success	24695	Ridout Barrett & Co., P.C.	Texas Working Off-Campus Grant	7/6/2021	17,000.00
College Readiness and Success	24719	Clover Educational Consulting	Texas Working Off-Campus Grant	6/28/2021	13,500.00
College Readiness and Success	24697	Voestalpine Bohler Welding USA LLC	Texas Working Off-Campus Grant	7/6/2021	12,800.00
College Readiness and Success	24721	Cortez Consulting Services Corp	Texas Working Off-Campus Grant	6/29/2021	3,840.00
College Readiness and Success	25217	Querium Corporation	Web Based Development and Implementation	8/19/2021	49,770.00
College Readiness and Success	25141	Insite Productions LLC	Webhosting Subscription Generation Texas Website	8/20/2021	255.71
College Readiness and Success	25371	University of Houston	Work-Study Student Mentorship Program	8/31/2021	152,561.00
College Readiness and Success	25371	University of Texas Rio Grande Valley	Work-Study Student Mentorship Program	8/31/2021	144,979.00
College Readiness and Success	25371	The University of Texas at Arlington	Work-Study Student Mentorship Program	8/31/2021	135,866.00
College Readiness and Success	25371	University of North Texas	Work-Study Student Mentorship Program	8/31/2021	132,888.00
College Readiness and Success	25371	Texas State University	Work-Study Student Mentorship Program	8/31/2021	126,108.00
College Readiness and Success	25371	The University of Texas at Dallas	Work-Study Student Mentorship Program	8/31/2021	66,431.00
College Readiness and Success	25371	University of Houston-Downtown	Work-Study Student Mentorship Program	8/31/2021	63,596.00
College Readiness and Success	25371	The University of Texas at El Paso	Work-Study Student Mentorship Program	8/31/2021	52,292.58
College Readiness and Success	25371	Texas Woman's University	Work-Study Student Mentorship Program	8/31/2021	51,882.00
College Readiness and Success	25371	Texas Southern University	Work-Study Student Mentorship Program	8/31/2021	42,907.00
College Readiness and Success	25371	Stephen F. Austin State University	Work-Study Student Mentorship Program	8/31/2021	42,619.00
College Readiness and Success	25371	Texas A&M International University	Work-Study Student Mentorship Program	8/31/2021	42,042.00
College Readiness and Success	25371	Texas A&M University-Commerce	Work-Study Student Mentorship Program	8/31/2021	41,258.00
College Readiness and Success	25371	Texas A&M University-Corpus Christi	Work-Study Student Mentorship Program	8/31/2021	38,825.00
College Readiness and Success	25371	The University of Texas at Tyler	Work-Study Student Mentorship Program	8/31/2021	30,396.00
College Readiness and Success	25371	West Texas A&M University	Work-Study Student Mentorship Program	8/31/2021	27,004.00
College Readiness and Success	25371	Texas A&M University-Kingsville	Work-Study Student Mentorship Program	8/31/2021	26,590.00
College Readiness and Success	25371	University of North Texas at Dallas	Work-Study Student Mentorship Program	8/31/2021	20,406.00
College Readiness and Success	25371	The University of Texas at Permian Basin	Work-Study Student Mentorship Program	8/31/2021	13,558.00
College Readiness and Success	25124	Data Projections Inc.	Zoom Licenses	8/16/2021	3,772.70
Commissioner's Office	24864	KPMG LLP	Amendment Fiscal Audit	8/10/2021	7,040.00
Commissioner's Office	24682	Zodiac Studios LLC	Audio and Visual Support	9/3/2021	4,999.99
Commissioner's Office	25100	TL Abbott Investments LLC	Business Cards	7/21/2021	48.00
Commissioner's Office	24743	TL Abbott Investments LLC	Business Cards	7/6/2021	38.00
Commissioner's Office	24756	Texas Legislative Service	Direct Publication Texas Legislative Service	7/6/2021	600.00
Commissioner's Office	25326	Texas Legislative Service	Direct Publication Texas Legislative Service	8/26/2021	500.00

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Commissioner's Office	24439	Alliance Work Partners	Employee Assistance Program	6/23/2021	5,000.00
Commissioner's Office	25383	Yourmembership com Inc	Job Flash Package Austin Bar Association	9/2/2021	584.00
Commissioner's Office	24669	V Quest Office Machines & Supplies LTD	Journal Notebooks	6/9/2021	132.00
Commissioner's Office	24947	GTS Technology Solutions Inc	Keyboard and Mouse	7/12/2021	78.17
Commissioner's Office	24744	Contessa Gallery & Frame Shop	Matting and Frame Mounting	7/1/2021	180.00
Commissioner's Office	24722	Clerk Supreme Court	Membership Dues	6/29/2021	940.00
Commissioner's Office	24693	American Institute of Certified Public Accountants	Membership Dues	6/14/2021	710.00
Commissioner's Office	25177	State Higher Education Executive Officers	Membership Dues State Higher Education Executive Officers	8/30/2021	22,254.00
Commissioner's Office	24672	Texas State Board of Public Accountancy	Membership Renewal CPA License	6/11/2021	75.00
Commissioner's Office	25165	Texas State Board of Public Accountancy	Membership Renewal CPA License	8/2/2021	75.00
Commissioner's Office	24710	Forum for the Future of Higher Education	Membership Renewal Forum for the Future of Higher Education	6/11/2021	5,000.00
Commissioner's Office	25118	The Institute of Internal Auditors	Membership Renewal Institute of Internal Auditors	7/22/2021	175.00
Commissioner's Office	24746	University of Texas at Austin - UT Copy Center	Notecards and Envelopes	6/29/2021	559.75
Commissioner's Office	24668	V Quest Office Machines & Supplies LTD	Office Supplies	6/7/2021	315.99
Commissioner's Office	25318	V Quest Office Machines & Supplies LTD	Office Supplies	8/30/2021	297.50
Commissioner's Office	24728	State Higher Education Executive Officers	Registration Fees 67th Annual Meeting	6/17/2021	699.99
Commissioner's Office	24745	ISACA	Registration Fees Certificate of Cloud Auditing Knowledge Training	6/30/2021	749.00
Commissioner's Office	24654	TPASS Budget and Internal Acct.	Registration Fees Certified Texas Contract Developer Training	6/9/2021	375.00
Commissioner's Office	24747	ACFE	Registration Fees Fighting Fraud in Government	6/30/2021	199.20
Commissioner's Office	24497	University of Texas School of Law	Registration Fees Seminar Live Webcast	6/9/2021	550.00
Commissioner's Office	24673	Sequoia CPE LP	Registration Fees Sequoia CPE Ethics Course	6/11/2021	191.00
Commissioner's Office	24677	State Higher Education Executive Officers	Registration Fees State Agency and Regional Compact Staff Conference	6/8/2021	795.00
Commissioner's Office	24658	Comptrollers of Public Accts TPASS	Renewal Fees Dual Certificate	7/2/2021	75.00
Commissioner's Office	25297	House of Representatives	Retirement Gifts	8/26/2021	400.00
Commissioner's Office	24647	Houston Chronicle	Subscription Digital Service	6/11/2021	173.35
Commissioner's Office	24675	Wolters Kluwer Financial Services Inc	TeamMate Software Licenses and TeamCloud Subscription	6/7/2021	2,020.00
Compliance Monitoring	25374	ACFE	Membership Renewal Association of Certified Fraud Examiners	9/1/2021	225.00
External Relations	25373	Texas Legislative Service	Direct Publication Texas Legislative Service	8/27/2021	100.00
Financial Services	25272	Arthur J Gallagher Risk Management Services Inc	Auto Insurance	8/31/2021	332.51
Financial Services	25147	V Quest Office Machines & Supplies LTD	Badge Holders	8/3/2021	35.00
Financial Services	25293	Federal Express Corp	Delivery and Overnight Shipping Services	8/24/2021	2,000.00
Financial Services	25101	Federal Express Corp	Delivery and Overnight Shipping Services	7/19/2021	700.00
Financial Services	25310	Xerox Corporation	Lease Xerox Copiers	8/25/2021	15,117.00
Financial Services	24661	V Quest Office Machines & Supplies LTD	Office Supplies	6/7/2021	430.00
Financial Services	24687	US Postmaster	Renewal Fees Box and Caller Service	6/9/2021	2,006.00
Financial Services	25144	CFS Products	Replacement Feed Wheel	7/26/2021	119.95
GEER Internal Audit	25241	State Auditors Office	State Single Audit	8/30/2021	99,500.00
General Counsel	25264	University of Texas at Austin Testing & Eval	Registration Fees Certified Texas Contract Developer Exam	8/26/2021	130.00
Human Resources	25321	Texas Department of Public Safety	Clearinghouse Record Retrieval	8/26/2021	400.00
Information Solutions & Services	25215	AT&T Mobility II LLC dba AT&T Mobility	AT&T iPhone and iPad Data Services	9/1/2021	15,000.00
Information Solutions & Services	25213	AT&T Teleconference Services	AT&T Teleconferencing	9/2/2021	1,200.00
Information Solutions & Services	25344	Lyncverse Technologies	HP Managed Print Services and Lease	8/25/2021	7,500.00
Information Solutions & Services	25384	Shi Government Solutions Inc	HP ProBooks and Hardware Support	8/31/2021	24,240.00
Information Solutions & Services	25210	Omega Broadcast Group	Maintenance and Support Audio/Visual Systems	9/2/2021	13,000.00
Information Solutions & Services	24667	Project Management Institute	Membership Dues	6/11/2021	164.00
Information Solutions & Services	25173	Project Management Institute	Membership Dues	8/18/2021	164.00
Information Solutions & Services	25332	Project Management Institute	Membership Dues	8/30/2021	164.00
Information Solutions & Services	24730	DLT Solutions LLC	Pluralsight Business Professional License	6/25/2021	21,142.44
Information Solutions & Services	24852	TASSCC	Registration Fees TASSCC Annual Conference	7/6/2021	1,150.00
Information Solutions & Services	24757	Ziegner Technologies Inc	Renewal Abila MIP Fund Accounting Maintenance and Support	8/24/2021	8,492.33
Information Solutions & Services	25160	SysAid Technologies	Renewal Fees SysAid License	8/18/2021	4,818.00
Information Solutions & Services	25093	Solid Border Inc	Subscription Palo Alto	7/13/2021	25,136.00
Information Solutions & Services	25094	Software One Inc	Subscription Skype for Business	7/29/2021	6,828.50
Information Solutions & Services	24688	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	1,310,160.00
Information Solutions & Services	25238	Shi Government Solutions Inc	Tibco Maintenance and IBI Silver Tibco Software	8/1/2021	6,171.70
Information Solutions & Services	25106	SAS Institute Inc	Virtual Training SAS	7/29/2021	3,600.00
Information Solutions & Services	24729	Web-Head Technologies Inc	Webhead Hosting Service	6/17/2021	8,652.00
Information Solutions & Services	25388	Dpt of Info Resources-TexAn	Data Center Circuit Tex-An 2000 Charges and CCTS Phone Charges	8/31/2021	195,000.00
Information Solutions & Services	25387	Tx Dept of Info Resources-DCS	Data Center Services	8/31/2021	5,328,786.00
Internal Audit	25120	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/27/2021	225.00
Internal Audit	25122	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/21/2021	225.00
Internal Audit	25158	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/27/2021	225.00
Internal Audit	25378	Brustein & Manasevit	Registration Fees Brustein & Manasevit Virtual Training	8/31/2021	800.00

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	25121	Economic Modeling LLC	Analyst Agreement	8/17/2021	15,000.00
Strategic Planning and Funding	25258	Dallas County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	93,026,586.00
Strategic Planning and Funding	25258	Lone Star College System	Community College 10 Pay Schedule Article III	8/26/2021	82,949,101.00
Strategic Planning and Funding	25258	Alamo Community College District	Community College 10 Pay Schedule Article III	8/26/2021	67,793,857.00
Strategic Planning and Funding	25258	Houston Community College System	Community College 10 Pay Schedule Article III	8/26/2021	63,587,217.00
Strategic Planning and Funding	25258	Tarrant County College District	Community College 10 Pay Schedule Article III	8/26/2021	58,943,344.00
Strategic Planning and Funding	25258	Austin Community College	Community College 10 Pay Schedule Article III	8/26/2021	53,943,141.00
Strategic Planning and Funding	25258	Collin County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	44,609,666.00
Strategic Planning and Funding	25258	San Jacinto College District	Community College 10 Pay Schedule Article III	8/26/2021	41,307,655.00
Strategic Planning and Funding	25258	South Texas College	Community College 10 Pay Schedule Article III	8/26/2021	40,094,035.00
Strategic Planning and Funding	25258	El Paso County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	31,545,292.00
Strategic Planning and Funding	25258	Blinn College	Community College 10 Pay Schedule Article III	8/26/2021	25,353,968.00
Strategic Planning and Funding	25258	Tyler Junior College	Community College 10 Pay Schedule Article III	8/26/2021	19,086,154.00
Strategic Planning and Funding	25258	Del Mar College	Community College 10 Pay Schedule Article III	8/26/2021	17,359,107.00
Strategic Planning and Funding	25258	Central Texas College	Community College 10 Pay Schedule Article III	8/26/2021	14,525,924.00
Strategic Planning and Funding	25258	Amarillo College	Community College 10 Pay Schedule Article III	8/26/2021	13,782,665.00
Strategic Planning and Funding	25258	South Plains College	Community College 10 Pay Schedule Article III	8/26/2021	13,544,798.00
Strategic Planning and Funding	25258	Navarro College	Community College 10 Pay Schedule Article III	8/26/2021	12,689,698.00
Strategic Planning and Funding	25258	McLennan Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,913,320.00
Strategic Planning and Funding	25258	North Central Texas Community College District	Community College 10 Pay Schedule Article III	8/26/2021	11,421,474.00
Strategic Planning and Funding	25258	Laredo Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,390,060.00
Strategic Planning and Funding	25258	Lee College	Community College 10 Pay Schedule Article III	8/26/2021	10,510,561.00
Strategic Planning and Funding	25258	Trinity Valley Community College	Community College 10 Pay Schedule Article III	8/26/2021	10,269,636.00
Strategic Planning and Funding	25258	Odessa College	Community College 10 Pay Schedule Article III	8/26/2021	9,840,503.00
Strategic Planning and Funding	25258	Kilgore College	Community College 10 Pay Schedule Article III	8/26/2021	9,654,902.00
Strategic Planning and Funding	25258	Texas Southmost College	Community College 10 Pay Schedule Article III	8/26/2021	9,335,004.00
Strategic Planning and Funding	25258	Wharton County Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,305,255.00
Strategic Planning and Funding	25258	Southwest Texas Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,198,628.00
Strategic Planning and Funding	25258	Weatherford College	Community College 10 Pay Schedule Article III	8/26/2021	8,925,334.00
Strategic Planning and Funding	25258	Angelina College	Community College 10 Pay Schedule Article III	8/26/2021	8,769,343.00
Strategic Planning and Funding	25258	Alvin Community College	Community College 10 Pay Schedule Article III	8/26/2021	7,587,622.00
Strategic Planning and Funding	25258	Paris Junior College	Community College 10 Pay Schedule Article III	8/26/2021	7,372,923.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	7,089,473.00
Strategic Planning and Funding	25258	Grayson College	Community College 10 Pay Schedule Article III	8/26/2021	7,035,148.00
Strategic Planning and Funding	25258	Temple College	Community College 10 Pay Schedule Article III	8/26/2021	7,027,187.00
Strategic Planning and Funding	25258	Texarkana College	Community College 10 Pay Schedule Article III	8/26/2021	6,988,565.00
Strategic Planning and Funding	25258	Hill College	Community College 10 Pay Schedule Article III	8/26/2021	6,833,452.00
Strategic Planning and Funding	25258	Coastal Bend College	Community College 10 Pay Schedule Article III	8/26/2021	6,696,908.00
Strategic Planning and Funding	25258	College of the Mainland	Community College 10 Pay Schedule Article III	8/26/2021	6,649,121.00
Strategic Planning and Funding	25258	Howard College	Community College 10 Pay Schedule Article III	8/26/2021	6,177,458.00
Strategic Planning and Funding	25258	Cisco College	Community College 10 Pay Schedule Article III	8/26/2021	5,840,238.00
Strategic Planning and Funding	25258	Vernon College	Community College 10 Pay Schedule Article III	8/26/2021	5,742,430.00
Strategic Planning and Funding	25258	Brazosport College	Community College 10 Pay Schedule Article III	8/26/2021	5,709,984.00
Strategic Planning and Funding	25258	Northeast Texas Community College	Community College 10 Pay Schedule Article III	8/26/2021	5,393,749.00
Strategic Planning and Funding	25258	Panola College	Community College 10 Pay Schedule Article III	8/26/2021	5,315,530.00
Strategic Planning and Funding	25258	Victoria College	Community College 10 Pay Schedule Article III	8/26/2021	5,102,088.00
Strategic Planning and Funding	25258	Galveston College	Community College 10 Pay Schedule Article III	8/26/2021	4,799,136.00
Strategic Planning and Funding	25258	Ranger College	Community College 10 Pay Schedule Article III	8/26/2021	4,227,526.00
Strategic Planning and Funding	25258	Western Texas College	Community College 10 Pay Schedule Article III	8/26/2021	3,763,079.00
Strategic Planning and Funding	25258	Clarendon College	Community College 10 Pay Schedule Article III	8/26/2021	3,384,272.00
Strategic Planning and Funding	25258	Southwest Collegiate Institute for the Deaf	Community College 10 Pay Schedule Article III	8/26/2021	3,326,403.00
Strategic Planning and Funding	25258	Frank Phillips College	Community College 10 Pay Schedule Article III	8/26/2021	2,887,422.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	307,854.00
Strategic Planning and Funding	25075	Shi Government Solutions Inc	HP Monitor and Logitech USB Headset	7/9/2021	362.00
Strategic Planning and Funding	25096	Shi Government Solutions Inc	Logitech Wireless Mouse	7/13/2021	33.00
Strategic Planning and Funding	24594	The University of Texas at Tyler	Nursing Shortage Reduction Program	6/23/2021	1,050,380.21
Strategic Planning and Funding	24592	The University of Texas at Arlington	Nursing Shortage Reduction Program	6/14/2021	716,048.66
Strategic Planning and Funding	24582	Concordia University	Nursing Shortage Reduction Program	6/14/2021	568,626.88
Strategic Planning and Funding	24548	Grayson College	Nursing Shortage Reduction Program	6/14/2021	426,470.16
Strategic Planning and Funding	24549	Houston Community College System	Nursing Shortage Reduction Program	6/29/2021	426,470.16
Strategic Planning and Funding	24585	Covenant Health System	Nursing Shortage Reduction Program	6/28/2021	242,192.93
Strategic Planning and Funding	24558	San Jacinto College District	Nursing Shortage Reduction Program	6/28/2021	205,337.48

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	24597	Texas Tech Univ Health SC - El Paso (774)	Nursing Shortage Reduction Program	6/14/2021	205,337.48
Strategic Planning and Funding	24587	Texas A&M International University	Nursing Shortage Reduction Program	6/14/2021	179,012.17
Strategic Planning and Funding	24543	Austin Community College	Nursing Shortage Reduction Program	6/9/2021	168,482.04
Strategic Planning and Funding	24590	Texas A&M University-Corpus Christi	Nursing Shortage Reduction Program	6/14/2021	160,584.44
Strategic Planning and Funding	24552	Laredo Community College	Nursing Shortage Reduction Program	6/24/2021	147,421.78
Strategic Planning and Funding	24546	Dallas College	Nursing Shortage Reduction Program	6/9/2021	142,156.72
Strategic Planning and Funding	24593	The University of Texas at Austin	Nursing Shortage Reduction Program	6/28/2021	136,891.66
Strategic Planning and Funding	24584	University of St Thomas	Nursing Shortage Reduction Program	6/14/2021	131,626.59
Strategic Planning and Funding	24596	Texas State Technical College-West Texas	Nursing Shortage Reduction Program	6/14/2021	121,096.47
Strategic Planning and Funding	24578	Abilene Christian University	Nursing Shortage Reduction Program	6/21/2021	115,831.40
Strategic Planning and Funding	24563	Vernon College	Nursing Shortage Reduction Program	6/9/2021	110,566.34
Strategic Planning and Funding	24545	College of the Mainland	Nursing Shortage Reduction Program	6/15/2021	73,710.89
Strategic Planning and Funding	24556	Odessa College	Nursing Shortage Reduction Program	6/28/2021	73,710.89
Strategic Planning and Funding	24562	Trinity Valley Community College	Nursing Shortage Reduction Program	6/9/2021	68,445.83
Strategic Planning and Funding	24550	Howard College	Nursing Shortage Reduction Program	6/21/2021	57,915.70
Strategic Planning and Funding	24554	Navarro College	Nursing Shortage Reduction Program	7/15/2021	57,915.70
Strategic Planning and Funding	24595	Lamar State College-Port Arthur	Nursing Shortage Reduction Program	6/21/2021	57,915.70
Strategic Planning and Funding	24551	Kilgore College	Nursing Shortage Reduction Program	7/8/2021	42,120.51
Strategic Planning and Funding	24559	San Jacinto College District	Nursing Shortage Reduction Program	6/28/2021	42,120.51
Strategic Planning and Funding	24564	Victoria College	Nursing Shortage Reduction Program	6/10/2021	42,120.51
Strategic Planning and Funding	24591	West Texas A&M University	Nursing Shortage Reduction Program	6/29/2021	42,120.51
Strategic Planning and Funding	24586	Sam Houston State University	Nursing Shortage Reduction Program	6/10/2021	36,855.45
Strategic Planning and Funding	24580	Hardin-Simmons University	Nursing Shortage Reduction Program	6/9/2021	31,590.38
Strategic Planning and Funding	24557	Ranger College	Nursing Shortage Reduction Program	6/15/2021	26,325.32
Strategic Planning and Funding	24560	South Plains College	Nursing Shortage Reduction Program	6/15/2021	26,325.32
Strategic Planning and Funding	24579	McMurry University	Nursing Shortage Reduction Program	6/16/2021	26,325.32
Strategic Planning and Funding	24581	Baylor University	Nursing Shortage Reduction Program	7/1/2021	26,325.32
Strategic Planning and Funding	24544	Blinn College	Nursing Shortage Reduction Program	6/9/2021	21,060.25
Strategic Planning and Funding	24547	Dallas College	Nursing Shortage Reduction Program	6/9/2021	21,060.25
Strategic Planning and Funding	24588	Texas A&M University-Commerce	Nursing Shortage Reduction Program	6/16/2021	21,060.25
Strategic Planning and Funding	24553	McLennan Community College	Nursing Shortage Reduction Program	6/21/2021	10,530.13
Strategic Planning and Funding	24555	Northeast Texas Community College	Nursing Shortage Reduction Program	6/9/2021	10,530.13
Strategic Planning and Funding	24561	Southwest Texas Junior College	Nursing Shortage Reduction Program	6/28/2021	10,530.13
Strategic Planning and Funding	24583	Schreiner University	Nursing Shortage Reduction Program	6/10/2021	10,530.13
Strategic Planning and Funding	24565	Weatherford College	Nursing Shortage Reduction Program	6/9/2021	5,265.07
Strategic Planning and Funding	24589	Texas A&M University-Texarkana	Nursing Shortage Reduction Program	6/28/2021	5,265.06
Strategic Planning and Funding	25314	Texarkana College	Regional 60x30TX Grant	8/30/2021	5,000.00
Strategic Planning and Funding	25313	North Central Texas Community College District	Regional 60x30TX No-Cost Extension	8/30/2021	0.00
Strategic Planning and Funding	24663	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	2,867,067.00
Strategic Planning and Funding	24727	Next Chapter Communications LLC	Texas Public Higher Education Almanac	7/15/2021	18,940.00
Strategic Planning and Funding	25245	Texas Tech University	Texas Research Incentive Program	8/30/2021	6,649,916.00
Strategic Planning and Funding	25245	University of Houston	Texas Research Incentive Program	8/30/2021	6,141,937.00
Strategic Planning and Funding	25245	The University of Texas at Dallas	Texas Research Incentive Program	8/30/2021	1,090,929.00
Strategic Planning and Funding	25245	The University of Texas at San Antonio	Texas Research Incentive Program	8/30/2021	825,000.00
Strategic Planning and Funding	25245	The University of Texas at Arlington	Texas Research Incentive Program	8/30/2021	790,233.00
Strategic Planning and Funding	25245	University of North Texas	Texas Research Incentive Program	8/30/2021	531,985.00
Strategic Planning and Funding	25245	The University of Texas at El Paso	Texas Research Incentive Program	8/30/2021	345,000.00
Strategic Planning and Funding	25245	Texas State University	Texas Research Incentive Program	8/30/2021	250,000.00
Strategic Planning and Funding	25265	SAS Institute Inc	Training Points SAS Academic	8/26/2021	5,000.00
Strategic Planning and Funding	25155	UT Austin (Service)	UT Austin OSP-Willcox	8/17/2021	99,667.00
Strategic Planning and Funding	25126	Shi Government Solutions Inc	Webcam with Microphone	7/26/2021	11.00
Student Financial Aid Programs	25097	V Quest Office Machines & Supplies LTD	Academic Planner 2021-2022	7/26/2021	22.00
Student Financial Aid Programs	25347	Pacer Service Center	Bankruptcy Court Records	8/30/2021	200.00
Student Financial Aid Programs	25342	GlobalScope Communications Corporation	Cloud Based Call Center Services	8/27/2021	99,000.00
Student Financial Aid Programs	25334	Dpt of Info Resources-TexAn	E-Commerce Online Payment Services	8/31/2021	8,000.00
Student Financial Aid Programs	25331	ACI Payments Inc	Electronic Lockbox File Services	9/3/2021	1,000.00
Student Financial Aid Programs	25335	E-Oscar Web	Electronic Services THECB Loan Program Online Data Exchange	8/31/2021	1,500.00
Student Financial Aid Programs	25091	Tele Communications Inc	Headsets	7/9/2021	676.75
Student Financial Aid Programs	25338	FSX Holdings LLC	Legal Fees E-Filing Services	8/30/2021	500,000.00
Student Financial Aid Programs	24627	University of Florida	License Plate Crossover Agreement	7/9/2021	0.00
Student Financial Aid Programs	25333	Corporation Service Company	Mandated Electronic Recording Abstracts and Release of Judgment Liens	8/27/2021	25,000.00
Student Financial Aid Programs	25348	Pitney Bowes Reserve Account	Postage	9/2/2021	350,000.00



Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	25349	Process to Process Deliveries	Process Serve Services	8/31/2021	150,000.00
Student Financial Aid Programs	24674	University of Texas at Austin Testing & Eval	Registration Fees Certified Texas Contract Developer Exam	6/8/2021	260.00
Student Financial Aid Programs	25175	TASFAA	Registration Fees TASFAA Annual Conference	7/29/2021	325.00
Student Financial Aid Programs	24749	Flores & Associates LLC	Repair Service DR9050C Cannon Scanner	6/29/2021	130.00
Student Financial Aid Programs	25351	US Postal Service	Service Fees Post Office Box	8/30/2021	1,900.00
Student Financial Aid Programs	25337	Experian Information Solutions Inc	Subscription Experian Database	9/2/2021	60,000.00
Student Financial Aid Programs	25343	LexisNexis Risk Solutions	Subscription Online Skip Tracing	9/3/2021	34,000.00
Student Financial Aid Programs	25336	Equifax Information Services LLC	Subscription Skip Tracing	8/31/2021	1,000.00
Student Financial Aid Programs	25305	Workquest Temps	Temporary Personnel Executive Assistant III	8/23/2021	790.26
Student Financial Aid Programs	25381	GTS Technology Solutions Inc	Tripp Lite 4 Port Portable Slim USB 3.0 Superspeed Hub	9/7/2021	107.94
					993,627,703.14

Memorandum of Understanding (\$0 Contract Amount)

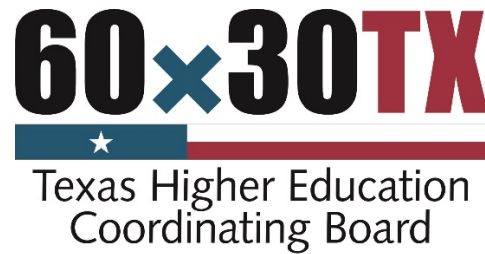
College Readiness and Success	24773	Lubbock Christian University	Provide access and use of the ApplyTexas System	8/10/2021	0
College Readiness and Success	24892	Wayland Baptist University	Provide access and use of the ApplyTexas System	8/31/2021	0
Strategic Planning and Funding	25142	Texas Workforce Commission	Data Platform Agreement among TWC, THECB, EA and Coleridge Initiative	8/3/2021	0
Student Financial Aid Programs	24836	Angelo State University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24838	Lamar University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24839	Midwestern State University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24840	Prairie View A&M University	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24841	Sam Houston State University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24842	Stephen F. Austin State University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24843	Sul Ross State University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24844	Tarleton State University	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24846	Texas A&M International University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24847	Texas A&M University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24848	Texas A&M University - Central Texas	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24849	Texas A&M University at Galveston	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24853	Texas A&M University-Commerce	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24854	Texas A&M University-Corpus Christi	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24855	Texas A&M University-Kingsville	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24856	Texas A&M University-San Antonio	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24857	Texas A&M University-Texarkana	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24858	Texas Southern University	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24859	Texas State University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24860	Texas Tech University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24862	The University of Texas at Arlington	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24863	The University of Texas at Austin	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24865	The University of Texas at Dallas	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24866	The University of Texas at El Paso	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24867	The University of Texas at Permian Basin	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24868	The University of Texas at San Antonio	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24869	The University of Texas at Tyler	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24870	University of Houston	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24871	University of Houston -Clear Lake	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24874	University of Houston-Downtown	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24875	University of Houston -Victoria	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24876	University of North Texas	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24877	University of North Texas at Dallas	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24878	West Texas A&M University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24879	University of Texas Rio Grande Valley	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24880	Texas A&M Health Science Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24881	Texas Tech University Health Sciences Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24882	The University of Texas Health Science Center at Houston	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24883	The University of Texas Health Science Center at San Antonio	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24884	The University of Texas M.D. Anderson Cancer Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24885	The University of Texas Medical Branch at Galveston	Financial Aid Program Participation Agreement	7/28/2021	0

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	24886	The University of Texas Southwestern Medical Center	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24887	University of North Texas Health Science Center at Fort Worth	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24891	Texas Tech Univ Health SC - El Paso (774)	Financial Aid Program Participation Agreement	8/26/2021	0
Student Financial Aid Programs	24895	Texas State Technical College-Waco	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24896	Lamar Institute of Technology	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24897	Lamar State College-Orange	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24899	Lamar State College-Port Arthur	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24900	Abilene Christian University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24901	Austin College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24902	Baylor University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24903	Concordia University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24904	Dallas Baptist University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24907	East Texas Baptist University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24910	Hardin-Simmons University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24912	Houston Baptist University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24914	Howard Payne University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24916	Huston-Tillotson University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24918	Jacksonville College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24920	Jarvis Christian College	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24922	Letourneau University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24923	Lubbock Christian University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24924	McMurry University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24925	Our Lady of The Lake University of San Antonio	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24926	Parker University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24927	Paul Quinn College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24928	Rice University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24930	South Texas College of Law	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24931	Southern Methodist University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24932	Southwestern Adventist University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24933	Southwestern Assemblies of God University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24935	Southwestern University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24936	St. Edward's University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24937	St. Mary's University of San Antonio	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24938	Texas Chiropractic College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24941	Texas Christian University	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24942	Texas College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24943	Texas Lutheran University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24944	Texas Wesleyan University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24945	Trinity University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24946	University of Dallas	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24948	University of Mary Hardin-Baylor	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24949	University of St. Thomas	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24950	University of the Incarnate Word	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24951	Wayland Baptist University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24952	Wiley College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24955	Alvin Community College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24957	Amarillo College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24958	Angelina College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24959	Austin Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24960	Blinn College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24961	Brazosport College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24962	Central Texas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24963	Cisco College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24965	Clarendon College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24967	Coastal Bend College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24968	College of the Mainland	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24970	Collin County Community College District	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24974	Dallas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24982	Del Mar College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24984	El Paso Community College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24986	Frank Phillips College	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24988	Galveston College	Financial Aid Program Participation Agreement	8/10/2021	0

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	24989	Grayson College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25020	Hill College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25022	Houston Community College System	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25024	Howard College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25027	Kilgore College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25030	Laredo Community College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25031	Lee College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25033	Lone Star College System	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25035	McLennan Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25039	Midland College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25040	Navarro College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25041	North Central Texas Community College District	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25042	Alamo Community College District (Northeast Lakeview College)	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25043	Northeast Texas Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25044	Northwest Vista College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25045	Odessa College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25046	Palo Alto College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25047	Panola College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25048	Paris Junior College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25049	Ranger College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25050	San Antonio College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25051	San Jacinto College District	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25052	South Plains College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25053	South Texas College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25054	Southwest Texas Junior College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25055	St. Philip's College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25056	Tarrant County College District	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25057	Temple College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25058	Texarkana College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25059	Texas Southmost College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25060	Trinity Valley Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25061	Tyler Junior College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25062	Vernon College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25063	Victoria College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25064	Weatherford College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25065	Western Texas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25066	Wharton County Junior College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25067	A Career In Teaching ACP	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25069	Region VII-Edu Service Center	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25071	Region XII- Edu Service Center	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25072	Region XIII- Edu Service Center	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25078	Region X-Edu Service Center	Financial Aid Program Participation Agreement	7/27/2021	0
Student Financial Aid Programs	25082	Region XIV- Edu Service Center	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25086	Teacher Builder	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25089	A Career in Teaching McAllen	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25234	Criswell College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25235	Amberton University	Financial Aid Program Participation Agreement	8/31/2021	0



# **Texas Higher Education Coordinating Board**

**Contracts Executed by the Agency Over \$1 Million**

**June 7, 2021 – September 8, 2021**

Contracts Executed by the Agency Over \$1 Million

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	25026	Texas State Technical College System	Perkins Basic Grant	9/1/2021	2,336,321.00
Academic Quality and Workforce	24964	Alamo Community College District	Perkins Basic Grant	9/1/2021	2,066,281.00
Academic Quality and Workforce	24983	Dallas College	Perkins Basic Grant	9/1/2021	1,343,288.00
Academic Quality and Workforce	25029	Tyler Junior College	Perkins Basic Grant	9/7/2021	1,101,916.00
Academic Quality and Workforce	24972	Austin Community College	Perkins Basic Grant	9/1/2021	1,013,398.00
Information Solutions & Services	25387	Tx Dept of Info Resources-DCS	Data Center Services	8/31/2021	5,328,786.00
Information Solutions & Services	24688	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	1,310,160.00
Strategic Planning and Funding	25258	Dallas County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	93,026,586.00
Strategic Planning and Funding	25258	Lone Star College System	Community College 10 Pay Schedule Article III	8/26/2021	82,949,101.00
Strategic Planning and Funding	25258	Alamo Community College District	Community College 10 Pay Schedule Article III	8/26/2021	67,793,857.00
Strategic Planning and Funding	25258	Houston Community College System	Community College 10 Pay Schedule Article III	8/26/2021	63,587,217.00
Strategic Planning and Funding	25258	Tarrant County College District	Community College 10 Pay Schedule Article III	8/26/2021	58,943,344.00
Strategic Planning and Funding	25258	Austin Community College	Community College 10 Pay Schedule Article III	8/26/2021	53,943,141.00
Strategic Planning and Funding	25258	Collin County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	44,609,466.00
Strategic Planning and Funding	25258	San Jacinto College District	Community College 10 Pay Schedule Article III	8/26/2021	41,307,655.00
Strategic Planning and Funding	25258	South Texas College	Community College 10 Pay Schedule Article III	8/26/2021	40,094,035.00
Strategic Planning and Funding	25258	El Paso County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	31,545,292.00
Strategic Planning and Funding	25258	Blinn College	Community College 10 Pay Schedule Article III	8/26/2021	25,353,968.00
Strategic Planning and Funding	25258	Tyler Junior College	Community College 10 Pay Schedule Article III	8/26/2021	19,086,154.00
Strategic Planning and Funding	25258	Del Mar College	Community College 10 Pay Schedule Article III	8/26/2021	17,359,107.00
Strategic Planning and Funding	25258	Central Texas College	Community College 10 Pay Schedule Article III	8/26/2021	14,525,924.00
Strategic Planning and Funding	25258	Amarillo College	Community College 10 Pay Schedule Article III	8/26/2021	13,782,665.00
Strategic Planning and Funding	25258	South Plains College	Community College 10 Pay Schedule Article III	8/26/2021	13,544,798.00
Strategic Planning and Funding	25258	Navarro College	Community College 10 Pay Schedule Article III	8/26/2021	12,689,698.00
Strategic Planning and Funding	25258	McLennan Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,913,320.00
Strategic Planning and Funding	25258	North Central Texas Community College District	Community College 10 Pay Schedule Article III	8/26/2021	11,421,474.00
Strategic Planning and Funding	25258	Laredo Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,390,060.00
Strategic Planning and Funding	25258	Lee College	Community College 10 Pay Schedule Article III	8/26/2021	10,510,561.00
Strategic Planning and Funding	25258	Trinity Valley Community College	Community College 10 Pay Schedule Article III	8/26/2021	10,269,636.00
Strategic Planning and Funding	25258	Odessa College	Community College 10 Pay Schedule Article III	8/26/2021	9,840,503.00
Strategic Planning and Funding	25258	Kilgore College	Community College 10 Pay Schedule Article III	8/26/2021	9,654,902.00
Strategic Planning and Funding	25258	Texas Southmost College	Community College 10 Pay Schedule Article III	8/26/2021	9,335,004.00
Strategic Planning and Funding	25258	Wharton County Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,305,255.00
Strategic Planning and Funding	25258	Southwest Texas Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,198,628.00
Strategic Planning and Funding	25258	Weatherford College	Community College 10 Pay Schedule Article III	8/26/2021	8,925,334.00
Strategic Planning and Funding	25258	Angelina College	Community College 10 Pay Schedule Article III	8/26/2021	8,769,343.00
Strategic Planning and Funding	25258	Alvin Community College	Community College 10 Pay Schedule Article III	8/26/2021	7,587,622.00
Strategic Planning and Funding	25258	Paris Junior College	Community College 10 Pay Schedule Article III	8/26/2021	7,372,923.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	7,089,473.00
Strategic Planning and Funding	25258	Grayson College	Community College 10 Pay Schedule Article III	8/26/2021	7,035,148.00
Strategic Planning and Funding	25258	Temple College	Community College 10 Pay Schedule Article III	8/26/2021	7,027,187.00
Strategic Planning and Funding	25258	Texarkana College	Community College 10 Pay Schedule Article III	8/26/2021	6,988,565.00
Strategic Planning and Funding	25258	Hill College	Community College 10 Pay Schedule Article III	8/26/2021	6,833,452.00
Strategic Planning and Funding	25258	Coastal Bend College	Community College 10 Pay Schedule Article III	8/26/2021	6,696,908.00
Strategic Planning and Funding	25258	College of the Mainland	Community College 10 Pay Schedule Article III	8/26/2021	6,649,121.00
Strategic Planning and Funding	25258	Howard College	Community College 10 Pay Schedule Article III	8/26/2021	6,177,458.00
Strategic Planning and Funding	25258	Cisco College	Community College 10 Pay Schedule Article III	8/26/2021	5,840,238.00
Strategic Planning and Funding	25258	Vernon College	Community College 10 Pay Schedule Article III	8/26/2021	5,742,430.00
Strategic Planning and Funding	25258	Brazosport College	Community College 10 Pay Schedule Article III	8/26/2021	5,709,984.00
Strategic Planning and Funding	25258	Northeast Texas Community College	Community College 10 Pay Schedule Article III	8/26/2021	5,393,749.00
Strategic Planning and Funding	25258	Panola College	Community College 10 Pay Schedule Article III	8/26/2021	5,315,530.00
Strategic Planning and Funding	25258	Victoria College	Community College 10 Pay Schedule Article III	8/26/2021	5,102,088.00
Strategic Planning and Funding	25258	Galveston College	Community College 10 Pay Schedule Article III	8/26/2021	4,799,136.00
Strategic Planning and Funding	25258	Ranger College	Community College 10 Pay Schedule Article III	8/26/2021	4,227,526.00
Strategic Planning and Funding	25258	Western Texas College	Community College 10 Pay Schedule Article III	8/26/2021	3,763,079.00

Contracts Executed by the Agency Over \$1 Million

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	25258	Clarendon College	Community College 10 Pay Schedule Article III	8/26/2021	3,384,272.00
Strategic Planning and Funding	25258	Southwest Collegiate Institute for the Deaf	Community College 10 Pay Schedule Article III	8/26/2021	3,326,403.00
Strategic Planning and Funding	25258	Frank Phillips College	Community College 10 Pay Schedule Article III	8/26/2021	2,887,422.00
Strategic Planning and Funding	24594	The University of Texas at Tyler	Nursing Shortage Reduction Program	6/23/2021	1,050,380.21
Strategic Planning and Funding	24663	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	2,867,067.00
Strategic Planning and Funding	25245	Texas Tech University	Texas Research Incentive Program	8/30/2021	6,649,916.00
Strategic Planning and Funding	25245	University of Houston	Texas Research Incentive Program	8/30/2021	6,141,937.00
Strategic Planning and Funding	25245	The University of Texas at Dallas	Texas Research Incentive Program	8/30/2021	1,090,929.00
Student Financial Aid Programs	24542	Nelnet	Loan Management System	7/21/2021	1,860,000.00
					973,786,121.21

## 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 \$200 million in aggregate par and premium of private activity bonds in Fiscal Year 2022 to fund College Access Loans (CAL) to eligible students under Texas Education Code, Chapter 52, Subchapter C and to refund the 2012 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 may be sold if interest rates for municipal bonds remain favorable at the time of closing.

### Key Points:

- An application to the Bond Review Board may be submitted for a portion of the state's allocation of private activity tax exempt volume cap for each bond series.
- Up to \$200 million of volume cap will be utilized to issue new bonds to support new student loans during the 2022/2023 academic year.
- Up to \$30 million of volume cap may be utilized to refund the 2012 bond series that is callable on August 1, 2022.
- 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 \$1.7 billion.
- The THECB has \$850 million of bonding authority remaining.
- 10% of state ceiling is reserved for state voter issuers, and the THECB is authorized up to \$200 million new bonds (Texas Government Code, Section 1372). Refunding bonds are authorized in this statute under sub-ceiling 5 and require a separate allocation.
- The agency sells tax exempt private activity general obligation 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 2021).
- 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.



**A RESOLUTION**

**BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AUTHORIZING THE ISSUANCE OF STATE OF TEXAS COLLEGE STUDENT LOAN AND REFUNDING BONDS IN ONE OR MORE SERIES; DELEGATING THE APPROVAL OF ALL FINAL TERMS OF THE BONDS; APPROVING THE FORMS OF AN OFFICIAL STATEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT**

**DATE OF APPROVAL: OCTOBER 21, 2021**

## TABLE OF CONTENTS

Page

### ARTICLE I DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.01	Findings.....	2
Section 1.02	Definitions.....	2
Section 1.03	Other Definitions. ....	6
Section 1.04	Table of Contents, Titles and Headings.....	6
Section 1.05	Interpretation. ....	6
Section 1.06	Ratification of Prior Actions. ....	7

### ARTICLE II AUTHORIZATION; GENERAL TERMS

Section 2.01	Authorization; Delegation of Final Terms.....	7
Section 2.02	Designation, Date, Denomination, Maturities and Interest.....	9
Section 2.03	Medium, Method and Place of Payment.....	9
Section 2.04	Execution and Registration of Bond. ....	10
Section 2.05	Ownership. ....	11
Section 2.06	Registration, Transfer and Exchange; Book-Entry System. ....	11
Section 2.07	Cancellation. ....	13
Section 2.08	Replacement Bonds. ....	13

### ARTICLE III FUNDS AND INVESTMENTS

Section 3.01	Funds.....	14
Section 3.02	Student Loan Auxiliary Fund.....	15
Section 3.03	Interest and Sinking Fund. ....	15
Section 3.04	Provision for Payment of Bonds. ....	17
Section 3.05	Transfers to Interest and Sinking Fund.....	17
Section 3.06	Preparation of Vouchers and Issuance of Warrants for Debt Service. ....	18
Section 3.07	Investment of Funds.....	18
Section 3.08	Cooperation with State Officers.....	19
Section 3.09	Deposit and Transfer of Funds; Duties of Comptroller. ....	19
Section 3.10	Additional Bonds. ....	19
Section 3.11	Interest Rate Swap Agreement.....	19

### ARTICLE IV REDEMPTION OF BONDS BEFORE MATURITY

Section 4.01	Limitation on Redemption. ....	20
Section 4.02	Optional Redemption. ....	20
Section 4.03	Mandatory Sinking Fund Redemption.....	21
Section 4.04	Partial Redemption.....	21
Section 4.05	Notice of Redemption. ....	21
Section 4.06	Payment Upon Redemption. ....	21
Section 4.07	Effect of Redemption. ....	22

## **ARTICLE V PAYING AGENT/REGISTRAR**

Section 5.01	Appointment of Initial Paying Agent/Registrar.....	22
Section 5.02	Qualification. ....	22
Section 5.03	Maintaining Paying Agent/Registrar. ....	22
Section 5.04	Termination.....	22
Section 5.05	Notice of Change to Owners.....	22
Section 5.06	Agreement to Perform Duties and Functions.....	23
Section 5.07	Delivery of Records to Successor. ....	23

## **ARTICLE VI FORM OF THE BONDS**

Section 6.01	Form Generally. ....	23
Section 6.02	CUSIP Registration.....	24
Section 6.03	Legal Opinion. ....	24
Section 6.04	Statement of Insurance.....	24

## **ARTICLE VII APPROVAL OF OFFICIAL STATEMENT AND ESCROW AGREEMENT; AUTHORITY TO REFUND REFUNDED BONDS AND EXECUTE OTHER DOCUMENTS**

Section 7.01	Approval of Official Statement.....	24
Section 7.02	Control and Delivery of Bonds; Authority to Execute All Other Documents; Appropriation of Funds. ....	25
Section 7.03	Redemption of Certain Refunded Bonds; Approval of Escrow Agreement.....	25

## **ARTICLE VIII PARTICULAR REPRESENTATIONS AND COVENANTS**

Section 8.01	Payment of the Bonds. ....	26
Section 8.02	Other Representations and Covenants. ....	26
Section 8.03	Covenants Regarding Tax Exemption. ....	27
Section 8.04	Notices to S&P and Moody's.....	30

## **ARTICLE IX DEFAULT AND REMEDIES**

Section 9.01	Events Of Default. ....	30
Section 9.02	Remedies for Default. ....	31
Section 9.03	Remedies not Exclusive.....	31

## **ARTICLE X DISCHARGE**

Section 10.01	Defeasance of Bonds.....	31
---------------	--------------------------	----

## **ARTICLE XI CONTINUING DISCLOSURE UNDERTAKING**

Section 11.01	Annual Reports. ....	33
---------------	----------------------	----

AGENDA ITEM X-C

Section 11.02 Event Notices.....	33
Section 11.03 Limitations, Disclaimers and Amendments.....	35

**ARTICLE XII AMENDMENTS OF AND SUPPLEMENTS TO RESOLUTION**

Section 12.01 Without Consent of Owners.....	36
Section 12.02 With Consent of Owners.....	36
Section 12.03 Effect of Consents.....	37
Section 12.04 Notation on or Exchange of Bonds.....	37
Section 12.05 Notice to Owners. ....	37
Section 12.06 Technical Amendments. ....	37

**ARTICLE XIII MISCELLANEOUS**

Section 13.01 Authorization For Private Activity Bond Allocation and Assignment of Unencumbered State Ceiling .....	38
Section 13.02 Authorized Transfers Of Funds. ....	38
Section 13.03 Payment Of Attorney General Fee.....	39

EXHIBIT A	-	FINAL TERMS OF THE BONDS
EXHIBIT B	-	FORM OF BOND
EXHIBIT C	-	DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

**A RESOLUTION**

**BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AUTHORIZING THE ISSUANCE OF STATE OF TEXAS COLLEGE STUDENT LOAN AND REFUNDING BONDS IN ONE OR MORE SERIES; DELEGATING THE APPROVAL OF ALL FINAL TERMS OF THE BONDS; APPROVING THE FORMS OF AN OFFICIAL STATEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT**

***WHEREAS***, at a state-wide election held on November 8, 2011, the voters of the State of Texas (the "State") approved an amendment to the Texas Constitution (known as Article III, Section 50b-7 of the Texas Constitution, "Section 50b-7"), which authorized the Texas Higher Education Coordinating Board (the "Board"), an agency of the State, to issue College Student Loan Bonds (as defined herein) in an aggregate principal amount of outstanding bonds that at all times must be equal to or less than the aggregate principal amount of College Student Loan Bonds previously authorized by any other provision or former provision of the Texas Constitution; and

***WHEREAS***, provisions other than Section 50b-7 and former provisions of the Texas Constitution have authorized \$1.86 billion in aggregate principal amount of College Student Loan Bonds; and

***WHEREAS***, the Board hereby finds it desirable to issue additional College Student Loan Bonds pursuant to such voted authorization under Section 50b-7, in order to provide the Board with the capability of making additional student loans; and

***WHEREAS***, the Board, pursuant to authority given by the voters of the State at a statewide election, has issued its State of Texas College Student Loan Bonds, Series 2012 (the "Series 2012 Bonds") for the purpose of providing funds to make loans to students for the purpose of financing the cost of post-secondary education at public and private educational institutions in the State; and

***WHEREAS***, the Board additionally desires to authorize the refunding of all or a portion of the outstanding Series 2012 Bonds maturing on and after August 1, 2023, in the aggregate principal amount of \$29,345,000, provided such refunding will produce a net present value savings calculated in the manner and satisfying the requirements of this Resolution; and

***WHEREAS***, Chapter 1207, Texas Government Code, as amended ("Chapter 1207"), authorizes the Board to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a place of payment (paying agent) for the Refunded Bonds (as defined herein), or with another trust company or commercial bank that does not act as a depository for the Board, in an amount sufficient to provide for the payment of the Refunded Bonds, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Bonds; and

***WHEREAS***, Chapter 1207 (specifically Section 1207.062 thereof) further authorizes the Board to enter into an escrow agreement with respect to the safekeeping, investment,

## AGENDA ITEM X-C

administration and disposition of any such deposit; provided that such deposit may be invested and reinvested in the obligations specified in Chapter 1207; and

**WHEREAS**, the Escrow Agreement hereinafter authorized between the Board and the Escrow Agent constitutes an escrow agreement of the kind authorized and permitted by Chapter 1207; and

**WHEREAS**, the Board hereby finds and declares a public purpose and deems it advisable and in the best interests of the Board and the State to issue College Student Loan Bonds (defined in Section 1.02 hereof as the "Bonds") in one or more Series in an aggregate principal amount not to exceed \$229,345,000, to be used for the purposes of (i) making additional student loans, (ii) refunding the Refunded Bonds and/or (iii) paying all or a portion of the costs of issuing such Bonds; and

**WHEREAS**, the issuance of the maximum principal amount of Bonds authorized by this Resolution will not exceed the principal limits with respect to College Student Loan Bonds set forth in the Act (as defined herein) and in Section 50b-7 with respect to Bonds issued to make additional student loans and in the other applicable Constitutional Provisions (as defined herein) with respect to Bonds issued to refund the Refunded Bonds; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

**BE IT RESOLVED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD:**

### **ARTICLE I DEFINITIONS AND OTHER PRELIMINARY MATTERS**

**Section 1.01 FINDINGS.** It is hereby found and determined that the matters and facts set out in the preamble to this Resolution are true and correct.

**Section 1.02 DEFINITIONS.** Unless otherwise expressly provided or unless the context clearly requires otherwise in this Resolution, the following terms shall have the meanings specified below:

"Act" means Chapter 52 of the Texas Education Code, as amended.

"Additional Bonds" means bonds issued after the Issuance Date by the Board payable from the same sources as the Bonds.

"Authorized Denomination" means \$5,000 and any integral multiple thereof.

"Authorized Representative" means one or more of the following officers of the Board: the Chair of the Board, the Vice Chair of the Board, the Chair of the Agency Operations Committee of the Board, the Commissioner, Assistant Commissioner Financial Services/CFO and such other officer or employee of the Board authorized by the Board to act as an Authorized Representative.

## AGENDA ITEM X-C

"Bond Date" means the date designated as the date of each Series of Bonds and set forth in Exhibit A to this Resolution.

"Bond Purchase Contract" means the Board's agreement with Underwriters providing for the sale of a Series of Bonds; provided that two or more Series of Bonds may be sold to the same Underwriters pursuant to the terms of a single Bond Purchase Contract.

"Bond Year" means the period beginning on August 2 of any calendar year and continuing through August 1 of the following calendar year; provided that, the first and last bond years may be short periods.

"Bonds" means any one or more, as the case may be, of the College Student Loan Bonds of each Series authorized to be issued pursuant to Section 2.01 of this Resolution.

"Book-Entry System" means the system maintained by the Securities Depository described in Section 2.06(g).

"Business Day" means any day other than (i) a Saturday, Sunday, legal holiday or any other day on which banking institutions in New York, New York, or Austin, Texas are generally authorized or obligated by law or executive order to close, or (ii) a day on which the New York Stock Exchange is closed.

"Code" means the Internal Revenue Code of 1986, as amended, including applicable regulations, published rulings and court decisions.

"College Student Loan Bonds" means general obligation bonds issued pursuant to the Constitutional Provision, including any College Student Loan Refunding Bonds.

"College Student Loan Refunding Bonds" means general obligation bonds issued pursuant to the Constitutional Provision to refund any College Student Loan Bonds attributable thereto.

"Commissioner" means the Commissioner of Higher Education.

"Comptroller" means the Comptroller of Public Accounts of the State.

"Constitutional Provision" means, collectively, as applicable, (i) Sections 50b, 50b-1, 50b-2 and 50b-3 of Article III of the Texas Constitution (which Sections were repealed "to eliminate duplicative, executed, obsolete, archaic and ineffective constitutional provisions" pursuant to Section 55 of H.J.R. No. 62 approved by the voters of the State on November 2, 1999), (ii) Section 50b-4, as amended, Section 50b-5 and Section 50b-6 of Article III of the Texas Constitution, and (iii) Section 50b-7 of Article III of the Texas Constitution.

"Defeased Bonds" shall have the meaning specified in Section 10.01(a) of this Resolution.

"Defeasance Securities" shall have the meaning specified in Section 10.01(c) of this Resolution.

## AGENDA ITEM X-C

"Depository Participant" means the securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf a Securities Depository was created to hold securities to facilitate the clearance and settlement of securities transactions among Depository Participants.

"DTC" means The Depository Trust Company of New York, New York, and its successors and assigns.

"Escrow Agent" means each entity serving in such capacity pursuant to Section 7.03 of this Resolution, or any successor thereto as provided in this Resolution.

"Escrow Agreement" means each Escrow Agreement by and between the Board and the Escrow Agent pertaining to any Refunded Bonds.

"Event of Default" means any event of default as defined in Section 9.01 of this Resolution.

"Financial Advisor" means such financial advisory firm(s) designated by the Board as its financial advisor or co-financial advisors with respect to the Board's student loan programs authorized pursuant to the Act.

"Financial Obligation" means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"Fiscal Year" means the period of time beginning in each calendar year on September 1st and ending August 31st of the calendar year next following, or any other 12-month period of time adopted by the State as its "fiscal year."

"Future Escrow Agreement" shall have the meaning specified in Section 10.01(a) of this Resolution.

"Initial Bond" means the initial Bond of each Series authorized by Section 2.04(d) of this Resolution.

"Interest and Sinking Fund" means the interest and sinking fund described in Section 3.03 of this Resolution.

"Interest Payment Date" means each February 1 and August 1, commencing with the first such interest payment date set forth in Exhibit A to be attached hereto.

"Issuance Date" means the date of the initial delivery of and payment for each Series of Bonds.

"Maximum Rate" means the maximum per annum interest rate on the Bonds permitted by applicable law.



## AGENDA ITEM X-C

"Moody's" means Moody's Investors Service, 7 World Trade Center, 250 Greenwich Street, New York, New York 10007, or such other address provided by Moody's to the Board, its successors and assigns.

"MSRB" means the Municipal Securities Rulemaking Board.

"Official Statement" shall have the meaning specified in Section 7.01 of this Resolution.

"Outstanding" means, when used to modify Bonds, Bonds issued, authenticated and delivered under this Resolution, excluding: (i) Bonds which have been exchanged or replaced or otherwise surrendered for cancellation; (ii) Bonds which have been paid; (iii) Bonds which have become due and for the payment of which moneys have been duly provided; and (iv) Defeased Bonds.

"Owner" means the person who is the registered owner of a Bond or Bonds, as shown in the Register.

"Paying Agent/Registrar" means the entity serving in such capacity pursuant to Section 5.01 of this Resolution, or any successor thereto as provided in this Resolution.

"Paying Agent/Registrar Agreement" means each Paying Agent/Registrar Agreement by and between the Board and the Paying Agent/Registrar, pertaining to the Bonds.

"Preliminary Official Statement" shall have the meaning specified in Section 7.01 of this Resolution.

"Previously Issued Bonds" means College Student Loan Bonds heretofore issued by the Board payable from the same sources as the Bonds and remaining unpaid.

"Record Date" means the close of business on the 15th calendar day of the month immediately preceding the Interest Payment Date.

"Refunded Bonds" means the Series 2012 Bonds that the Commissioner or the Assistant Commissioner Financial Services/CFO, acting pursuant to Section 2.01 hereof, determines to be refunded by the Bonds. The Refunded Bonds shall be specified in Exhibit A to this Resolution.

"Register" means the Register specified in Section 2.06(a) of this Resolution.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"S&P" means S&P Global Ratings, 55 Water Street, 38<sup>th</sup> Floor, New York, New York 10041, or such other address provided by S&P to the Board, its successors and assigns.

"SEC" means the United States Securities and Exchange Commission.

"Securities Depository" means a "clearing agency" registered under Section 17A of the Securities Exchange Act of 1934, as amended, including DTC, or its nominee, and the successors and assigns of any such entity.

"Series" means any designated series of Bonds issued pursuant to this Resolution.

## AGENDA ITEM X-C

"State" means the State of Texas.

"Student Loan Auxiliary Fund" means the student loan auxiliary fund described in Section 3.02 of this Resolution.

"TOP Fund" means the Texas Opportunity Plan Fund administered by the Board created in the State Treasury by Article III, Section 50b of the Texas Constitution.

"Treasury Regulations" means regulations promulgated by the U. S. Department of the Treasury pursuant to the Code.

"Unclaimed Payments" means money deposited with the Paying Agent/Registrar for the payment of principal of, redemption premium, if any, or interest on the Bonds as the same come due and payable or money set aside for the payment of Bonds duly called for redemption prior to maturity, which moneys remain on deposit with the Paying Agent/Registrar following the date on which such payments are due.

"Underwriters" means the investment banking firm or firms that contract to purchase the Bonds of a Series pursuant to a Bond Purchase Contract in accordance with Section 2.01(c)(ii) of this Resolution; provided, that (i) the Underwriters shall be selected by the Commissioner or the Assistant Commissioner Financial Services/CFO with the advice of the Financial Advisor, and (ii) the same Underwriters may contract to purchase two or more Series of such Bonds pursuant to a single Bond Purchase Contract.

**Section 1.03 OTHER DEFINITIONS.** Terms defined in the recitals to this Resolution shall have such assigned meanings unless otherwise expressly provided or unless the context clearly requires otherwise.

**Section 1.04 TABLE OF CONTENTS, TITLES AND HEADINGS.** The table of contents, titles and headings of the Articles and Sections of this Resolution have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Resolution or any provision hereof or in ascertaining intent, if any question of intent should arise.

**Section 1.05 INTERPRETATION.**

(a) Unless the context requires otherwise, the provisions of this Resolution referring to a Bond or the Bonds shall be interpreted and construed as referring to a Bond or the Bonds of a particular Series issued pursuant to this Resolution.

(b) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(c) This Resolution and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein.

**Section 1.06 RATIFICATION OF PRIOR ACTIONS.**

All prior actions taken for or on behalf of the Board in connection with the Bonds are hereby ratified, confirmed and approved.

**ARTICLE II  
AUTHORIZATION; GENERAL TERMS**

**Section 2.01 AUTHORIZATION; DELEGATION OF FINAL TERMS.**

(a) Authorization. Pursuant to authority conferred by and in accordance with the provisions of the Constitution and laws of the State, including particularly, as applicable, the Constitutional Provision, the Act, Chapter 1371 of the Texas Government Code, as amended, and Chapter 1207 with respect to any Bonds issued as College Student Loan Refunding Bonds, the Bonds are hereby authorized to be issued, in the maximum aggregate principal amount (calculated without regard to premium or discount affecting the sale price) of \$229,345,000 in one or more Series, for the purpose of (i) making additional student loans, (ii) refunding the Refunded Bonds and/or (iii) paying all or a portion of the costs of issuing such Bonds, all in accordance with and subject to the terms, conditions and limitations contained herein.

(b) Delegation of Final Terms. As authorized by Section 1371.053(c)(2), Texas Government Code, and Section 1207.007 Texas Government Code with respect to any Bonds issued as College Student Loan Refunding Bonds, the Commissioner and the Assistant Commissioner Financial Services/CFO are each hereby authorized, appointed and designated as the officer of the Board authorized to act on behalf of the Board in the sale and delivery of the Bonds authorized by this Resolution and in carrying out the other procedures specified in this Resolution, including determining (i) the aggregate principal amount of the Bonds to be issued hereunder, subject to Section 2.01(a) hereof, (ii) the price at which the Bonds will be sold, (iii) the aggregate principal amount of each maturity of the Bonds, (iv) the rate or rates of interest to be borne by each maturity of the Bonds, (v) the due date of each maturity of the Bonds (provided that, the final maturity date thereof shall not occur later than 40 years after the Issuance Date), (vi) the Bond Date, (vii) the dates, prices and terms upon which the Bonds shall be subject to redemption prior to maturity at the option of the Board, as well as the dates, prices and principal amounts at which the Bonds shall be subject to mandatory sinking fund redemption, if any, (viii) which of the Series 2012 Bonds shall comprise the Refunded Bonds, if any Bonds are issued for such purpose (ix) all other matters relating to the issuance, sale and delivery of the Bonds. In addition, the Bonds issued to refund the Refunded Bonds must be sold on terms that produce a net present value savings. The Commissioner and the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, are each further authorized to revise, complete and attach Exhibit A to this Resolution for each Series of Bonds issued under this Resolution, containing a description of the final terms of the Bonds of such Series approved pursuant to the authority granted herein and, if applicable, a list of any Refunded Bonds being refunded by the Bonds of such Series; provided, that each Series of Bonds must be sold on terms that produce (i) interest rates that do not exceed the Maximum Rate and (ii) a sales price for the Bonds of such Series to the initial purchaser(s) thereof at not less than 95% of the par amount thereof, plus accrued interest, if any. It is further provided, however, that notwithstanding the foregoing provisions, the Bonds shall not be delivered unless, prior to delivery, the Bonds have been rated by a nationally recognized rating agency for municipal securities in one of the four

## AGENDA ITEM X-C

highest rating categories for long term obligations, as required by Section 1371.001(5), Texas Government Code.

(c) Sale of Bonds.

(i) Manner of Sale. If prior to the time of anticipated sale of a Series of Bonds authorized to be issued pursuant to the terms of this Resolution the Financial Advisor advises the Commissioner or the Assistant Commissioner Financial Services/CFO in writing to the effect that, based upon then current market conditions, a negotiated sale of such Bonds is anticipated to result in a lower true interest cost to the Board as compared to a sale by competitive bid, then the Board hereby determines that a negotiated sale is a more efficient and economical method of selling such Bonds, and therefore such Bonds shall be sold by negotiated sale. If, however, the Commissioner or the Assistant Commissioner Financial Services/CFO does not receive such written advice from the Financial Advisor with respect to the anticipated sale of a Series of Bonds, then such Bonds shall be sold by competitive bid.

(ii) Negotiated Sales. For Bonds to be sold by negotiated sale, the Commissioner or the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, (i) shall designate a senior managing Underwriter for the Bonds and shall select such additional Underwriters as deemed appropriate to assure that the Bonds are sold on advantageous terms, and (ii) is further authorized to approve, execute and deliver a Bond Purchase Contract, which is hereby approved in substantially the form presented herewith, with such changes as are acceptable to the Commissioner or the Assistant Commissioner Financial Services/CFO. The approval of a Bond Purchase Contract by the Commissioner or the Assistant Commissioner Financial Services/CFO shall be conclusively evidenced by his or her execution thereof.

(iii) Competitive Bid. For Bonds to be sold by competitive bid, (i) each Authorized Representative, acting for and on behalf of the Board, is hereby severally authorized and directed to prepare and distribute a Notice of Sale and Bidding Instructions for the sale of such Bonds (which shall be distributed electronically using i-Deal Prospectus or such other electronic dissemination service deemed acceptable by an Authorized Representative), and (ii) Commissioner and the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, are each further authorized to approve and accept the winning bid from the bidder or bidders submitting the lowest true interest cost to the Board to evidence the Board's acceptance of the best bid or bids for such Bonds received as a result of competitive bidding.

(d) Payment of Costs of Issuance. Notwithstanding any other provision of this Resolution to the contrary, to the extent not otherwise provided for, the proceeds of the Bonds may be used to pay the costs of issuance thereof.

(e) Expiration of Delegation of Authority. The authority granted to the Commissioner and the Assistant Commissioner Financial Services/CFO as set forth in Section 2.01(b) to approve the final terms of the Bonds by completing and executing Exhibit A attached to this Resolution for each Series of Bonds issued under this Resolution shall expire at 5:00 P.M. on October 21, 2022. Bonds priced on or before October 21, 2022 may be delivered to the initial purchaser after such date.

## AGENDA ITEM X-C

(f) Delegation in Best Interests of the Board. In satisfaction of Section 1201.022(a)(3), Texas Government Code, the Board hereby determines that the delegation of the authority to the Commissioner and the Assistant Commissioner Financial Services/CFO to approve the method of sale and final terms and conditions of each Series of the Bonds as set forth in this Resolution is, and the decisions made by the Commissioner and/or the Assistant Commissioner Financial Services/CFO pursuant to such delegated authority and incorporated in Exhibit A to be attached hereto will be, in the Board's best interests and shall have the same force and effect as if such determinations were made by the Board, and the Commissioner and the Assistant Commissioner Financial Services/CFO are each hereby authorized to make and include in Exhibit A to be attached hereto an appropriate finding to that effect.

### **Section 2.02 DESIGNATION, DATE, DENOMINATION, MATURITIES AND INTEREST.**

(a) Each Series of Bonds shall be designated: "STATE OF TEXAS COLLEGE STUDENT LOAN BONDS"; provided that (i) any Series of Bonds issued for the purposes of making student loans and refunding Refunded Bonds shall also have the words "AND REFUNDING" included in the designation of such Bonds before the word "BONDS", and (ii) any Series of Bonds issued for the purpose of refunding Refunded Bonds, but not for the purpose of making student loans, shall also have the word "REFUNDING" included in the designation of such Bonds before the word "BONDS". The title of the Bonds shall be designated by the year in which each Series is awarded pursuant to Section 2.01 hereof and in the event that another Series of Bonds is issued by the Board within a calendar year each Series within that year shall have a letter designation following the year starting with the letter "A" and proceeding alphabetically thereafter unless otherwise determined by the Commissioner or the Assistant Commissioner Financial Services/CFO. Each Series of Bonds issued pursuant to this Resolution shall be numbered separately from R-1 upward in order of their authentication, except for the Initial Bond of each Series, which shall be numbered T-1.

(b) The Bonds shall be dated as of the applicable Bond Date. The Bonds shall be issued hereunder in the principal amount and shall mature in each of the years and in the principal amounts, all as determined by the Commissioner or the Assistant Commissioner Financial Services/CFO pursuant to Section 2.01 hereof and as set forth in Exhibit A to be attached hereto. The Bonds shall be in fully registered form, without coupons and in Authorized Denominations.

(c) Interest on the Bonds shall be payable on each Interest Payment Date and shall accrue and be paid on each Bond respectively until its maturity or prior redemption from the later of the Issuance Date or the most recent Interest Payment Date to which interest has been paid or provided for at the rate or rates per annum as specified in Exhibit A to be attached hereto. Unless otherwise determined by the Commissioner or the Assistant Commissioner Financial Services/CFO, interest on the Bonds shall be calculated on the basis of a 360-day year composed of 12 months of 30 days each.

### **Section 2.03 MEDIUM, METHOD AND PLACE OF PAYMENT.**

(a) The principal of, redemption premium, if any, and interest on the Bonds shall be paid in lawful money of the United States of America.

## AGENDA ITEM X-C

(b) Interest on the Bonds shall be payable to the Owners as shown in the Register at the close of business on the Record Date.

(c) Principal and interest shall be paid by check, dated as of the Interest Payment Date, and sent by first-class mail, postage prepaid, by the Paying Agent/Registrar to each Owner at the address shown in the Register, or by such other customary banking arrangement, such as by wire transfer, acceptable to the Paying Agent/Registrar at the request of and at the risk and expense of the Owner. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a Book Entry System at a Securities Depository for the Bonds, payments made to the Securities Depository, or its nominee, shall be made in accordance with arrangements between the Board and the securities depository.

(d) The principal of each Bond shall be paid to the Owner thereof on the due date, whether at the maturity date or the date of prior redemption, only upon presentation and surrender of such Bond at the designated office of the Paying Agent/Registrar.

(e) If the date for the payment of the principal of or interest on the Bonds is not a Business Day, the date for such payment shall be the next succeeding Business Day, and payment on such date shall for all purposes be deemed to have been made on the due date thereof as specified in Section 2.02 of this Resolution, and no interest shall accrue on such payments in the interim.

(f) Unclaimed Payments that remain unclaimed by the Owners for 90 days after the applicable payment or redemption date shall be segregated in a special escrow account and held in trust, uninvested by the Paying Agent/Registrar, for the account of the Owners of the Bonds to which the Unclaimed Payments pertain. Unclaimed Payments remaining unclaimed by the Owners entitled thereto for three years after the applicable payment or redemption date shall be reported and disposed of by the Paying Agent/Registrar in accordance with the applicable provisions of Texas law, including, to the extent applicable, Title 6 of the Texas Property Code, as amended.

### **Section 2.04 EXECUTION AND REGISTRATION OF BOND.**

(a) The Bonds shall be executed on behalf of the Board by the Chair or Vice Chair and by the Secretary of the Board, by their manual or facsimile signatures, and the official seal of the Board shall be impressed or placed in facsimile form thereon. Such facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the Board had been manually impressed upon each of the Bonds.

(b) If any officer of the Board whose manual or facsimile signature appears on the Bonds ceases to be such officer before the authentication of such Bonds or before the delivery thereof, such manual or facsimile signature nevertheless shall be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Resolution unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Paying

## AGENDA ITEM X-C

Agent/Registrar. It shall not be required that the same officer or authorized signatory of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bond of each Series delivered on the Issuance Date shall have attached or affixed thereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller, or by his or her duly authorized agent, which Certificate shall be evidence that such Initial Bond has been duly approved by the Attorney General of the State of Texas, and that it is a valid and binding obligation of the Board, and that it has been registered by the Comptroller.

(d) On the Issuance Date, one Initial Bond for each Series representing the entire principal amount of all Bonds of such Series, payable in stated installments to the respective initial purchaser, or its designee, executed by the manual or facsimile signature of the Chair or Vice Chair and of the Secretary of the Board, approved by the Attorney General, and registered by the Comptroller by Registration Certificate attached or affixed thereto, will be delivered to the Paying Agent/Registrar on behalf of the respective initial purchaser or its designee. Upon payment for the Initial Bond of such Series, the Paying Agent/Registrar shall cancel each such Initial Bond and deliver to DTC on behalf of the respective initial purchaser a single registered, definitive Bond for each maturity of the Bonds of such Series, in the respective aggregate principal amount thereof, registered in the name of Cede & Co., as nominee of DTC.

### **Section 2.05 OWNERSHIP.**

(a) The Board, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute Owner of such Bond for the purpose of making and receiving payment of the principal thereof and redemption premium, if any, thereon, for the further purpose of making and receiving payment of the interest thereon (except interest shall be paid to the person in whose name the Bond is registered on the Record Date), and for all other purposes, whether or not such Bond is overdue, and neither the Board nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the Owner of a Bond shall be valid and effectual and shall discharge the liability of the Board and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

### **Section 2.06 REGISTRATION, TRANSFER AND EXCHANGE; BOOK-ENTRY SYSTEM.**

(a) So long as any Bonds remain Outstanding, the Board shall cause the Paying Agent/Registrar to keep at its designated office the Register, in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with this Resolution.

(b) The ownership of a Bond may be transferred only upon the presentation and surrender of the Bond at the designated office of the Paying Agent/Registrar with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar. No transfer of any Bond shall be effective until entered in the Register.

(c) The Bonds shall be exchangeable upon the presentation and surrender thereof at the designated office of the Paying Agent/Registrar for a Bond or Bonds of the same Series,

## AGENDA ITEM X-C

maturity and interest rate and in any Authorized Denomination and in an aggregate principal amount equal to the unpaid principal amount of the Bonds presented for exchange. The Paying Agent/Registrar is hereby authorized to authenticate and deliver Bonds exchanged for other Bonds in accordance with this Section.

(d) Each exchange Bond delivered by the Paying Agent/Registrar in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Bond or Bonds in lieu of which such exchange Bond is delivered.

(e) No service charge shall be made to the Owner for the initial registration, any subsequent transfer, or exchange for a different denomination of any of the Bonds. The Paying Agent/Registrar, however, may require the Owner to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer or exchange of a Bond.

(f) Neither the Board nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following Interest Payment Date, or (ii) called for redemption prior to maturity, in whole or in part, within 30 days prior to the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the Owner of the uncalled principal balance of a Bond.

(g) The Bonds may be issued or subsequently registered in the name of a Securities Depository or a nominee therefor, and held in the custody of the Securities Depository. In such event, a single Bond for each maturity will be issued and delivered to the Securities Depository for the Bonds, and neither the beneficial owners of such Bonds nor the Paying Agent/Registrar will receive physical delivery of Bonds except as provided herein, all transfers of beneficial ownership interests will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds will receive, hold or deliver any Bond certificate. The Board and the Paying Agent/Registrar will recognize the Securities Depository or its nominee as the Owner for all purposes, including notices and voting.

Whenever, during the term of the Bonds, the beneficial ownership thereof is determined through the books of the Securities Depository, (i) the Board covenants and agrees to meet the requirements of the Securities Depository with respect to required notices and other provisions of the letter of representations or agreement executed with respect to such Bonds and (ii) the requirements in this Resolution of holding, delivering or transferring such Bonds shall be deemed modified to require the appropriate person to meet the requirements of the Securities Depository with respect to such actions to produce the same effect. Any provisions hereof permitting or requiring delivery of such Bonds shall, while such Bonds are in a Book-Entry System, be satisfied by the notation on the books of the Securities Depository in accordance with applicable State law.

The Board and the Paying Agent/Registrar may rely conclusively upon (i) a certificate of the Securities Depository as to the identity of the Depository Participants in the Book-Entry System with respect to the Bonds and (ii) a certificate of any such Depository Participant as to the identity of, and the respective principal amount of Bonds owned by, the beneficial owners of the Bonds.



## AGENDA ITEM X-C

The Board may from time to time appoint a Securities Depository or a successor thereto and enter into a letter of representation or other agreement with such Securities Depository to establish procedures with respect to the Bonds.

Neither the Board nor the Paying Agent/Registrar will have any responsibility or obligation to any Securities Depository, any Depository Participant in the Book-Entry System or the beneficial owners of the Bonds with respect to (i) the accuracy of any records maintained by the Securities Depository or any Depository Participant; (ii) the payment by the Securities Depository or by any Depository Participant of any amount due to any beneficial owner of the Bonds in respect of the principal amount or redemption or purchase price of, or interest on, any Bonds; (iii) the delivery of any notice by the Securities Depository or any Depository Participant; (iv) the selection of the beneficial owners of the Bonds to receive payment in the event of any partial redemption of the Bonds; or (v) any other action taken by the Securities Depository or any Depository Participant.

Bond certificates are required to be delivered and registered in the name of the beneficial owner of the Bonds, under the following circumstances:

- (i) a Securities Depository determines to discontinue providing its service with respect to the Bonds and no successor Securities Depository is appointed as described above; or
- (ii) the Board determines not to continue the Book-Entry System through a Securities Depository.

If, at any time, the Securities Depository ceases to hold the Bonds, thereafter all references herein to the Securities Depository shall be of no further force or effect.

Neither the Board nor the Paying Agent/Registrar will have any responsibility or obligation to any Depository Participant for the Book-Entry System or to the beneficial owners of the Bonds with respect to the records delivered to the Board and the Paying Agent/Registrar in order to accomplish the delivery and registration in the names of the beneficial owners of the Bonds.

**Section 2.07 CANCELLATION.** All Bonds paid or redeemed before scheduled maturity in accordance with this Resolution, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance with this Resolution, shall be canceled and proper records made regarding such payment, redemption, exchange or replacement. The Paying Agent/Registrar shall destroy such canceled Bonds and periodically furnish the Board with certificates of destruction of such Bonds.

### **Section 2.08 REPLACEMENT BONDS.**

(a) Upon the presentation and surrender to the Paying Agent/Registrar of a mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange for such mutilated bond a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously Outstanding. The Board or the Paying Agent/Registrar, as applicable, may require the Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

## AGENDA ITEM X-C

(b) If any Bond is lost, apparently destroyed, or wrongfully taken, the Board, pursuant to the applicable laws of the State and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authorize, and the Paying Agent/Registrar shall deliver, a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously Outstanding, provided that the Owner first:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction or theft of such Bond;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar and the Board to save them harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the Board or the Paying Agent/Registrar.

(c) After the delivery of such replacement Bond, if a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the Board and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the Board or the Paying Agent/Registrar in connection therewith.

(d) If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the Board, in its discretion, instead of issuing a replacement Bond, may authorize the Paying Agent/Registrar to pay such Bond when it becomes due and payable.

(e) Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

### ARTICLE III FUNDS AND INVESTMENTS

**Section 3.01 FUNDS.** There have been created in the State Treasury two funds designated respectively:

(1) "Student Loan Auxiliary Fund"; and

(2) "State of Texas College Student Loan Bonds Interest and Sinking Fund" herein called "Interest and Sinking Fund". The Interest and Sinking Fund constitutes the Interest and Sinking Fund for the Bonds, Previously Issued Bonds and any Additional Bonds.

**Section 3.02 STUDENT LOAN AUXILIARY FUND.**

(a) There shall be deposited into the Student Loan Auxiliary Fund the following:

(1) Except as provided in Sections 2.01(d) and 3.10 hereof, all proceeds from the sale of the Bonds and Additional Bonds (other than any Bonds or Additional Bonds issued as College Student Loan Refunding Bonds), excluding any accrued interest on the Bonds and Additional Bonds which shall be deposited into the Interest and Sinking Fund pursuant to Section 3.03(a)(4) of this Resolution;

(2) Gifts or grants made to the Board for purposes of the Student Loan Auxiliary Fund; and

(3) All money received in any Fiscal Year from repayment of student loans granted under the Act which are made by the Board from funds on deposit in the Student Loan Auxiliary Fund, and interest thereon, which is in excess of the amount required to be deposited into the Interest and Sinking Fund pursuant to the provisions of Section 3.03(a) hereof.

(b) Money in the Student Loan Auxiliary Fund shall be used for the following purposes (provided, however, that (i) in no event may funds deposited in the Student Loan Auxiliary Fund pursuant to Section 3.02(a)(1) hereof be used for a purpose described in clause (2) below and (ii) funds deposited in the Student Loan Auxiliary Fund pursuant to Section 3.02(a)(2) hereof must be applied in accordance with the requirements of Section 52.53 of the Act):

(1) to make loans to students as now or hereafter provided by the Constitution and laws of the State, particularly the Act;

(2) to pay administration and operating expenses, and to fund any other lawful purpose, related to the Board's student loan program operated pursuant to the Act;

(3) to the extent permitted by law, including Subchapter F of Chapter 52, Texas Education Code, as amended, to transfer funds to the Interest and Sinking Fund in the event funds on deposit in the Interest and Sinking Fund are insufficient to pay principal and interest on any of the Bonds, Previously Issued Bonds and Additional Bonds; and

(4) to the extent permitted by law, including Subchapter F of Chapter 52, Texas Education Code, as amended, to transfer to other funds and accounts established by the Board to comply with covenants related to maintaining the tax-exempt status of the Bonds, the Previously Issued Bonds and any Additional Bonds.

**Section 3.03 INTEREST AND SINKING FUND.**

(a) There shall be deposited into the Interest and Sinking Fund the following:

(1) money received in each Fiscal Year as repayment of student loans granted under the Act and interest thereon sufficient to pay the interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the

## AGENDA ITEM X-C

ensuing Fiscal Year; provided, however, if permitted by law, the Board may reduce, in whole or in part, the amount required to be accumulated in the Interest and Sinking Fund to pay interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the ensuing Fiscal Year; provided further that such action described above may not be exercised unless the Board has received written confirmation from each rating agency then maintaining a rating (at the request of the Board) on the Bonds, the Previously Issued Bonds and any Additional Bonds then outstanding that the exercise of such action will not cause a reduction or withdrawal of their respective ratings then applicable to any of the Bonds, Previously Issued Bonds or Additional Bonds and unless the Board has provided written notice of any such reduction to the Texas Bond Review Board;

(2) money required by the Constitutional Provision and the Act to be transferred into the Interest and Sinking Fund by the Comptroller out of first moneys coming into the Treasury of the State in each Fiscal Year not otherwise appropriated by the State Constitution;

(3) money transferred by the Board from the Student Loan Auxiliary Fund pursuant to Section 3.02(b)(3) and (4) hereof; and

(4) accrued interest on the Bonds, if any.

(b) Money in the Interest and Sinking Fund is hereby pledged to secure payment of principal of and interest on the Bonds, the Previously Issued Bonds and any Additional Bonds, and shall be used only for the purpose of paying interest on and principal of the Bonds, the Previously Issued Bonds and any Additional Bonds, and for transferring to other funds and accounts established by the Board to comply with covenants related to maintaining the tax-exempt status of the Bonds, the Previously Issued Bonds and any Additional Bonds.

(c) The Board hereby authorizes the use of any surplus funds in the Interest and Sinking Fund, as determined by an Authorized Representative, to defease and/or redeem, from time to time, certain outstanding College Student Loan Bonds previously issued by the Board in accordance with the applicable defeasance and redemption provisions in the respective resolutions authorizing such College Student Loan Bonds. Each Authorized Representative is hereby severally authorized on behalf of the Board to determine and retire, from time to time, the various portions of such outstanding College Student Loan Bonds which are economically advantageous for the Board to retire by the defeasance and/or redemption of such debt. Each Authorized Representative is authorized to enter into one or more escrow agreements in substantially the form approved by the Board as necessary to accomplish such defeasances. In the event of such a defeasance, each Authorized Representative is authorized hereby to take such steps as may be necessary to purchase the escrowed securities identified in such escrow agreements on behalf of the Board and is authorized to create and fund the escrow funds contemplated by the escrow agreements through the use of such surplus funds in the Interest and Sinking Fund. Each Authorized Representative is authorized to call for redemption such College Student Loan Bonds to be redeemed pursuant to this section and is hereby authorized to provide and complete an appropriate notice of redemption to the paying agent(s) for such College Student Loan Bonds. For the avoidance of doubt, each Authorized Representative is authorized to utilize the authority in this subsection to defease and/or redeem any and all of the Series 2012 Bonds in lieu of issuing bonds under this Resolution to refund such bonds.

**Section 3.04 PROVISION FOR PAYMENT OF BONDS.**

(a) The Board recognizes the absolute and ultimate obligation of the State to provide during each Fiscal Year all money necessary for the payment of the principal of and interest on the Bonds, the Previously Issued Bonds and all Additional Bonds when such interest or principal and interest become due, out of the first moneys coming into the State Treasury in each Fiscal Year not otherwise appropriated by the State Constitution, less any amount in the Interest and Sinking Fund at the end of the preceding Fiscal Year, as set forth in the Constitutional Provision.

(b) All money received by the Board as principal and interest repayments of loans granted under the Act shall be deposited with the Comptroller in the Interest and Sinking Fund as received until the amount contained in said fund shall be sufficient to pay the principal and interest to become due on the Bonds, the Previously Issued Bonds and any Additional Bonds during the ensuing Fiscal Year; provided, however, if permitted by law, the Board may reduce, in whole or in part, the amount required to be accumulated in the Interest and Sinking Fund to pay interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the ensuing Fiscal Year; and provided further that such action described above may not be exercised unless the Board has received written confirmation from each rating agency then maintaining a rating (at the request of the Board) on the Bonds, the Previously Issued Bonds and any Additional Bonds then outstanding that the exercise of such action will not cause a reduction or withdrawal of their respective ratings then applicable to any of the Bonds, Previously Issued Bonds or Additional Bonds and unless the Board has provided written notice of any such reduction to the Texas Bond Review Board.

(c) As early as possible in each Fiscal Year the Board shall cause to be furnished to the Comptroller a statement showing:

(1) the amount of money and investments in the Interest and Sinking Fund at the close of the preceding Fiscal Year;

(2) the amount of interest or principal and interest which will become due during that Fiscal Year on the Bonds, the Previously Issued Bonds and the Additional Bonds; and

(3) the amount of money, if any, which should be transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State in that Fiscal Year not otherwise appropriated by the State Constitution.

**Section 3.05 TRANSFERS TO INTEREST AND SINKING FUND.** If the statement required by the foregoing Section shows that the amount of money and the value of investments contained in the Interest and Sinking Fund is less than the amount of interest or interest and principal scheduled to become due on the Bonds, the Previously Issued Bonds and the Additional Bonds during that Fiscal Year, the Comptroller shall (i) first, allocate available funds then on deposit in the Interest and Sinking Fund to pay the principal and interest on the Bonds, the Previously Issued Bonds and any Additional Bonds which will become due during that Fiscal Year, and (ii) second, transfer into the Interest and Sinking Fund out of the first money coming into the Treasury of the State in that Fiscal Year, not otherwise appropriated by the State Constitution, such additional amount as shall be required to pay the interest or interest and principal of the

## AGENDA ITEM X-C

Bonds, the Previously Issued Bonds and Additional Bonds maturing and coming due during that Fiscal Year.

### **Section 3.06 PREPARATION OF VOUCHERS AND ISSUANCE OF WARRANTS FOR DEBT SERVICE.**

(a) Prior to each interest payment date and/or maturity date while any of the Bonds, the Previously Issued Bonds or Additional Bonds remain outstanding or interest is due thereon, it shall be the duty of the officers and employees of the Board to prepare or cause to be prepared and to file with the Comptroller a voucher (or other instrument required by the Comptroller) showing the amount of money required to pay the principal of and interest on all such bonds then to become due. Such voucher shall specify the paying agent to which remittance is to be made, and shall direct that a warrant or warrants for such amount or amounts be issued, payable to the order of such paying agent.

(b) Based on each such voucher it shall be the duty of the Comptroller after the filing with his or her of such voucher, to draw on the State Treasury a proper warrant in the amount shown in such voucher, payable to the order of the paying agent specified in the voucher. Such warrant shall be drawn against the Interest and Sinking Fund. The Comptroller shall forward the warrant to the principal office of the paying agent specified in the voucher. Such warrant shall be forwarded, so as to allow ample time for conversion of the warrant into current funds by the paying agent specified in the voucher by such principal and interest payment date. The Comptroller may utilize any other means of payment permitted under State law for purposes of this section.

### **Section 3.07 INVESTMENT OF FUNDS.**

(a) Any moneys in the Student Loan Auxiliary Fund in excess of the amount necessary for student loans shall be invested by the Comptroller in any investments authorized pursuant to (1) Chapter 2256, Texas Government Code, as amended, (2) Section 404.024, Texas Government Code, as amended, or (3) any other statute which describes the types of investments in which the Comptroller, the Board or any other agency of the State can invest its funds. The foregoing notwithstanding, no proceeds of the Bonds (or repayments of student loans) deposited to such fund for a period longer than six months (or, in the case of repayments, three months) will be invested in obligations with a yield materially higher than the yield on the Bonds.

(b) The Comptroller, at the direction of the Board (or the Commissioner or the Assistant Commissioner Financial Services/CFO, as hereinafter authorized), may sell any investments owned in the Interest and Sinking Fund or in the Student Loan Auxiliary Fund at the prevailing market price. Except as may otherwise be required by Section 8.03 with respect to compliance with the rebate covenant therein described, income from such investments shall be deposited into the Interest and Sinking Fund.

(c) Notwithstanding any other provision of this Section 3.07 to the contrary (other than the last sentence of Section 3.07(a)), all moneys in the Interest and Sinking Fund and in the Student Loan Auxiliary Fund in excess of the amount necessary for student loans shall be invested by the Comptroller in any investments authorized pursuant to (1) Chapter 2256, Texas Government Code, as amended, (2) Section 404.024 of the Texas Government Code, as amended, or (3) any other statute which describes the types of investments in which the

## AGENDA ITEM X-C

Comptroller, the Board or any other agency of the State may invest its funds; provided, all such investments shall be scheduled to mature prior to the date such moneys must be available for use for its intended purpose. Each Authorized Representative is hereby expressly severally authorized, empowered and directed from time to time and at any time to take any action necessary to comply with the provisions of this Section 3.07 (and any other provision of this Resolution or of any Board resolution governing any Previously Issued Bonds with respect to the investment of moneys in the Interest and Sinking Fund, the Student Loan Auxiliary Fund and the Texas Opportunity Plan Fund (created in the State Treasury by the Constitutional Provision)), including, but not limited to, to direct the Comptroller or the Comptroller's designee, pursuant to an agreement therewith or otherwise, to invest such moneys in the investments authorized herein and in any Board resolution governing any Previously Issued Bonds.

**Section 3.08 COOPERATION WITH STATE OFFICERS.** It is the duty of the Board, its officers, employees and agents (who are hereby so authorized and directed) to cooperate with and aid the Comptroller in calculating the amounts to be deposited in, or transferred to, the appropriate funds, and in ascertaining the amounts to be remitted to the Paying Agent/Registrar to meet the requirements for the due and punctual payment of the principal and interest on the Previously Issued Bonds and the Bonds as such interest and principal become due and payable.

**Section 3.09 DEPOSIT AND TRANSFER OF FUNDS; DUTIES OF COMPTROLLER.** The Comptroller is hereby authorized and directed to make the deposits and transfers required under all provisions of this Resolution and the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds. The Comptroller is further hereby authorized and directed to do all things necessary or convenient to make current funds available at the Paying Agent/Registrar to pay principal of and interest on all Bonds and Previously Issued Bonds as they mature, all in accordance with the respective authorizing resolutions.

### **Section 3.10 ADDITIONAL BONDS.**

The Board reserves the right to issue Additional Bonds from time to time, provided that the provisions for the issuance of such Additional Bonds will preserve the primary sources for the payment thereof and for the security thereof as set forth in the Constitutional Provision. Notwithstanding any other provision of this Resolution to the contrary, the proceeds of any Additional Bonds may be used to pay the costs of issuance thereof and to fund any reserves required by the Board resolution authorizing the issuance of such bonds to the extent not otherwise provided for.

### **Section 3.11 INTEREST RATE SWAP AGREEMENT.**

(a) To the extent permitted by applicable law and subject to the condition in subsection (d) set forth below, the Board expressly reserves the right to enter into one or more interest rate swap agreements in connection with its interest obligation on any Previously Issued Bonds, Bonds or Additional Bonds. In which event, (i) the net amounts payable by the Board under such interest rate swap agreement(s) shall be deemed to be interest on the Previously Issued Bonds, Bonds or Additional Bonds subject to such agreement for all purposes of the Board's resolutions authorizing such bonds and (ii) the net amounts received by the Board under such interest rate swap agreement(s) shall be deposited and applied in the same manner as repayments of student loans granted under the Act for all purposes of such resolutions.

## AGENDA ITEM X-C

(b) Notwithstanding the provisions of subsection (a) set forth above, (i) money transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State pursuant to Section 3.05 of this Resolution (and similar provisions of the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds), shall not be used to pay any amounts owed by the Board under an interest rate swap agreement and (ii) the Board shall separately account for such transferred money to the extent necessary to ensure that such money is not used to pay such amounts. To the extent that there are not sufficient funds in the Interest and Sinking Fund to pay the amounts owed by the Board under an interest rate swap agreement (as a result of the immediately preceding sentence or otherwise), the Board shall pay the deficiency from the Student Loan Auxiliary Fund.

(c) Notwithstanding the provisions of subsection (b) set forth above, the Board may pay the net amounts payable by the Board under an interest rate swap agreement from any lawfully available source, including from moneys transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State (as described above in subsection (b)(i)).

(d) As a condition to the Board's entering into an interest rate swap agreement pursuant to this Section 3.11, the Board must receive an opinion of its bond counsel to the effect that such action is permitted by law and is authorized pursuant to this Resolution and the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds.

### **ARTICLE IV REDEMPTION OF BONDS BEFORE MATURITY**

#### **Section 4.01 LIMITATION ON REDEMPTION.**

The Bonds shall be subject to redemption prior to scheduled maturity only as provided in this Article IV and Exhibit A hereto.

#### **Section 4.02 OPTIONAL REDEMPTION.**

(a) On the date or dates, if any, specified in Exhibit A hereto (after completion and execution by the Commissioner or the Assistant Commissioner Financial Services/CFO, as authorized by Section 2.01 hereof), the Bonds may be redeemed prior to their scheduled maturities, at the option of the Board, with funds derived from any lawfully available source, as a whole or in part (provided that a portion of a Bond may be redeemed only in an Authorized Denomination), at the redemption prices specified in Exhibit A hereto. The Board shall determine the maturity or maturities of the Bonds, and the principal amount of Bonds within each maturity, to be redeemed. If less than all the Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent/Registrar by lot or other random method for redemption. The Board shall deliver notice to the Paying Agent/Registrar of its intention to redeem Bonds at least 35 days prior to the redemption date.

(b) The Board shall deposit an amount sufficient to pay the redemption price of the Bonds to be redeemed with the Paying Agent/Registrar. Such moneys shall be invested in obligations, having maturities which coincide with the redemption date, and bearing the highest rating of Moody's if such entity is then providing a rating with respect to the Bonds, and S&P, if such entity is then providing a rating with respect to the Bonds.



**Section 4.03 MANDATORY SINKING FUND REDEMPTION.**

The Bonds, if any, identified on Exhibit A hereto (after completion and execution by the Commissioner or the Assistant Commissioner Financial Services/CFO, as authorized by Section 2.01 hereof) shall be subject to mandatory sinking fund redemption prior to their scheduled maturities at the redemption prices, at the times and in the principal amounts shown on Exhibit A hereto. The principal amount of such Bonds required to be redeemed pursuant to the operation of such mandatory sinking fund redemption requirements may be reduced, at the option of the Board, by the principal amount of any such Bonds which, prior to the date of the mailing of notice of such mandatory redemption, shall have been (i) acquired by the Board and delivered to the Paying Agent/Registrar for cancellation, (ii) purchased and canceled by the Paying Agent/Registrar at the request of the Board, or (iii) redeemed pursuant to the optional redemption provisions described in Section 4.02(a) hereof and not theretofore credited against a mandatory sinking fund redemption requirement.

**Section 4.04 PARTIAL REDEMPTION.**

(a) A portion of a single Bond of a denomination greater than an Authorized Denomination may be redeemed but only in a principal amount equal to an Authorized Denomination which will allow for the unredeemed portion thereof to remain in an Authorized Denomination. The Paying Agent/Registrar shall treat each minimum Authorized Denomination of such Bond as though it were a single Bond for purposes of selection for redemption.

(b) Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver an exchange Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

**Section 4.05 NOTICE OF REDEMPTION.**

(a) The Paying Agent/Registrar shall cause notice of redemption of any Bond to be redeemed in whole or in part to be mailed by first-class mail to S&P and Moody's and to the Owner thereof at the address of the Owner appearing in the Register at least 30 days prior to the redemption date.

(b) The notice of redemption shall identify the Bonds to be redeemed, and shall specify the numbers thereof, the redemption date and the redemption price. The notice shall state that (i) on the redemption date the Bonds called for redemption will be payable at the designated office of the Paying Agent/Registrar, and (ii) on and after the redemption date interest will cease to accrue.

(c) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice.

**Section 4.06 PAYMENT UPON REDEMPTION.** Upon presentation and surrender of any Bond called for redemption at the designated office of the Paying Agent/ Registrar on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of and accrued interest on such Bond to the date of redemption from the money provided for that purpose.

## AGENDA ITEM X-C

### **Section 4.07 EFFECT OF REDEMPTION.**

(a) Notice of redemption having been given, and due provision having been made for payment, the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption; thereafter, such Bonds or portions thereof shall cease to bear interest from the date fixed for redemption, whether or not such Bonds are presented and surrendered for payment on such date.

(b) If the Board shall fail to make provision for the payment of all sums due on a redemption date, then any Bond or portion thereof called for redemption shall continue to bear interest until due provision is made with the Paying Agent/Registrar for the payment of same by the Board.

## **ARTICLE V PAYING AGENT/REGISTRAR**

### **Section 5.01 APPOINTMENT OF INITIAL PAYING AGENT/REGISTRAR.**

An Authorized Representative is hereby authorized to select an eligible entity to serve as Paying Agent/Registrar for the Bonds. The Paying Agent/Registrar shall signify its acceptance of the duties and obligations imposed on it hereunder by its execution of a Paying Agent/Registrar Agreement, which is hereby approved in substantially the form presented herewith. Each Authorized Representative is hereby severally authorized to approve any changes in the Paying Agent/Registrar Agreement and to execute and deliver the Paying Agent/Registrar Agreement in final form. The signature of any Authorized Representative may be attested by the Secretary of the Board. An Authorized Representative may determine to approve, execute and deliver a separate Paying Agent/Registrar Agreement with respect to each Series of Bonds issued under this Resolution.

**Section 5.02 QUALIFICATION.** Each Paying Agent/Registrar shall be a commercial bank, trust company organized under a law of the State, or other entity duly qualified and legally authorized to serve as and perform the duties and services of paying agent and registrar for the Bonds.

### **Section 5.03 MAINTAINING PAYING AGENT/REGISTRAR.**

(a) At all times while any Bonds are Outstanding, the Board shall maintain a Paying Agent/Registrar that is qualified under Section 5.02 of this Resolution.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the Board will promptly appoint a replacement.

**Section 5.04 TERMINATION.** The Board, upon not less than 30 days' notice to the Paying Agent/Registrar, reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering written notice of such termination.

**Section 5.05 NOTICE OF CHANGE TO OWNERS.** Promptly upon each change in the entity serving as Paying Agent/Registrar, the Board will cause notice of the change to be sent to each Owner by first-class United States mail, postage prepaid, at the address shown in the

## AGENDA ITEM X-C

Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar.

**Section 5.06 AGREEMENT TO PERFORM DUTIES AND FUNCTIONS.** By accepting the appointment as Paying Agent/Registrar and executing a Paying Agent/Registrar Agreement with the Board in substantially the form presented herewith, the Paying Agent/Registrar is deemed to have agreed to the provisions of this Resolution and that it will perform the duties and functions of Paying Agent/Registrar prescribed thereby.

**Section 5.07 DELIVERY OF RECORDS TO SUCCESSOR.**

If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Register (or a copy thereon) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar.

## ARTICLE VI FORM OF THE BONDS

**Section 6.01 FORM GENERALLY.**

(a) The Bonds, including the Registration Certificate of the Comptroller, the Certificate of the Paying Agent/Registrar and the Assignment form to appear on each of the Bonds, (i) shall be substantially in the form set forth in Exhibit B hereto, with such appropriate insertions, omissions, substitutions and other variations as are permitted or required by this Resolution, and (ii) may have such letters, numbers or other marks of identification and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the Board or by the officers executing such Bonds, as evidenced by their execution thereof.

(b) The definitive Bonds shall be typewritten, photocopied or printed, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

(c) The Initial Bond of each Series submitted to the Attorney General of the State of Texas may be typewritten and photocopied or otherwise reproduced.

(d) The Initial Bond of each Series shall be in the form set forth in paragraph (a) of this Section, except for the following alterations:

(i) immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As Shown Below" and the reference to "CUSIP NO." shall be deleted; and

(ii) in the first paragraph of the Bond, the words "on the Maturity Date specified above, the sum of \_\_\_\_\_ DOLLARS" shall be deleted and the following will be inserted: "on each of the maturity dates, in the principal amounts and bearing interest at the per annum rates set forth in the following schedule:

## AGENDA ITEM X-C

<u>Maturity Date</u> (August 1)	<u>Principal Amount</u>	<u>Interest Rate"</u>
------------------------------------	-------------------------	-----------------------

(Information to be inserted from Exhibit A to be completed and attached hereto by the Commissioner or the Assistant Commissioner Financial Services/CFO as described in, and as authorized by, Section 2.01(b) of this Resolution.)

### **Section 6.02 CUSIP REGISTRATION.**

The Board may secure identification numbers through the CUSIP Service Bureau Division of S&P, and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect as regards the legality thereof and neither the Board nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

### **Section 6.03 LEGAL OPINION.**

The approving legal opinion of McCall, Parkhurst & Horton L.L.P., bond counsel, may accompany the Bonds, which may be executed in facsimile.

### **Section 6.04 STATEMENT OF INSURANCE.**

A statement relating to the issuance of a municipal bond insurance policy issued for the Bonds, if any, may be printed on or attached to each Bond.

## **ARTICLE VII APPROVAL OF OFFICIAL STATEMENT AND ESCROW AGREEMENT; AUTHORITY TO REFUND REFUNDED BONDS AND EXECUTE OTHER DOCUMENTS**

**Section 7.01 APPROVAL OF OFFICIAL STATEMENT.** The Preliminary Official Statement (the "Preliminary Official Statement"), substantially in the form presented to and considered at this meeting, with such changes as the Authorized Representatives may hereafter approve (including, but not limited to, any changes necessary to conform the Preliminary Official Statement and any related sale documents to the actual method of sale selected pursuant to Section 2.02(c) of this Resolution), is hereby in all respects approved, and each Authorized Representative is hereby severally authorized and directed to determine the date of sale of the Bonds, to deem the Preliminary Official Statement "final" for purposes of the Rule, to make or approve such changes in the Preliminary Official Statement as may be required to provide a final Official Statement (the "Official Statement"), and to execute the Official Statement and deliver appropriate numbers of executed copies thereof to the initial purchaser(s) of the Bonds to use in connection with the sale of the Bonds. An Authorized Representative may determine to prepare, approve, execute and deliver a separate Preliminary Official Statement and Official Statement with respect to separate Series of Bonds.

**Section 7.02 CONTROL AND DELIVERY OF BONDS; AUTHORITY TO EXECUTE ALL OTHER DOCUMENTS; APPROPRIATION OF FUNDS.**

(a) Each Authorized Representative is hereby severally authorized to have control of the Initial Bond of each Series and all necessary records and proceedings pertaining thereto pending investigation, examination, and approval of the Attorney General of the State, registration by the Comptroller, and registration with, and initial exchange or transfer by, the Paying Agent/Registrar. After registration by the Comptroller, delivery of the Bonds shall be made to the respective initial purchaser against receipt by the Board of all amounts due to the Board under the terms of sale.

(b) Each Authorized Representative shall be and is hereby expressly severally authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things, including publishing any required notices of public hearings and conducting any required public hearings, and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Board all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution, the Bonds, the sale of the Bonds and the Preliminary Official Statement. Any such signature of an Authorized Representative may be attested by the Secretary of the Board.

(c) Each Authorized Representative is further authorized and directed, and there is hereby appropriated such moneys of the Board as are necessary, to (i) pay the costs of issuance of the Bonds to the extent not paid from Bond proceeds and (ii) make the deposits described in Section 7.03 hereof in amounts sufficient, together with Bond proceeds, to provide for the refunding of all or a portion of any Refunded Bonds.

**Section 7.03 REDEMPTION OF CERTAIN REFUNDED BONDS; APPROVAL OF ESCROW AGREEMENT.**

(a) Subject to the determination by the Commissioner or the Assistant Commissioner Financial Services/CFO of the particular bonds that shall constitute the Refunded Bonds, the Board irrevocably calls the Refunded Bonds for redemption prior to maturity on the first optional redemption date following delivery of the Series of Bonds issued to refund such Refunded Bonds, for which all of the notice requirements for redemption can reasonably be met, at a redemption price of par (plus accrued interest to the date fixed for redemption). Each Authorized Representative is hereby severally authorized to provide for notice of such redemption to be given in accordance with the resolution(s) of the Board authorizing such Refunded Bonds.

(b) Concurrently with the initial delivery of each Series of Bonds issued to refund any Refunded Bonds, the Board shall deposit all or a portion of the proceeds from the sale of any such Series of Bonds, in the amount set forth in the Escrow Agreement for such Refunded Bonds, together with other available funds of the Board, if required, with the Escrow Agent aggregating an amount together with investment earnings thereon, if any, sufficient to provide for the refunding of the respective Refunded Bonds identified in such Escrow Agreement, all in accordance with Chapter 1207. The Escrow Agreement is hereby approved in substantially the form presented herewith. Each Authorized Representative is hereby severally authorized, to approve any changes in the Escrow Agreement and to execute and deliver the Escrow Agreement in final form. An Authorized Representative is hereby authorized to select an eligible entity to

## AGENDA ITEM X-C

serve as Escrow Agent and may approve, execute and deliver one or more Escrow Agreement(s) with any such Escrow Agent.

(c) To assure the purchase of the "Escrowed Securities" referred to in the Escrow Agreement for the Refunded Bonds, each Authorized Representative is hereby severally authorized to subscribe for, agree to purchase and purchase eligible defeasance securities authorized in the resolution(s) of the Board authorizing the Refunded Bonds, in such amounts and maturities and bearing interest at such rates as may be provided for in such Escrow Agreement, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and is authorized to create and fund the "Escrow Fund" contemplated by such Escrow Agreement through the use of the proceeds of the Series of Bonds issued to refund the Refunded Bonds, the moneys and investments held in the fund securing the Refunded Bonds, and other lawfully available moneys of the Board.

(d) To satisfy in a timely manner all of the Board's obligations under this Resolution and the Escrow Agreement(s), each Authorized Representative is hereby severally authorized and directed for and on behalf of the Board to take all other actions that are reasonably necessary to provide for the refunding of the Refunded Bonds including, without limitation, executing and delivering for and on behalf of the Board all certificates, consents, receipts, requests and other documents as may be reasonably necessary to satisfy the Board's obligations under the Escrow Agreement(s) and this Resolution and to direct the transfer and application of funds of the Board consistent with the provisions of the Escrow Agreement(s) and this Resolution.

## ARTICLE VIII PARTICULAR REPRESENTATIONS AND COVENANTS

**Section 8.01 PAYMENT OF THE BONDS.** On or before each Interest Payment Date for the Bonds, there shall be made available to the Paying Agent/Registrar, out of the Interest and Sinking Fund, money sufficient to pay such principal of, redemption premium, if any, and interest on the Bonds as will accrue or mature on the applicable Interest Payment Date or date of prior redemption.

### **Section 8.02 OTHER REPRESENTATIONS AND COVENANTS.**

(a) The Board will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution and in each Bond; the Board will promptly pay or cause to be paid the principal of, redemption premium, if any, and interest on each Bond on the dates and at the places and manner prescribed in such Bond; and the Board will, at the times and in the manner prescribed by this Resolution, deposit or cause to be deposited the amounts of money specified by this Resolution.

(b) The Board is duly authorized under the laws of the State to issue the Bonds; all action on its part for the creation and issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Owners thereof are and will be valid and enforceable obligations of the Board in accordance with their terms.

## AGENDA ITEM X-C

**Section 8.03 COVENANTS REGARDING TAX EXEMPTION.** The Board intends that the interest on the Bonds will be excludable from gross income for federal income tax purposes pursuant to sections 103 and 141 through 150 of the Code. The Board covenants and agrees not to take any action, or omit to take any action within its control, that if taken or omitted, respectively, would cause the interest on the Bonds to be includable in gross income, as defined in section 61 of the Code, for federal income tax purposes. In particular, the Board covenants and agrees to comply with each requirement of this Section 8.03; provided, however, that the Board will not be required to comply with any particular requirement of this Section 8.03 if the Board has received an opinion of nationally recognized bond counsel ("Counsel's Opinion") that (i) such noncompliance will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds or (ii) compliance with some other requirement set forth in this Section 8.03 will satisfy the applicable requirements of the Code, in which case compliance with such other requirement specified in such Counsel's Opinion will constitute compliance with the corresponding requirement specified in this Section 8.03 for federal income tax purposes. In particular, but not by way of limitation thereon, the Board covenants as follows:

(a) to use the proceeds of the Bonds in a manner such that the Bonds constitute "qualified student loan bonds" within the meaning of section 144(b) of the Code. To that end, the Board hereby covenants that the student loans made from the Student Loan Auxiliary Fund constitute a program or programs described in section 144(b)(1) of the Code because such program or programs either (i) meet the requirements of section 144(b)(1)(A) of the Code, or (ii) meet the requirements of section 144(b)(1)(B) of the Code in that such program is of general application, approved by the State, and no loan under such program exceeds the difference between the total cost of attendance and other forms of assistance (with certain statutory exceptions) for which the student borrower may be eligible;

(b) to take such action to assure that at least 95 percent of the net proceeds (as defined in section 150 of the Code) of the Bonds, and any Refunded Bonds, are used (or have been used) to make loans to students who either are -

- (1) residents of the State; or
- (2) enrolled at an educational institution located in the State.

Except to the extent of the foregoing, the Board shall not permit any discrimination in the making of the loans described in section 144(b)(1)(A) of the Code based on geographic location or educational institution;

(c) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(d) to refrain from taking any action that would cause the Bonds to be "advance refunding" bonds within the meaning of section 149(d) of the Code or "hedge bonds" within the meaning of section 149(g) of the Code and the applicable Regulations thereunder;

## AGENDA ITEM X-C

(e) to make such use of the proceeds of the Bonds, including interest or other investment income derived from Bond proceeds, regulate investments of proceeds of the Bonds, and take such other and further action as may be required so that the Bonds will not be "arbitrage bonds" within the meaning of section 148(a) of the Code. Moreover, the Board will certify, through an authorized officer, employee or agent, based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of section 148(a) of the Code;

(f) to take such action including, but not limited to, making yield reduction payments in accordance with Section 1.148-5 of the Treasury Regulations, as is necessary to ensure that the yield on the loans to students financed with the proceeds of the Bonds will not exceed the yield on the Bonds by more than two percentage points, as more fully set forth in section 1.148-2 of the Treasury Regulations;

(g) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, to satisfy the requirements of section 148 of the Code (relating to arbitrage);

(h) to rebate to the United States of America, as required by section 148(f) of the Code, (1) at least once every five-year period (beginning on the date of delivery of the Bonds) 90% of, and (2) within 60 days of the date on which the Bonds have been paid in full 100% of, the earnings received by the Board from the investment of the gross proceeds in obligations or securities, other than loans made to students, which have a yield in excess of the yield on the Bonds;

(i) to use no more than two percent of the proceeds of the Bonds within the meaning of section 147(g) of the Code for the payment of costs of issuance;

(j) to use no portion of the proceeds of the Bonds to provide any airplane, sky-box or other private luxury box, health club facility, facility primarily used for gambling or store the principal business of which is the sale of alcoholic beverages for consumption off premises;

(k) no person or any related person, as defined in section 147(a)(2) of the Code, from whom the Board may acquire student loans shall, pursuant to any arrangement, formal or informal, purchase the Bonds in an amount related to the amount of the student loans to be acquired under the Program from such person by the Board; and

(l) to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in this Resolution on its books and records in accordance with the requirements of the Internal Revenue Code. The Board recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the date that the expenditure is made. The foregoing notwithstanding, the Board recognizes that in order for proceeds to be expended under the Internal Revenue Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired. The Board agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Bonds. For purposes hereof, the Board shall



## AGENDA ITEM X-C

not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest; and

(m) to retain all pertinent and material records relating to the use and expenditure of the proceeds of the Bonds until six years after the last Bond is redeemed, or such shorter period as authorized by subsequent guidance issued by the Department of Treasury, if applicable. All records will be kept in a manner that ensures their complete access throughout the retention period. For this purpose, it is acceptable that such records are kept either as hardcopy books and records or in an electronic storage and retrieval system, provided that such electronic system includes reasonable controls and quality assurance programs that assure the ability of the Board to retrieve and reproduce such books and records in the event of an examination of the Bonds by the Internal Revenue Service.

Prior to the issuance of future tax-exempt College Student Loan Bonds, including any Bonds issued for the purpose of making additional student loans, the Board expects to fund student loans made under the Act from lawfully available sources other than from proceeds of College Student Loan Bonds. The Board finds, considers, and declares that the reimbursement of the Board for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Board and, as such, hereby chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues tax-exempt College Student Loan Bonds, including any Bonds issued for the purpose of making additional student loans. The Board reasonably expects to issue Bonds under this Resolution, in one or more series, with an aggregate maximum principal amount not to exceed the amount set forth in Section 2.01(a) of this Resolution for the purpose of making additional student loans and paying all or a portion of the costs of issuing the Bonds. All costs to be reimbursed as contemplated by this subsection will be used to fund student loans made by the Board under the Act. No tax-exempt College Student Loan Bonds, including the Bonds, will be issued to reimburse the Board for the funding of a student loan made under the Act as contemplated by this subsection after a date which is later than 18 months after the date such loan is made. No proceeds of tax-exempt College Student Loan Bonds, including the Bonds, will be used as contemplated by this subsection to reimburse costs previously paid with the proceeds of other College Student Loan Bonds issued by the Board.

It is the understanding of the Board that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. The Board acknowledges its execution and receipt of the "Federal Tax Certificate," which the Board understands is in furtherance of the covenants contained in this section. The Board agrees, subject to any changes made pursuant to this paragraph, to comply with the Federal Tax Certificate as if such instructions were included herein. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the Board will not be required to comply with any covenants contained herein to the extent that such modification or expansion, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Board agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the

## AGENDA ITEM X-C

exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Board hereby authorizes and directs any Authorized Representative to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Board, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

In order to facilitate compliance with the covenants set forth above and with the requirements of Section 148 of the Code, an Excess Earnings Account and a Rebate Account may be established in the Student Loan Auxiliary Fund by the Board for the sole benefit of the United States of America, and such accounts shall not be subject to the claim of any other person, including without limitation, the Owners. Funds may be deposited into, and withdrawn from, the Excess Earnings Account and the Rebate Account as set forth in the Federal Tax Certificate.

Notwithstanding any other provision of this Resolution to the contrary, the Board's obligations under the covenants and provisions of this Section 8.03 will survive the defeasance and discharge of the Bonds.

### **Section 8.04 NOTICES TO S&P AND MOODY'S.**

The Board covenants that it will give prior written notice to S&P and Moody's of (i) any amendment to this Resolution, or (ii) the redemption of all of the Outstanding Bonds of any Series. Unless notified by S&P or Moody's otherwise, such notices shall be sent to the following addresses:

S&P Global Ratings  
55 Water Street  
38th Floor  
New York, NY 10041

Attn: Municipal Structured Surveillance

Moody's Investors Service  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007  
Attn: Public Finance

## **ARTICLE IX DEFAULT AND REMEDIES**

### **Section 9.01 EVENTS OF DEFAULT.**

Each of the following occurrences or events for the purpose of this Resolution is hereby declared to be an Event of Default:

- (i) the failure to make payment of the principal of, redemption premium, if any, or interest on any of the Bonds when the same becomes due and payable; or
- (ii) default in the performance or observance of any other covenant, agreement, or obligation of the Board, which default materially and adversely affects the rights of the Owners, including but not limited to their prospect or ability to be repaid in accordance with this Resolution, and the continuation thereof for a period of 60 days after notice of such default is given by any Owner to the Board.

## AGENDA ITEM X-C

### **Section 9.02 REMEDIES FOR DEFAULT.**

(a) Upon the happening of any Event of Default, any Owner or an authorized representative thereof, including but not limited to, a trustee or trustees therefor, may proceed against the Board for the purpose of protecting and enforcing the rights of the Owners under this Resolution by mandamus or other suit, action or special proceeding in equity or at law in any court of competent jurisdiction for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Owners hereunder or any combination of such remedies.

(b) All such proceedings shall be instituted and maintained for the equal benefit of all Owners of Bonds then Outstanding.

### **Section 9.03 REMEDIES NOT EXCLUSIVE.**

(a) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Resolution.

(b) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

## **ARTICLE X DISCHARGE**

**Section 10.01 DEFEASANCE OF BONDS.**(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a "Defeased Bond") within the meaning of this Resolution, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities (hereinafter defined) that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Board with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the funds on deposit in the Interest and Sinking Fund provided in this Resolution, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Resolution to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment

## AGENDA ITEM X-C

arrangements, the Board expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Board be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Board, or deposited as directed in writing by the Board. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Board or deposited as directed in writing by the Board.

(c) The term "Defeasance Securities" means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the Board adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the Board adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other then authorized securities or obligations under applicable State law in existence on the date the Board adopts or approves any proceedings authorizing the financial arrangements that may be used to defease obligations such as the Bonds. The foregoing notwithstanding, the Commissioner or the Assistant Commissioner Financial Services/CFO may elect when establishing the terms of the Bonds pursuant to Exhibit A hereto to modify the definition of "Defeasance Securities" by eliminating any securities or obligations set forth in the preceding sentence upon determining that it is in the best interests of the Board to do so.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Board shall make proper arrangements to provide and pay for such services as required by this Resolution.

(e) In the event that the Board elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

(f) Notwithstanding the provisions of this Section 10.01 to the contrary, (i) the Board may provide for the irrevocable deposit required by this Section 10.01 to be made with the

## AGENDA ITEM X-C

Paying Agent/Registrar or with any other eligible bank or trust company then authorized by State law, and (ii) the Board may reserve the right to call any Defeased Bonds for redemption to the extent permitted and in the manner required by law.

### **ARTICLE XI CONTINUING DISCLOSURE UNDERTAKING**

**Section 11.01 ANNUAL REPORTS.** The Board shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six months after the end of each Fiscal Year, financial information and operating data with respect to the Board of the general type included in the final Official Statement authorized by this Resolution being the information described in Exhibit C hereto, together with audited financial statements of the Board for such Fiscal Year if the Board commissions an audit of such statements and the audit is completed within the period during which they must be provided; provided, however, if the Board commissions an audit of such statements and the audit is not completed within the period during which they must be provided, such audited financial statements shall be delivered to the MSRB, in an electronic format as prescribed by the MSRB, when and if they become available. Any financial information or audited financial statements so to be provided shall be prepared in accordance with generally accepted accounting principles for governmental entities or such other accounting principles as the Board may be required to employ from time to time pursuant to State law or regulations.

If the Board changes its Fiscal Year, it will notify the MSRB of the change (and of the date of the new Fiscal Year end) prior to the next date by which the Board otherwise would be required to provide financial information and operating data pursuant to this section.

The financial information and operating data to be provided pursuant to this section may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB's Internet web site or filed with the SEC.

#### **Section 11.02 EVENT NOTICES.**

As used in this Section 11.02, the term "obligated person" shall mean any person, including the Board, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities). The Board shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, of any of the following events with respect to the Bonds:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;

## AGENDA ITEM X-C

6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. modifications to rights of the holders of the Bonds, if material;
8. bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the Bonds, if material;
11. rating changes;
12. bankruptcy, insolvency, receivership or similar event of the obligated person;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this Section 11.02, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

13. the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. appointment of a successor or additional trustee or the change of name of a trustee, if material;

15. incurrence of a Financial Obligation of the Board, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Board, any of which affect security holders, if material; and

16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Board, any of which reflect financial difficulties.

Notes to paragraphs 15 and 16: For the purposes of the events identified in paragraphs 15 and 16 of this Section 11.02, the Board intends the words used in such paragraphs and the definition of Financial Obligation in this Resolution to have the same meanings as when they are used in the Rule, as evidenced by SEC Release No. 34-83885, dated August 20, 2018.

## AGENDA ITEM X-C

In addition, the Board shall notify the MSRB, in a timely manner, of any failure by the Board to provide financial information or operating data in accordance with Section 11.01 hereof by the time required by such Section.

**Section 11.03 LIMITATIONS, DISCLAIMERS AND AMENDMENTS.** The Board shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the Board remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Board in any event will give notice required by paragraphs 8 and 9 of Section 11.02 above of any Bond calls and defeasances that cause the Board to be no longer such an "obligated person".

The provisions of this Article are for the sole benefit of the Owners and Beneficial Owners of the Bonds, and nothing in this Article, expressed or implied, shall give any benefit or any legal or equitable right, remedy or claim hereunder to any other person. The Board undertakes to provide only the financial information, operating data, financial statements and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Board's financial results, condition or prospects or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The Board does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE BOARD BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE BOARD, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE XI, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the Board in observing or performing its obligations under this Article shall comprise a breach of or default under the Resolution for purposes of any other provision of this Resolution.

Nothing in this Article is intended or shall act to disclaim, waive or otherwise limit the duties of the Board under federal and State securities laws.

The provisions of this Article may be amended by the Board from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law or a change in the identity, nature, status, or type of operations of the Board, but only if (1) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Owners of a majority in aggregate principal amount (or any greater amount required by another provision of this Resolution that authorizes such an amendment) of the Outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Board (such as nationally recognized bond counsel) determined that such

## AGENDA ITEM X-C

amendment will not materially impair the interest of the Owners and Beneficial Owners of the Bonds. If the Board so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with paragraph (a) of this Article an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Board may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

### **ARTICLE XII AMENDMENTS OF AND SUPPLEMENTS TO RESOLUTION**

#### **Section 12.01 WITHOUT CONSENT OF OWNERS.**

Without notice to or the consent of any Owner, the Board may, at any time, amend this Resolution to cure any ambiguity or cure, correct or supplement any defective or inconsistent provision contained in this Resolution or make any other change that does not in the opinion of bond counsel for the Board, in any respect, materially and adversely affect the interests of the Owners. Without limiting the foregoing, the Board may amend or supplement this Resolution without notice to or the consent of any Owner:

(a) to modify this Resolution or the Bonds to permit qualification under the Trust Indenture Act of 1939, as amended, or any similar federal statute at the time in effect, or to permit the qualification of the Bonds for sale under the securities laws of any state of the United States;

(b) to authorize different authorized denominations of the Bonds and to make correlative amendments and modifications to this Resolution regarding exchangeability of Bonds of different authorized denominations, redemptions of portions of Bonds of particular authorized denominations and similar amendments and modifications of a technical nature;

(c) to increase or decrease the number of days specified for the giving of notices in Article IV and to make corresponding changes to the period for notice of redemption of the Bonds provided that no decreases in any such number of days shall become effective until 30 days after the Paying Agent/Registrar has given notice to the Owners of the Bonds; or

(d) to provide for an uncertificated system of registering the Bonds or to provide for the change to or from a Book-Entry System for the Bonds.

**Section 12.02 WITH CONSENT OF OWNERS.** If an amendment of or supplement to this Resolution or the Bonds without any consent of Owners is not permitted by the preceding Section, the Board may enter into such amendment or supplement without prior notice to any Owners but with the consent of the Owners of at least a majority in principal amount of all the Bonds then Outstanding under this Resolution. However, nothing herein contained shall permit or be construed to permit the amendment of, without the consent of each Owner affected thereby, or supplement to the terms and conditions in this Resolution, so as to:



## AGENDA ITEM X-C

- (a) change the sinking fund requirements, if any, Interest Payment Dates or the maturity or maturities of the Outstanding Bonds;
- (b) reduce the rate of interest borne by any of the Outstanding Bonds;
- (c) reduce the amount of the principal or purchase price of or premium, if any, payable on the Outstanding Bonds;
- (d) modify the terms of payment of principal or purchase price of, premium, if any, or interest on the Outstanding Bonds, or impose any conditions with respect to such payments;
- (e) affect the rights of the Owners of fewer than all of the Outstanding Bonds; or
- (f) decrease the minimum percentage of the principal amount of Outstanding Bonds necessary for consent to any such amendment.

In addition, if moneys or investments have been deposited or set aside with the Paying Agent/Registrar pursuant to Article X for the payment of Bonds and those Bonds shall not have in fact been actually paid in full, no amendment to the provisions of that Article shall be made without the consent of the Owner of each of those Bonds affected.

**Section 12.03 EFFECT OF CONSENTS.** Any consent received pursuant to Section 12.02 will bind each Owner delivering such consent and each subsequent Owner of a Bond or portion of a Bond evidencing the same debt as the consenting Owner's Bond.

**Section 12.04 NOTATION ON OR EXCHANGE OF BONDS.** If an amendment or supplement changes the terms of a Bond, the Paying Agent/Registrar may require the Owner to deliver it to the Paying Agent/Registrar. The Paying Agent/Registrar may place an appropriate notation on the Bond about the changed terms and return it to the Owner. Alternatively, if the Paying Agent/Registrar and the Board determine, the Board in exchange for the Bond will issue and the Paying Agent/Registrar will authenticate a new Bond that reflects the changed terms.

**Section 12.05 NOTICE TO OWNERS.** The Paying Agent/Registrar shall cause notice of the execution of each supplement or amendment to this Resolution to be mailed to the Owners. The notice will at the option of the Paying Agent/Registrar, either (i) briefly state the nature of the amendment or supplement and that copies of it are on file with the Paying Agent/Registrar for inspection by Owners or (ii) enclose a copy of such amendment or supplement.

**Section 12.06 TECHNICAL AMENDMENTS.** Each Authorized Representative, the General Counsel to the Board and Bond Counsel are hereby authorized to approve, subsequent to the date of the adoption of this Resolution, any technical amendments to this Resolution as may be required by any bond rating agency as a condition to the granting of a rating on the Bonds, as may be required by the office of the Texas Attorney General as a condition to the approval of the Bonds and as may be required to assist the initial purchaser(s) of the Bonds in complying with the Rule.

**ARTICLE XIII  
MISCELLANEOUS**

**Section 13.01 AUTHORIZATION FOR PRIVATE ACTIVITY BOND ALLOCATION AND  
ASSIGNMENT OF UNENCUMBERED STATE CEILING.**

(a) In order to assure that sufficient amounts will be available under the State ceiling for allocation of private activity bonds for the Bonds, to the extent necessary, the Board hereby authorizes and delegates to each Authorized Representative the authority to submit one or more appropriate applications or requests to the Texas Bond Review Board for the purpose of obtaining one or more certificates of reservation for a portion of the State's allocation for private activity bonds for one or more eligible program years in any eligible category and amount pursuant to the terms of Chapter 1372, Texas Government Code, as amended, and the rules and regulations of the Texas Bond Review Board.

(b) Each Authorized Representative is hereby further authorized to prepare, execute and submit one or more appropriate applications, or applications for carryforward, to the Texas Bond Review Board for the purpose of preserving any such allocation determined by such Authorized Representative to be necessary to issue the Bonds. The Board further authorizes each Authorized Representative to re-submit an application for obtaining a portion of the State's allocation for private activity bonds that was withdrawn so long as such application is re-submitted within the current or following program year.

(c) Each Authorized Representative is further authorized to prepare, execute and submit one or more requests to the Texas Bond Review Board for assignment as carryforward to the Board in an aggregate amount not to exceed \$350,000,000 of any unencumbered state ceiling for the year 2021 pursuant to the terms of Chapter 1372, Texas Government Code, as amended, including Section 1372.03 thereof, and the rules and regulations of the Texas Bond Review Board.

**Section 13.02 AUTHORIZED TRANSFERS OF FUNDS.**

(a) The Board hereby expressly authorizes the Commissioner, acting for and on behalf of the Board, to approve from time to time and at any time the transfer of moneys (i) between the TOP Fund and the Student Loan Auxiliary Fund, (ii) among the separate accounts established within the TOP Fund and (iii) among the separate accounts established within the Student Loan Auxiliary Fund, if the Commissioner determines that any such transfer will enable the Board to loan such moneys to students or otherwise utilize such moneys in a more efficient and economical manner; provided that, for any such transfer among the separate accounts within the Student Loan Auxiliary Fund or out of the Student Loan Auxiliary Fund to the TOP Fund, the Commissioner shall obtain advice from the Board's bond counsel to the effect that such transfer will not adversely effect the exclusion from gross income of interest on any outstanding College Student Loan Bonds for federal income tax purposes under existing law.

(b) The Board hereby finds and determines that each such transfer authorized by subsection (a) hereof is necessary to administer the TOP Fund or the Student Loan Auxiliary Fund, as applicable. Upon making any such transfer, an Authorized Representative shall document the reason for the transfer in the accounting of the applicable fund.

**Section 13.03 PAYMENT OF ATTORNEY GENERAL FEE.**

The Board hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each Series of the Bonds or (ii) \$9,500 per Series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code; provided that the Board also authorizes the disbursement of such other amounts as may be necessary to comply with any future amendments to Section 1202.004 of the Texas Government Code, or other similar statutory provision, applicable to a Series of the Bonds. Each Authorized Representative is hereby instructed to take the necessary measures to make such payments. The Board is also authorized to reimburse the appropriate funds for such payment from proceeds of the Bonds.

[Remainder of this page intentionally left blank.]

**ADOPTED AND APPROVED THIS 21ST DAY OF OCTOBER, 2021.**

\_\_\_\_\_  
Secretary,  
Texas Higher Education Coordinating Board

\_\_\_\_\_  
Chair,  
Texas Higher Education Coordinating Board

(Seal)

\* \* \* \* \*

**EXHIBIT A**

**FINAL TERMS OF THE BONDS**

[Note: All capitalized terms used in this Exhibit A which are not otherwise defined herein shall have the same meanings as set forth in the resolution approved on October 21, 2021 (the "Bond Resolution") by the Texas Higher Education Coordinating Board which authorized the issuance of the Bonds.]

- (A) As provided in Section 2.01(b) of the Bond Resolution, the State of Texas College Student Loan [Refunding][and Refunding]<sup>1</sup> Bonds, Series 20[ ]<sup>2</sup> (the "Bonds") which are authorized to be issued pursuant to the Bond Resolution, shall be dated \_\_\_\_\_, 202\_\_ and shall be issued in the aggregate principal amount of \$\_\_\_\_\_,000, to be used to \_\_\_\_\_.<sup>3</sup>
- (B) The Bonds shall (i) mature on each of the dates and in the respective principal amounts, and (ii) bear interest from the Issuance Date to their respective date of maturity or prior redemption at the respective interest rates, all as set forth below:

<b>MATURITY DATE (AUGUST 1)</b>	<b>PRINCIPAL AMOUNT</b>	<b>INTEREST RATE</b>	<b>MATURITY DATE (AUGUST 1)</b>	<b>PRINCIPAL AMOUNT</b>	<b>INTEREST RATE</b>

<sup>1</sup> Select and include appropriate bracketed language, if necessary, depending on whether the Series of Bonds is being issued to make student loans *and* refund the Refunded Bonds, or solely to refund the Refunded Bonds.

<sup>2</sup> Unless otherwise determined by an Authorized Representative, use the year in which the Bonds are issued and include Series letter designation if two or more Series of Bonds are issued.

<sup>3</sup> Complete depending upon whether the Series of Bonds is being issued to make student loans, to make student loans and refund Refunded Bonds or to refund Refunded Bonds.

## AGENDA ITEM X-C

(C) As provided in Section 2.02(b) of the Bond Resolution, interest on the Bonds shall be payable on each Interest Payment Date, commencing \_\_\_\_\_, 20\_\_\_\_, until its maturity or prior redemption.

(D) [\_\_\_\_\_ ("\_\_\_\_") has been designated as the senior managing Underwriter for the Bonds. \_\_\_\_\_ and the other Underwriters listed in the Bond Purchase Contract are included in the listing of investment banking firms that was previously approved by the Board. The Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Contract at the prices specified therein. The aggregate price to be paid by the Underwriters for the Bonds is in excess of 95% of the aggregate principal amount thereof and none of the Bonds bear interest at a rate in excess of the Maximum Rate.]<sup>4</sup>

[As a result of competitive sale held on \_\_\_\_\_, 202\_\_\_\_, the firm of \_\_\_\_\_ (the "Purchaser") submitted the bid having the lowest true interest cost on the Bonds. Therefore, the Bonds shall be sold to and purchased by the Purchaser at a price equal to \$\_\_\_\_\_, with no accrued interest. The aggregate price to be paid by the Purchaser for the Bonds is in excess of 95% of the aggregate principal amount thereof and none of the Bonds bear interest at a rate in excess of the Maximum Rate.]<sup>5</sup>

(E) [Optional Redemption. On \_\_\_\_\_, or on any date thereafter, the Bonds may be redeemed prior to their scheduled maturities, at the option of the Board, with funds derived from any lawfully available source, as a whole or in part (provided that a portion of a Bond may be redeemed only in an Authorized Denomination), at a redemption price of \_\_\_\_% of the principal amount thereof called for redemption, plus accrued interest thereon to the date fixed for redemption. The Board shall determine the maturity or maturities, and the principal amount of Bonds within each maturity, to be redeemed. If less than all Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent/Registrar by lot or other random method for redemption.]

[Mandatory Sinking Fund Redemption. The Bonds maturing on \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory sinking fund redemption prior to maturity at a price equal to \_\_\_\_% of the principal amount thereof plus accrued interest to the date fixed for redemption, on \_\_\_\_\_ 1 in the years and in the principal amounts shown below:

BONDS MATURING AUGUST 1, _____		BONDS MATURING AUGUST 1, _____	
REDEMPTION DATE	PRINCIPAL AMOUNT	REDEMPTION DATE	PRINCIPAL AMOUNT
August 1, 20____	\$ _____	August 1, 20____	\$ _____
August 1, 20____	_____	August 1, 20____	_____
August 1, 20____ (maturity)	_____	August 1, 20____	_____

<sup>4</sup> Complete for Bonds sold by negotiated sale.

<sup>5</sup> Complete for Bonds sold by competitive bid.

\_\_\_\_\_, 1, \_\_\_\_\_ (maturity) \_\_\_\_\_

The principal amount of such Bonds required to be redeemed pursuant to the operation of such mandatory sinking fund redemption requirements may be reduced, at the option of the Board, by the principal amount of any such Bonds which, prior to the date of the mailing of notice of such mandatory redemption, shall have been (i) acquired by the Board and delivered to the Paying Agent/Registrar for cancellation, (ii) purchased and canceled by the Paying Agent/Registrar at the request of the Board, or (iii) redeemed pursuant to the optional redemption provisions described above and not theretofore credited against a mandatory sinking fund redemption requirement.]

[The Bonds are not subject to redemption prior to their scheduled maturities.]<sup>6</sup>

- (F) All other terms of the Bonds shall be as set forth in the Bond Resolution.
- (G) [The Refunded Bonds are identified on Schedule I hereto, and the present value savings requirement of Section 2.01(b) of the Bond Resolution (which present value savings, as calculated by the Board's financial advisor, is approximately equal to \_\_\_\_\_%) has been satisfied. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ is hereby appointed to serve as Escrow Agent for the Refunded Bonds.]<sup>7</sup>
- (H) In consultation with, and reliance upon the advice of the Board's Financial Advisor, I hereby find that the terms and sale are the most advantageous reasonably available on the date and time of the pricing of the Bonds given the then existing market conditions and the stated terms of sale on such date and time.
- (I) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ is hereby appointed to serve as Paying Agent/Registrar for the Bonds.

---

<sup>6</sup> Redemption provisions to be updated to match the applicable redemption terms of the Bonds as established by an Authorized Representative

<sup>7</sup> Include and complete only if the Series of Bonds is being issued to refund Refunded Bonds.

**SCHEDULE I<sup>8</sup>**  
**REFUNDED BONDS**

STATE OF TEXAS  
COLLEGE STUDENT LOAN BONDS, SERIES 2012

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Redemption Date</u>
----------------------	-------------------------	------------------------

---

<sup>8</sup> Include and complete only if the Series of Bonds is being issued to refund Refunded Bonds.



AGENDA ITEM X-C

**APPROVED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 202\_ IN ACCORDANCE WITH SECTION 2.01(b) OF THE BOND RESOLUTION.**

\_\_\_\_\_  
TEXAS HIGHER EDUCATION COORDINATING BOARD

TITLE: \_\_\_\_\_

**EXHIBIT B**

**I. FORM OF BOND**

No. \_\_\_\_\_ \$ \_\_\_\_\_

CUSIP NO. \_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF TEXAS  
COLLEGE STUDENT LOAN [AND REFUNDING] [REFUNDING]<sup>1</sup> BOND,  
SERIES 201[ ]<sup>2</sup>**

**INTEREST  
RATE**

**MATURITY  
DATE**

**DATED  
DATE**

\_\_\_\_\_%

August 1, 20\_\_

\_\_\_\_\_, 202\_\_

The **STATE OF TEXAS**, acting through the **TEXAS HIGHER EDUCATION COORDINATING BOARD** (the "Board"), for value received, hereby promises to pay to

\_\_\_\_\_  
or registered assigns, on the Maturity Date specified above, the sum of

\_\_\_\_\_ **DOLLARS**

and to pay interest on such principal amount on each Interest Payment Date (as defined herein) from the later of the Issuance Date (as defined in the hereinafter defined Resolution) or the most recent Interest Payment Date to which interest has been paid or provided for. The Dated Date of this Bond is \_\_\_\_\_, 202\_\_, but interest shall accrue from the Issuance Date.

Capitalized terms used herein and not otherwise defined shall have the meanings assigned thereto in the resolution of the Board adopted on October 21, 2021, pursuant to which the Bonds (as defined herein) are issued (the "Resolution"). In the event of a conflict between the provisions of this Bond and the Resolution, the Resolution shall control.

Interest on this Bond is payable to the registered owner hereof by check, dated as of the Interest Payment Date, and sent by first-class mail, postage prepaid, by the Paying Agent/Registrar to each Owner at the address shown on the Register or by such other customary banking arrangement, such as by wire transfer, acceptable to the Paying Agent/Registrar at the request of and at the risk and expense of the Owner. The principal hereof is payable upon

<sup>1</sup> Select and include appropriate bracketed language, if necessary, depending on whether the Series of Bonds is being issued to make student loans *and* refund the Refunded Bonds, or solely to refund the Refunded Bonds.

<sup>2</sup> Include Series letter designation if two or more Series of Bonds are issued pursuant to the Resolution.

## AGENDA ITEM X-C

presentation and surrender of this Bond at the designated office of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, as Paying Agent/Registrar, or any successor Paying Agent/Registrar. For the purpose of the payment of interest on this Bond, the registered owner shall be the person in whose name this Bond is registered on the "Record Date," which shall be the close of business on the 15th calendar day of the month immediately preceding such Interest Payment Date. As used herein, "Interest Payment Date" means each February 1 and August 1, commencing \_\_\_\_\_ **[insert the first interest payment date set forth in Exhibit A to the Resolution, as appropriate]**. The Bonds will be issued in denominations of \$5,000 and any integral multiple thereof. Interest on the Bonds shall be computed on the basis of a 360-day year of twelve 30-day months. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a Book Entry System at a Securities Depository for the Bonds, payments made to the Securities Depository, or its nominee, shall be made in accordance with arrangements between the Board and the securities depository.

Any payments required to be made hereunder on any day which is not a Business Day (as defined below) shall be made instead on the next succeeding Business Day and no interest shall accrue on such payments in the interim. A "Business Day" means any day other than a Saturday, Sunday, legal holiday or any other day on which banking institutions in New York, New York or Austin, Texas are authorized or obligated by law or executive order to close or a day on which the New York Stock Exchange is closed.

This Bond is one of series of fully registered bonds specified in the title hereof issued in the aggregate principal amount of \$ \_\_\_\_\_,000 (herein referred to as the "Bonds"). The Bonds are being issued pursuant to the Resolution which authorized the issuance of bonds in one or more series, in an aggregate principal amount not to exceed \$229,345,000, for the purpose of [making additional student loans] [refunding the Refunded Bonds].<sup>3</sup>

This Bond shall not be valid or obligatory for any purpose unless it is registered by the Comptroller of Public Accounts of Texas by certificate affixed or attached hereto or authenticated by the Paying Agent/Registrar by due execution of the Authentication Certificate provided herein.

Reference is hereby made to the Resolution and the Paying Agent/Registrar Agreement, copies of which are on file with the Board and available upon request, for the provisions, among others, with respect to the nature and extent of the duties and obligations of the Board, the Paying Agent/Registrar and the Owners. The Owner of this Bond, by the acceptance hereof, is deemed to have agreed and consented to the terms, conditions and provisions of the Resolution and the Paying Agent/Registrar Agreement.

### REDEMPTION PROVISIONS

[Insert redemption provisions from Exhibit A to the Resolution.]

**[PARTIAL REDEMPTION]**. If less than all of the Bonds are to be redeemed, the Board shall direct the Paying Agent/Registrar to call Bonds or portions thereof by lot or other random

---

<sup>3</sup> Select and include appropriate bracketed language depending on whether the Series of Bonds is being issued to make student loans and/or refund the Refunded Bonds.

## AGENDA ITEM X-C

method for redemption. A portion of a single Bond of a denomination greater than an Authorized Denomination may be redeemed but only in a principal amount equal to an Authorized Denomination which will allow for the unredeemed portion thereof to remain in an Authorized Denomination. The Paying Agent/Registrar shall treat each minimum Authorized Denomination of such Bond as though it were a single Bond for purposes of selection for redemption.

**NOTICE OF REDEMPTION.** A written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption to the Registered Owner of each Bond to be redeemed at its address as it appeared on the Registration Books maintained by the Paying Agent/Registrar on the day such notice of redemption is mailed. Any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Registered Owner. By the date fixed for any such redemption, due provision shall be made by the Board with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is mailed and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being Outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any Authorized Denomination or Denominations, at the written request of the Registered Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Board, all as provided in the Resolution.]<sup>4</sup>

## GENERAL PROVISIONS

As provided in the Resolution, and subject to certain limitations therein set forth, this Bond is transferable upon surrender of this Bond for transfer at the designated office of the Paying Agent/Registrar with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar; thereupon, one or more new fully registered Bonds of the same stated maturity and of Authorized Denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

The series of Bonds of which this is one shall be and is hereby made a general obligation of the State, pursuant to the Constitutional Provision and the Act, and for the faithful performance of all covenants, recitals and stipulations herein contained, and for the faithful performance in proper time and manner of each official or other act required and necessary to provide for the prompt payment of principal of and interest on this Bond when due, the funds on deposit in the Interest and Sinking Fund and the full faith and credit of the State are hereby pledged.

---

<sup>4</sup> Include bracketed language only if Exhibit A to the Resolution provides for redemption of Bonds prior to maturity.

AGENDA ITEM X-C

A continuing appropriation has been made by the Constitutional Provision, effective so long as any of the Bonds, and other bonds issued under the Constitutional Provision, or interest thereon, are outstanding and unpaid, from the first moneys coming into the State Treasury in each Fiscal Year, not otherwise appropriated by the Constitution, in an amount sufficient to pay the principal of and interest on the Bonds, and all other bonds issued under the Constitutional Provision, and due to be paid in such Fiscal Year. The principal of and interest on the Bonds are payable from such appropriated moneys and from such other moneys as are available to the Board for such purpose.

Subject to limitations now or hereafter contained in the Constitution and laws of the State, the Board reserves the right to issue Additional Bonds which will in all things be on a parity with the Bonds and other outstanding bonds heretofore issued pursuant to the Act and Article III, Sections 50b, 50b-1, 50b-2, 50b-3 (which Sections were repealed "to eliminate duplicative, executed, obsolete, archaic and ineffective constitutional provisions" pursuant to Section 55 of H.J.R. No. 62 approved by the voters of the State on November 2, 1999), and Article III, Sections 50b-4, 50b-5, 50b-6 and 50b-7 of the Texas Constitution.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this Bond and the series of which it forms a part have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State and the Resolution, and that the series of Bonds of which this is a part does not exceed any constitutional or statutory limitation, and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part as such principal and interest become due by a continuing appropriation heretofore made by the Constitutional Provision and by a pledge of the credit of the State.

IN WITNESS WHEREOF, this Bond is executed with the lithographed or printed facsimile or manual signature of the [Chair][Vice Chair] of the Board, the lithographed or printed facsimile or manual signature of the Secretary of the Board, and the seal of the Board is lithographed, printed, manually impressed or placed in facsimile form hereon.

---

Secretary,  
Texas Higher Education Coordinating Board

---

[Chair][Vice Chair]  
Texas Higher Education Coordinating Board

[SEAL]

II.

Form of Comptroller's Registration Certificate

OFFICE OF THE COMPTROLLER       §  
OF PUBLIC ACCOUNTS               §     REGISTER NO. \_\_\_\_\_  
OF THE STATE OF TEXAS           §

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this Bond has been examined by him as required by law, that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of the Texas Higher Education Coordinating Board and that this Bond has this day been registered by me.

Witness my hand and seal of office at Austin, Texas, \_\_\_\_\_.

\_\_\_\_\_  
Comptroller of Public Accounts  
of the State of Texas

[SEAL]

III.

Form of Authentication Certificate

[The following Authentication Certification may be deleted from the Initial Bond if the Comptroller's Registration Certificate appears thereon.]

**CERTIFICATE OF PAYING AGENT/REGISTRAR**

The records of the Paying Agent/Registrar show that the Initial Bond of this series of Bonds was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas, and that this is one of the Bonds referred to in the within-mentioned Resolution.

\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,  
as Paying Agent/Registrar

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Authorized Signatory

IV.

Assignment

***FOR VALUE RECEIVED***, the undersigned Registered Owner of this Bond, or duly authorized representative or attorney thereof, hereby assigns this Bond to

\_\_\_\_\_  
/ \_\_\_\_\_ / \_\_\_\_\_  
(Assignee's Social Security or Taxpayer Identification Number) (print or typewrite Assignee's name and address, including zip code)

and hereby irrevocably constitutes and appoints \_\_\_\_\_  
attorney to transfer the registration of this Bond on the Paying Agent/Registrar's Registration Books with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature guarantee (pursuant to the Securities Transfer Association signature guarantee program).

\_\_\_\_\_  
NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.



**EXHIBIT C**

**DESCRIPTION OF ANNUAL FINANCIAL INFORMATION**

The following information is referred to in Article XI of this Resolution.

**Annual Financial Statements and Operating Data**

The financial information and operating data with respect to the Board to be provided annually in accordance with such Article are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. All quantitative financial information and operating data with respect to the Board of the general type included in the Official Statement under Tables 2 through 5.

AGENDA ITEM XI

Adjournment