

QUARTERLY BOARD MEETING

A G E N D A

9:00 A.M., Thursday, April 25, 2024

Live broadcast available at: higherred.texas.gov

**George H. W. Bush Building
Board Room (4.300)
1801 N. Congress Avenue
Austin, Texas**

This meeting is conducted in person or via video conference, pursuant to Texas Government Code, Section 551.127. A quorum of the Board may be present in the Board Room, which is open to the public.

Chair: Fred Farias III, O.D.

Vice Chair: Donna N. Williams

Secretary: S. Javaid Anwar

Members: Richard L. Clemmer; Stacy A. Hock; Emma W. Schwartz; Ashlie A. Thomas; Welcome Wilson, Jr.; Daniel O. Wong

Student Representative: Cage M. Sawyers (Ex-Officio)

***SCHEDULE OF QUARTERLY
COORDINATING BOARD MEETINGS***

July 25, 2024

October 24, 2024

January 23, 2025

April 24, 2025

July 24, 2025

October 23, 2025

TEXAS HIGHER EDUCATION COORDINATING BOARD**PREFERRED MAILING ADDRESS LIST**EMAIL: boardmember@highered.texas.gov

BOARD MEMBER	ADDRESS/PHONE/EMAIL	TERM ENDS
Fred Farias III, O.D. <i>Chair</i> MCALLEN	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/25
Donna N. Williams <i>Vice Chair</i> ARLINGTON	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/23*
S. Javaid Anwar <i>Secretary of the Board</i> MIDLAND	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/27
Richard L. Clemmer AUSTIN	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/23*
Stacy A. Hock AUSTIN	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/27
Emma W. Schwartz EL PASO	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/25
Ashlie A. Thomas VICTORIA	/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/25
Welcome W. Wilson, Jr. HOUSTON	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/23*
Daniel O. Wong, Ph.D. MISSOURI CITY	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	08/31/27
Cage M. Sawyers <i>Student Representative</i> VAN ALSTYNE	c/o Texas Higher Education Coordinating Board P. O. Box 12788, Austin, TX 78711 Phone: (512) 427-6101	05/31/24

Dated 07.24.23

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



Standing Committee Membership

Effective July 25, 2023

Committee on Academic and Workforce Success

Donna N. Williams, Chair
Emma W. Schwartz, Vice Chair
Richard L. Clemmer
Fred Farias III
Ashlie Thomas
Daniel O. Wong
Cage M. Sawyers (Student Representative), Ex-Officio

Committee on Innovation, Data, and Educational Analytics

S. Javaid Anwar, Chair
Welcome W. Wilson, Jr., Vice Chair
Richard L. Clemmer
Fred Farias III
Stacy Hock
Ashlie Thomas
Daniel O. Wong
Cage M. Sawyers (Student Representative), Ex-Officio

Agency Operations Committee

Emma W. Schwartz, Chair
Welcome W. Wilson, Jr., Vice Chair
S. Javaid Anwar
Fred Farias III
Stacy Hock
Donna N. Williams
Cage M. Sawyers (Student Representative), Ex-Officio

REGULAR QUARTERLY MEETING

A G E N D A

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 of the Texas Higher Education Coordinating Board (Board) after staff has presented the item, or any other time as determined by the chair. For procedures on testifying, please go to higher.ed.texas.gov/public-testimony.*

I. Opening remarks

- A. Consideration and possible action to approve the resolution of appreciation for student representative Cage M. Sawyers

II. Commissioner's remarks

III. Public testimony

IV. Consideration and possible action to approve minutes:

- A. January 25, 2024, Quarterly Board Meeting

V. Consideration and possible action to approve the consent calendar

VI. Major Policy Discussion: Enrollment and Admissions Trends

VII. Matters relating to the full Board

- A. Discussion and Overview of Proposed Fiscal Year 2025 Community College Finance System Rules
- B. Update on *Building a Talent Strong Texas*
- C. Update on Texas Transfer Initiatives
- D. Update on program approval
- E. Consideration and possible action to acknowledge gifts and donations to the Board
- F. Consideration and possible action to approve amending the National Student Clearinghouse contract by an amount greater than ten percent pursuant to Government Code, Chapter 2155, at a cost not to exceed \$150,000.00

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

- A. Committee chair's overview

B. Consideration and possible action to approve the data report required by Texas Education Code, Section 51.4033 and Section 51.4034, related to nontransferable credit and transfer courses

C. Report on Financial Aid Advisory Committee activities

D. Consideration and possible action to appoint a student representative to the Financial Aid Advisory Committee

E. Consideration and possible action to approve the recommendations of the commissioner and formula advisory committees relating to funding formulas for use by the governor and the Legislative Budget Board in making appropriations recommendations to the appropriate legislative committees

F. Consideration and possible action to appoint members to the Standing Advisory Committee for Public Junior Colleges

G. Proposed Rules:

(1) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter S, Sections 13.550-13.558 and 13.560-13.564, concerning the Community College Finance Program

(2) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter T, Sections 13.590-13.597, concerning the Community College Finance Program: High-Demand Fields

(3) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter D, Section 22.64, concerning the Texas Public Educational Grants and Emergency Tuition, Fees, and Textbook Loan Programs

(4) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter I, Sections 22.165-22.168 and 22.170-22.173, concerning the Texas Armed Services Scholarship Program

(5) Consideration and possible action to adopt amendments to Board Rules, Chapter 23, Subchapter J, Sections 23.286-23.288, 23.290, 23.291 and 23.293, concerning the Math and Science Scholars Loan Repayment Program

IX. Lunch

X. Matters relating to the Committee on Academic and Workforce Success

A. Committee chair's overview

B. Consideration and possible action to adopt the report to the Board on school closures and/or teach-outs pursuant to Board Rule 7.7(6)

C. Consideration and possible action to adopt the report to the Legislature regarding reporting of sexual misconduct at institutions of higher education, per Texas Education Code, Chapter 51, Subchapters E-2 and E-3

D. Consideration and possible action to adopt the "Report on the Fiscal Year 2024 Annual Review of Low-Producing Programs"

E. Consideration and possible action to appoint members to the:
(1) Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities
(2) ApplyTexas Advisory Committee

F. Consideration and possible action to appoint student representatives to the:
(1) ApplyTexas Advisory Committee
(2) Learning Technology Advisory Committee
(3) Texas Transfer Advisory Committee

New item

G. Consideration and possible action to approve receipt of Fiscal Year 2025 Carl D. Perkins Community and Technical Colleges Consolidated Grant funds not to exceed \$43 million, and receipt of Fiscal Year 2025 Carl D. Perkins State Leadership Grant funds not to exceed \$5 million

H. Consideration and possible action to approve the following requests for new degree programs:

TARLETON STATE UNIVERSITY

(1) Doctor of Occupational Therapy (OTD) in Occupational Therapy

TEXAS STATE UNIVERSITY

(2) Doctor of Philosophy (PHD) in Civil Engineering

(3) Doctor of Philosophy (PHD) in Integrated Molecular and Biophysical Chemistry

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

(4) Doctor of Philosophy (PHD) in Computer Engineering

UNIVERSITY OF HOUSTON

(5) Doctor of Global Hospitality Leadership (DGHL) in Global Hospitality Leadership

I. Proposed rules:

(1) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 1, Subchapter G, Section 1.128(b), concerning the authority and specific purposes of the Apply Texas Advisory Committee

- (2) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 4, Subchapter A, Section 4.10(h)(2)-(4), concerning the Common Admission Application forms
- (3) Consideration and possible action to adopt amendments to Board Rules, Chapter 4, Subchapter B, Sections 4.21-4.23, 4.27, 4.29, 4.31, 4.32, 4.34, and 4.39, concerning transfer of credit, core curriculum, and field of study curricula
- (4) Consideration and possible action to repeal Board Rules, Chapter 4, Subchapter C, Sections 4.51-4.63, and adopt new Board Rules, Chapter 4, Subchapter C, Sections 4.51-4.62 concerning college readiness standards and the Texas Success Initiative (TSI)
- (5) Consideration and possible action to repeal and adopt new Board Rules, Chapter 4, Subchapter D, Sections 4.81-4.87, concerning dual credit partnerships between secondary schools and Texas public colleges
- (6) Consideration and possible action to adopt new Board Rules, Chapter 4, Subchapter V, Sections 4.350-4.353, concerning compliance with non-discrimination in intercollegiate athletic competition
- (7) Consideration and possible action to adopt new Board Rules, Chapter 4, Subchapter X, Sections 4.370-4.376, concerning parenting and pregnant students
- (8) Consideration and possible action to adopt amendments to Board Rules, Chapter 7, Subchapter A, Section 7.8, concerning revising fees for Certificate of Authority applications, amendments, and renewals pursuant to Texas Education Code, Sections 61.305, 61.307, and 61.308
- (9) Consideration and possible action to adopt new Board Rules, Chapter 10, Subchapter RR, Sections 10.870-10.878, concerning the Texas Innovative Adult Career Education (ACE) Grant Program
- (10) Consideration and possible action to adopt new Board Rules, Chapter 12, Subchapter A, Sections 12.1-12.9, concerning the Opportunity High School Diploma Program
- (11) Consideration and possible action to adopt amendments to Board Rules, Chapter 13, Subchapter N, Section 13.406(b)(4), concerning the Texas Reskilling and Upskilling through Education (TRUE) Grant Program
- (12) Consideration and possible action to adopt new Board Rules, Chapter 22, Subchapter O, Sections 22.300-22.313, concerning the Texas Leadership Research Scholars Program

XI. Matters relating to the Agency Operations Committee

A. Committee chair's overview

B. Report on grants and contracts

C. Review of the "Fiscal Year 2024 Financial Report" to the Board

D. Auditor's update on Internal Audit reports and activities

- (1) Reporting phase for internal audit of the Texas Research Incentive Program
- (2) Starting internal audit of Community College Finance key processes
- (3) Continuing advisory project related to Community College Finance

E. Auditor's update on state and federal compliance monitoring reports and activities

- (1) "A Compliance Monitoring Desk Review of Formula Funding at University of Houston -Victoria" (no findings)
- (2) "A Compliance Monitoring Onsite Review of Formula Funding at The University of Texas Health Science Center at Houston" (no findings)
- (3) "A Compliance Monitoring Onsite Review of Formula Funding at the University of North Texas" (no findings)
- (4) "A Compliance Monitoring Desk Review of Formula Funding at The University of Texas Permian Basin" (no findings)
- (5) "A Compliance Monitoring Follow-Up Review of Formula Funding at Austin Community College" (no findings)
- (6) "A Compliance Monitoring Desk Review of the Tuition Equalization Grant at Southwestern Adventist University" (two findings)
- (7) "Compliance Monitoring Corrective Action Status Report – April 2024
- (8) "A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3" (no observations).

- (9) “A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3” (no observations)
- (10) “A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University” (two observations)
- (11) “Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapters E-2 and E-3” No penalties were assessed in this review period.

XII. Adjournment

Executive Session: *The 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, Texas Government Code, including the following:*

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

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

Weapons Prohibited: *Pursuant to Texas Penal Code , Section 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 Texas Penal Code, 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 Texas Government Code, Chapter 551, and if the entity provided notice as required by that chapter.*

AGENDA ITEM I

Opening remarks

RECOMMENDATION: No action required

Dr. Fred Farias will provide opening remarks.

AGENDA ITEM I-A

Consideration and possible action to approve a resolution of appreciation for student representative, Cage M. Sawyers

RECOMMENDATION: Approval

Background Information:

The Board will consider a resolution of appreciation for student representative, Cage M. Sawyers

AGENDA ITEM II

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 III

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 IV-A

Consideration and possible action to approve minutes for the January 25, 2024, quarterly board meeting

RECOMMENDATION: Approval

TEXAS HIGHER EDUCATION COORDINATING BOARD

DRAFT MINUTES

George H.W. Bush Building (room 4.300)

1801 N. Congress Ave., Austin

January 25, 2024

Regular Quarterly Meeting

The Texas Higher Education Coordinating Board (Board) convened at 9:00 a.m. on January 25, 2024, with the following members present: Fred Farias, presiding; Donna Williams; Javaid Anwar; Ashlie Thomas; Daniel Wong; and Cage Sawyers, Ex-Officio. Emma Schwartz and Welcome Wilson joined the meeting at 9:05 a.m.

Members absent: Richard Clemmer and Stacy Hock

AGENDA ITEM	ACTION
I. Call to order: opening remarks	<p>Dr. Fred Farias called the meeting of the Board to order and called roll. All members were present except for Ms. Stacy Hock and Mr. Richard Clemmer.</p> <p>On a motion by Ms. Donna Williams, seconded by Mr. Javaid Anwar, the Board voted to excuse these absences.</p> <p>Ms. Emma Schwartz and Mr. Welcome Wilson joined the meeting at 9:05 a.m.</p>
II. Commissioner's remarks	<p>No action required. Commissioner Harrison Keller provided remarks on some of the agenda items.</p>
III. Public testimony	<p>Dr. Farias announced that no testimony had been received.</p>
IV. Approval of minutes A. October 26, 2023, Quarterly Board Meeting	<p>On a motion by Mr. Wilson, seconded by Ms. Ashlie Thomas, the Board approved the minutes for the October Quarterly Board Meeting. The vote was unanimous.</p>
V. Approval of the consent calendar	<p>On a motion by Ms. Williams, seconded by Ms. Thomas, the Board approved the non-rule consent calendar. The vote was unanimous.</p> <p>Items approved on the consent calendar were: 7-E; 8-B; 8-C; 10-B; 10-C; 10-F; 11-B; and 11-C.</p>

AGENDA ITEM	ACTION
	<p>On a motion by Dr. Daniel Wong, seconded by Ms. Williams, the Board approved the rule consent calendar. The vote was unanimous.</p> <p>Items approved on the rule consent calendar were: 8-D (1 through 12); 8-D (14); 8-D (16 through 17); 8-D (19); and 10-I (2 through 8).</p>
VI. Major Policy Discussion: Presentation on Regional Accreditation	<p>No action required. Dr. Hironao Okahana, Assistant Vice President & Executive Director of Education Futures Lab at the American Council on Education, presented this item and was available for questions.</p>
VII. Matters relating to the full Board	
A. Update on the Texas Higher Education Foundation	<p>No action required. Mr. Neal Adams, chair and president of the Texas Higher Education Foundation, presented this item and was available for questions. Ms. Melissa Henderson, Executive Director of the Texas Higher Education Foundation, was also available for questions.</p>
B. Update on <i>Building a Talent Strong Texas</i>	<p>No action required. Ms. Henderson, Chief of Staff and Executive Director for the Texas Higher Education Foundation, presented this item and was available for questions.</p>
C. Update on Texas transfer initiatives	<p>No action required. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>
D. Update on program approval	<p>No action required. Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>
E. Consideration and possible action to acknowledge gifts and donations to the Board	<p>This item was approved on the consent calendar.</p>
F. Discussion and overview of proposed Fiscal Year 2025 community college finance system rules	<p>No action required. Ms. Emily Cormier, Assistant Commissioner for Funding, presented this item and was available for questions.</p>

VIII. Matters relating to the Committee on Innovation, Data, and Educational Analytics	
A. Committee chair's overview	No action required. Mr. Anwar provided an overview of the items on the agenda.
B. Report on Financial Aid Advisory Committee activities	This item was approved on the consent calendar.
C. Consideration and possible action to approve the replacement of a member on the Standing Advisory Committee for Public Junior Colleges for the 2026-2027 biennium	This item was approved on the consent calendar.
D. Proposed Rules: <ol style="list-style-type: none"> (1) Consideration and possible action to repeal and adopt Board Rules, Chapter 1, Subchapter K, Sections 1.156-1.162, concerning replacement of the Community and Technical Colleges Formula Advisory Committee with the Standing Advisory Committee for Public Junior Colleges (2) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 1, Subchapter L, Sections 1.164-1.167, concerning changes to the membership of the General Academic Institutions Formula Advisory Committee (3) Consideration and possible action to repeal Board Rules, Chapter 9, Subchapter B, Sections 9.28 and 9.29, concerning the certification of public community colleges as eligible to receive state appropriations (4) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter A, Section 13.1, concerning finance-related definitions (5) Consideration and possible action to repeal Board Rules, Chapter 13, Subchapter D, Section 13.62, concerning updates to a manual for community college annual financial reports 	<p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the supplemental 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 supplemental 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 supplemental agenda materials.</p>

<p>(6) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter D, Section 13.63, concerning requirements for community college financial reporting</p> <p>(7) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter F, Sections 13.101, 13.102, and 13.104, concerning limitations on the reporting of hours to the Coordinating Board for funding purposes</p> <p>(8) Consideration and possible action to adopt new Board Rules, Chapter 13, Subchapter P, Sections 13.470-13.477, concerning the new community college finance system</p> <p>(9) Consideration and possible action to adopt new Board Rules, Chapter 13, Subchapter Q, Sections 13.500-13.506, concerning the Financial Aid for Swift Transfer (FAST) Program</p> <p>(10) Consideration and possible action to adopt new Board Rules, Chapter 13, Subchapter R, Sections 13.520-13.529, relating to reporting, audit, and overallocation for community colleges</p> <p>(11) Consideration and possible action to adopt the repeal of Board Rules, Chapter 13, Subchapter G, Sections 13.120-13.127, concerning Restricted Research Expenditures</p> <p>(12) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter M, Sections 13.300-13.304, and new Section 13.305, concerning Total Research Expenditures</p> <p>(13) Consideration and possible action to adopt new Board Rules, Chapter 15, Subchapter B, Sections 15.20-15.30, concerning the Texas University Fund</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 supplemental 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 supplemental 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>On a motion by Mr. Wilson, seconded by Dr. Wong, the Board adopted new Board Rules, Chapter 15, Subchapter B, Sections 15.20-15.30, concerning the Texas University Fund. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Ms. Cormier, Assistant Commissioner for Funding, presented this item and was available for questions.</p>
---	--

<p>(14) Consideration and possible action to adopt the repeal of Board Rules, Chapter 15, Subchapter C, Sections 15.40-15.44, concerning the National Research University Fund</p> <p>(15) Consideration and possible action to adopt new Board Rules, Chapter 22, Subchapter K, Sections 22.200-22.210, concerning the Texas Transfer Grant Program</p> <p>(16) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter L, Section 22.226, concerning the Texas EXcellence, Access, and Success (TEXAS) Grant</p> <p>(17) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter A, Section 22.1, concerning the General Provisions for Student Financial Aid Programs</p> <p>(18) Consideration and possible action to adopt new Board Rules, Chapter 22, Subchapter M, Section 22.265, and amendments to Board Rules, Chapter 22, Subchapter M, Sections 22.254, 22.256-22.259, 22.261, 22.262, and 22.264, concerning the Texas Educational Opportunity Grant Program</p> <p>(19) Consideration and possible action to adopt amendments to Board Rules, Chapter 23, Subchapter D, Sections 23.93-23.101, concerning Loan Repayment Program for Mental Health Professionals</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>On a motion by Ms. Schwartz, seconded by Ms. Thomas, the Board adopted new Board Rules, Chapter 22, Subchapter K, Sections 22.200-22.210, concerning the Texas Transfer Grant Program. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Charles Contéro-Puls, Assistant Commissioner for Student Financial Aid Programs, presented this item and was available for questions.</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>On a motion by Dr. Farias, seconded by Ms. Williams, the Board adopted new Board Rules, Chapter 22, Subchapter M, Section 22.265, and amendments to Board Rules, Chapter 22, Subchapter M, Sections 22.254, 22.256-22.259, 22.261, 22.262, and 22.264, concerning the Texas Educational Opportunity Grant Program. The vote was unanimous. A copy of the Board rules as adopted may be found in the supplemental agenda materials.</p> <p>Dr. Contéro-Puls, Assistant Commissioner for Student Financial Aid Programs, presented this item and was available for questions.</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>
---	--

IX. Lunch	The Board did not break for lunch. Chair Farias announced a short break. The meeting adjourned at 11:15 a.m. and re-convened at 11:22 a.m.
X. Matters relating to the Committee on Academic and Workforce Success	
A. Committee chair's overview	No action required. Ms Williams provided an overview of the items on the agenda.
B. Consideration and possible action to adopt the report to the Board on school closures and/or teach-outs pursuant to Board Rule 7.7(6)	This item was approved on the consent calendar.
C. Consideration and possible action to adopt the recommendation relating to the July 2023 Annual Compliance Reports for institutions under a Certificate of Authorization (Names beginning with "P" through "Z")	This item was approved on the consent calendar.
D. Consideration and possible action to approve a two-year service contract with The University of Texas at Austin for creating and scaling the Texas Computer Science Pipeline Project at a cost not to exceed \$14 million	<p>On a motion by Dr. Farias, seconded by Ms. Thomas, the Board approved a two-year service contract with The University of Texas at Austin for creating and scaling the Texas Computer Science Pipeline Project at a cost not to exceed \$14 million. The vote was six for, none against. Mr. Anwar was absent for the vote.</p> <p>Dr. Michelle Singh, Assistant Commissioner for Digital Learning, presented this item and was available for questions.</p>
E. Consideration and possible action to approve a resolution on the request by Barbers Hill Independent School District/Lee College regarding a branch campus maintenance tax election and branch campus approval	<p>On a motion by Ms. Thomas, seconded by Dr. Farias, the Board approved a resolution on the request by Barbers Hill Independent School District/Lee College regarding a branch campus maintenance tax election and branch campus approval. The vote was unanimous. A copy of the signed resolution can be found at appendix A.</p> <p>Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available for questions.</p>
F. Consideration and possible action to delegate to the Commissioner of Higher Education the authority, subject to Board notification, to approve institutional awards over \$5 million for the Graduate Medical Education Expansion Grant Program	This item was approved on the consent calendar.

<p>G. Consideration and possible action to adopt the recommendation relating to a request from Healing Hands Massage Institute for a Certificate of Authority to grant a degree in Texas</p>	<p>On a motion by Ms. Williams, seconded by Ms. Thomas, the Board adopted the recommendation to deny the application from Healing Hands Massage Institute for a Certificate of Authority to grant a degree in Texas. The vote was unanimous.</p> <p>Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions</p>
<p>H. Consideration and possible action to approve the following requests for new degree programs:</p> <p>THE UNIVERSITY OF TEXAS AT EL PASO (1) Doctor of Philosophy (PhD) in Physics</p> <p>THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON (2) Doctor of Nursing Practice (DNP) in Nurse Anesthesia</p> <p>THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY (3) Doctor of Philosophy (PhD) in Computer Science with Interdisciplinary Applications</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>Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions. Dr. Stephen Crites, Dean of the Graduate School, and Dr. Mark Pederson, Chair of the Department of Physics, were also available for questions.</p> <p>On a motion by Ms. Thomas, seconded by Dr. Wong, the Board approved the new degree program. The vote was unanimous.</p> <p>Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions. Dr. Deborah Jones, Dean, School of Nursing, and Dr. Kristen Starnes-Ott, Vice Dean for Academic Affairs and Endowed Chair in Nursing, were also available for questions.</p> <p>On a motion by Dr. Farias, seconded by Mr. Wilson, the Board approved the new degree program. The vote was unanimous.</p> <p>Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions. Dr. Guy Bailey, President, and Dr. Emmett Tomai, Professor and Chair of Computer Science, were also available for questions.</p>
<p>I. Proposed Rules:</p> <p>(1) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 2, Subchapter E, Section 2.87, and new Board Rules, Chapter 4, Subchapter J,</p>	<p>On a motion by Ms. Thomas, seconded by Dr. Farias, the Board adopted amendments to Board Rules, Chapter 2, Subchapter E, Section 2.87, and new Board Rules, Chapter 4, Subchapter J, Sections</p>

<p>Sections 4.191-4.192, concerning institutional accreditation requirements</p> <p>(2) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 2, Subchapter J, Section 2.202, concerning approval of distance education for public institutions</p> <p>(3) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 4, Subchapter A, Section 4.9, concerning limitations on the number of courses that may be dropped under certain circumstances by undergraduate students</p> <p>(4) Consideration and possible action to adopt proposed repeal of Board Rules, Chapter 4, Subchapter P, Sections 4.255 through 4.264, concerning approval of distance education courses and programs for public institutions</p> <p>(5) Consideration and possible action to adopt amendments to Board Rules, Chapter 5, Subchapter B, Section 5.24, and repeal of Board Rules Chapter 5, Subchapter C, Sections 5.41-5.46, 5.48, 5.50, 5.52-5.55, concerning academic program approval</p> <p>(6) Consideration and possible action to repeal Board Rules, Chapter 9, Subchapter J, Sections 9.181-9.186; Subchapter L, Sections 9.550-9.555; and Subchapter N, Sections 9.670-9.678, concerning academic program approval</p> <p>(7) Consideration and possible action to amend Board Rules, Chapter 21, Subchapter D, Sections 21.51 and 21.52, concerning the Texas First Early High School Completion Program</p>	<p>4.191-4.192, concerning institutional accreditation requirements. The vote was unanimous. A copy of the Board rules as adopted may be found in the supplemental agenda materials.</p> <p>Ms. Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available to answer questions.</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 supplemental 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 supplemental 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>(8) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter T, Sections 22.550-22.552 and 22.554-22.556, concerning the Texas First Scholarship</p> <p>(9) Consideration and possible action to amend and adopt new Board Rules, Chapter 22, Subchapter N, Sections 22.265-22.277, concerning the Texas Leadership Scholars Program</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>On a motion by Ms. Schwartz, seconded by Dr. Wong, the Board adopted amendments and new Board Rules, Chapter 22, Subchapter N, Sections 22.265-22.277, concerning the Texas Leadership Scholars Program. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Jennielle Strother, Assistant Commissioner for Student Success, presented this item and was available to answer questions.</p>
XI. Matters relating to the Agency Operations Committee	
A. Committee chair's overview	No action required. Ms. Schwartz provided an overview of the items on the agenda.
B. Report on grants and contracts	This item was approved on the consent calendar.
C. Review of the "Fiscal Year 2024 Financial Report" to the Board	This item was approved on the consent calendar.
D. Consideration and possible action to approve the updated Internal Audit Charter	<p>On a motion by Ms. Williams, seconded by Dr. Farias, the Board approved the updated Internal Audit Charter. The vote was unanimous.</p> <p>Mr. Arby Gonzales, Assistant Commissioner, Internal Audit and Compliance, presented this item and was available to answer questions.</p>
<p>E. Auditor's update on Internal Audit reports and activities</p> <p>(1) Started internal audit of the Texas Research Incentive Program</p> <p>(2) Started advisory project related to Community College Finance</p> <p>(3) Internal Audit Corrective Action Status Report - January 2024</p>	No action required. Mr. Gonzales, Assistant Commissioner for Internal Audit and Compliance, presented these items and was available for questions.

<p>F. Auditor’s update on state and federal compliance monitoring reports and activities</p> <ul style="list-style-type: none"> (1) “Compliance Monitoring Audit of College Access Loan at St. Edward's University” (no findings) (2) “Compliance Monitoring Audit of Tuition Equalization Grant at Jarvis Christian University” (one finding) (3) “Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at Weatherford College” (no findings) (4) “Compliance Monitoring Desk Review of Formula Funding at the University of Houston” (no findings) (5) “Compliance Monitoring Corrective Action Status Report” – January 2024 	<p>No action required. Mr. Gonzales, Assistant Commissioner for Internal Audit and Compliance, presented these items and was available for questions.</p>
<p>XII. Adjournment</p>	

With no further business, on a motion by Ms. Williams, seconded by Mr. Anwar, the meeting adjourned at approximately 12:08p.m.

Respectfully Submitted,

Javaid Anwar
Secretary of the Board

APPENDIX A

**RESOLUTION OF THE
TEXAS HIGHER EDUCATION COORDINATING BOARD
ON BARBERS HILL INDEPENDENT SCHOOL DISTRICT'S REQUEST TO HOLD A
BRANCH CAMPUS MAINTENANCE TAX AND LEE COLLEGE'S REQUEST TO
ESTABLISH A BRANCH CAMPUS WITHIN THE BARBERS HILL INDEPENDENT
SCHOOL DISTRICT**

Date: January 25, 2024

On this date, we, the Texas Higher Education Coordinating Board, hereby authorize the Barbers Hill Independent School District to hold a branch campus maintenance tax election at a rate not to exceed five cents on each \$100 valuation of taxable property within the Barbers Hill ISD. The Texas Higher Education Coordinating Board in authorizing the branch campus maintenance tax election has determined that the requirements set forth in section 130.253 of the Texas Education Code have been met. Specifically:

- 1) The proposed tax does not exceed five cents on each \$100 valuation of all taxable property in Barbers Hill ISD's jurisdiction;
- 2) Barbers Hill ISD submitted to THECB a petition for the proposed branch campus maintenance tax election that Barbers Hill ISD determined is legal and genuine and is signed by over five percent of the registered and qualified voters within Barbers Hill ISD; and
- 3) The proposed tax is feasible and desirable under Texas Higher Education Coordinating Board rules.

We further authorize Lee College's proposed formation of a branch campus within the Barbers Hill Independent School District contingent upon the passage of the branch campus maintenance tax.

The Commissioner of Higher Education shall deliver this resolution to Lee College and the Barbers Hill Independent School District.

PASSED, APPROVED, AND ADOPTED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AS FOLLOWS:

Ayes: 7 Nays: 0 Abstentions:

Signed: 

Fred Farias III, OD, MS, FAAO
Chair, Texas Higher Education Coordinating Board

Attested to: 

S. Jayaid Anwar, Secretary,
Texas Higher Education Coordinating Board

AGENDA ITEM V

Consideration and possible action to approve 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
April 2024**

VII. Matters relating to the full Board

- E. Consideration and possible action to acknowledge gifts and donations to the Board

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

- B. Consideration and possible action to approve the data report required by Texas Education Code, Section 51.4033 and Section 51.4034, related to nontransferable credit and transfer courses
- C. Report on Financial Aid Advisory Committee activities
- D. Consideration and possible action to appoint a student representative to the Financial Aid Advisory Committee
- F. Consideration and possible action to appoint members to the Standing Advisory Committee for Public Junior Colleges
- G. Proposed Rules:
 - (3) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter D, Section 22.64, concerning the Texas Public Educational Grants and Emergency Tuition, Fees, and Textbook Loan Programs
 - (4) Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter I, Sections 22.165-22.168 and 22.170-22.173, concerning the Texas Armed Services Scholarship Program
 - (5) Consideration and possible action to adopt amendments to Board Rules, Chapter 23, Subchapter J, Sections 23.286-23.288, 23.290, 23.291 and 23.293, concerning the Math and Science Scholars Loan Repayment Program

X. Matters relating to the Committee on Academic and Workforce Success

- B. Consideration and possible action to adopt the report to the Board on school closures and/or teach-outs pursuant to Board Rule 7.7(6)
- C. Consideration and possible action to adopt the report to the Legislature regarding reporting of sexual misconduct at institutions of higher education, per Texas Education Code, Chapter 51, Subchapters E-2 and E-3
- D. Consideration and possible action to adopt the "Report on the Fiscal Year 2024 Annual Review of Low-Producing Programs"

- E. Consideration and possible action to appoint members to the:
 - (1) Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities
 - (2) ApplyTexas Advisory Committee
- F. Consideration and possible action to appoint student representatives to the:
 - (1) ApplyTexas Advisory Committee
 - (2) Learning Technology Advisory Committee
- I. Proposed Rules:
 - (1) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 1, Subchapter G, Section 1.128(b), concerning the authority and specific purposes of the Apply Texas Advisory Committee
 - (2) Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 4, Subchapter A, Section 4.10(h)(2)-(4), concerning the Common Admission Application forms
 - (6) Consideration and possible action to adopt new Board Rules, Chapter 4, Subchapter V, Sections 4.350-4.353, concerning compliance with non-discrimination in intercollegiate athletic competition
 - (8) Consideration and possible action to adopt amendments to Board Rules, Chapter 7, Subchapter A, Section 7.8, concerning revising fees for Certificate of Authority applications, amendments, and renewals pursuant to Texas Education Code, Sections 61.305, 61.307, and 61.308
 - (9) Consideration and possible action to adopt new Board Rules, Chapter 10, Subchapter RR, Sections 10.870-10.878, concerning the Texas Innovative Adult Career Education (ACE) Grant Program
 - (11) Consideration and possible action to adopt amendments to Board Rules, Chapter 13, Subchapter N, Section 13.406(b)(4), concerning the Texas Reskilling and Upskilling through Education (TRUE) Grant Program

XI. Matters relating to the Agency Operations Committee

- B. Report on grants and contracts
- C. Review of the “Fiscal Year 2024 Financial Report” to the Board

AGENDA ITEM VI

Major Policy Discussion: Enrollment and Admissions Trends

RECOMMENDATION: No action required

Background Information:

Major policy discussions are topics of interest where staff, policy experts, and/or stakeholders provide Board members with information on higher education policy matters or initiatives that have the potential to impact Texas statewide. The major policy discussion will focus on enrollment and admissions trends.

This presentation aims to provide a comprehensive analysis of application and enrollment trends in Texas. We will delve into recent data trends concerning student enrollment across educational institutions in the state, highlighting key patterns and potential implications for policy formulation. Furthermore, we will bring to light significant issues surrounding FAFSA submission at the national, regional, and state levels.

Dr. David Troutman, Deputy Commissioner for Academic Affairs, will provide an overview and be available for questions.

AGENDA ITEM VII-A

Discussion and overview of proposed Fiscal Year 2025 community college finance system rules

RECOMMENDATION: No action required

Background Information:

Texas Higher Education Coordinating Board staff are preparing several proposed changes to rules governing the community college finance system for consideration by the Board at upcoming meetings.

Rules proposed to the Board in April include the following policy revisions, along with various methodological or reporting changes:

- Adding a new subchapter (13S) on community college finance to replace rules limited to Fiscal Year (FY) 2024 and implement community college finance on an ongoing basis
- Revising fundable outcomes, including adding the credential of value premium, the Opportunity High School Diploma, and third-party workforce credentials and removing licensure/certification without a credential
- Revising the method for determining high-demand fields to create a process that better acknowledges regional variation and provides avenues for adding fields based on input from colleges and state leadership
- Revising technical methods to ensure rapid completion is not inadvertently penalized; use a more timely, accurate source of tuition/fee data; and prevent double counting of credit hours across fundable outcomes
- Establishing the requirement that colleges receiving the small-scale bonus in the Base Tier submit a shared services report biennially, in accordance with legislative requirements

Rules intended for proposal to the Board in July include new policies adding dynamism to the Performance Tier, along with mechanisms in both tiers to automate important adjustments:

- Formalizing the methodology by which fundable outcomes will be projected forward to provide the basis for Performance Tier funding
- Establishing the “settle-up” process that dictates how new data alters performance funding, creating a system that responds more dynamically to performance changes
- Setting Base Tier funding to ensure it continues ongoing support for less resourced colleges
- Establishing the funding rates and weights to be applied to FY 2025 funding

Emily Cormier, Assistant Commissioner for Funding, will provide an overview and be available for questions.

AGENDA ITEM VII-B

Update on *Building a Talent Strong Texas*

RECOMMENDATION: No action required

Background Information:

Staff will give an update on the *Building a Talent Strong Texas* plan.

Higher education institutions and, most importantly, their graduates play critical roles in driving equitable economic opportunities for Texans, their communities, and the state. The Texas Higher Education Coordinating Board, in close partnership with institutions, other state agencies, and communities across the state, launched a refreshed strategic plan to effectively meet the needs of the state's workforce, its economy, and individual Texans. *Building a Talent Strong Texas* was adopted earlier this year, and staff continue to work closely with partners to develop tools and resources to support institutions in understanding and meeting the new goals.

Melissa Henderson, Chief of Staff and Executive Director for the Texas Higher Education Foundation, will provide this update and be available for questions.

AGENDA ITEM VII-C

Update on Texas transfer initiatives

RECOMMENDATION: No action required

Background Information:

Substantially improving transfer, particularly for students who are attending community colleges and plan to transfer to public four-year universities, remains a priority for the Texas Higher Education Coordinating Board.

Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will provide an update on the activities of the Texas Transfer Advisory Committee and other transfer initiatives of the agency.

AGENDA ITEM VII-D

Update on program approval

RECOMMENDATION: No action required

Background Information:

The obligation and opportunity to approve new educational programs (certificates and degrees) is one of the most significant duties undertaken by the Texas Higher Education Coordinating Board. The boundaries and processes for program approval are currently governed by statute, rule, policies, and forms.

This agenda item includes:

- An update on new academic program approval rule implementation
- Academic and workforce programs that have been acted on since the last board meeting
- Certificates of authorization that have been acted on since the last board meeting

Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available for questions.

**INSTITUTIONAL REQUESTS RELATED TO DEGREE AND CERTIFICATE PROGRAMS ACTED ON BY THE
COMMISSIONER OR ASSISTANT COMMISSIONERS (January 4 – April 1, 2024)**

NEW DEGREE AND CERTIFICATE PROGRAMS

Institution	Degree	Program	Date Approved
Community & Technical Colleges			
ACCD - St. Philip's College	AAS	Plumbing Trades	01/25/2024
Angelina College	AAS	Software Development	03/25/2024
College of the Mainland Community College District	Level 1 Certificate	Robotic Process Automation Career Training (RPACT)	01/08/2024
Collin County Community College District	AAS & Level 1 Certificate	Information Assurance	01/08/2024
Dallas College	Level 1 Certificate	Theatrical Construction Level I Certificate	03/06/2024
Del Mar College	BAS	Organizational Management	03/06/2024
El Paso Community College	AAS	Music-audio Engineering	01/08/2024
El Paso Community College	AAS	Music-business	01/08/2024
El Paso Community College	Advanced Technical Certificate	Health Informatics & Data Management	02/29/2024
El Paso Community College	Level 1 Certificate	Border Health Issues Certificate	02/29/2024
El Paso Community College	Level 1 Certificate	Data Analytics Certificate	02/29/2024
El Paso Community College	Level 1 Certificate	Public Health Certificate	02/28/2024
El Paso Community College	Level 2 Certificate	Music Technology	01/08/2024
El Paso Community College	AAS	Occupational Therapist Assistant	02/29/2024
Galveston College	Level 1 Certificate	Digital Communications	01/24/2024
Houston Community College	AAS & Level 1 Certificate	Heavy Vehicle & Industrial Technology	01/25/2024

Lamar Institute of Technology	AAS	Biomedical Engineering Technician	01/25/2024
Lamar Institute of Technology	AAS	Computer Engineering Technology	01/25/2024
Lamar Institute of Technology	AAS	Electromechanical Engineering Technician	01/25/2024
Lamar Institute of Technology	AAS	Electronics Engineering Technician	01/25/2024
Lamar Institute of Technology	AAS	Robotics & Automation Technology Technician	01/25/2024
Lamar Institute of Technology	Level 1 Certificate	Esthetics Certificate	01/25/2024
Lamar State College - Orange	AAS & Level 1 Certificate	Electrical Technology	01/24/2024
Lone Star College - University Park	AAS & Level 1 Certificate	Artificial Intelligence and Machine Learning	03/06/2024
Odessa College	AAS	Hospitality Management	01/08/2024
San Jacinto College District	AAS	Magnetic Resonance Imaging Associate of Applied Science	03/25/2024
South Texas College	AS	Architecture	01/25/2024
Southwest Texas College	AAS	Surgical Technologist	01/25/2024
Tarrant County College District	AAS & Level 1 Certificate	Healthcare Management	01/25/2024
Texas Southmost College	AA	Music	03/25/2024
Texas Southmost College	AS	Allied Health Education	03/25/2024
Texas Southmost College	Level 1 Certificate	Certified Nurse Assistant	03/25/2024
Tyler Junior College	AAS	Live And Recorded Sound	01/25/2024

Tyler Junior College	AAS & Level 1 Certificate	Hospitality & Restaurant Management	02/26/2024
Universities & Health-related			
Tarleton State University	BS	Zoo Animal Care and Management	01/08/2024
Texas Tech University	MS	Animal Health and Industry	01/25/2024
University of Texas at El Paso	PHD	Physics	01/25/2024
University of Texas at El Paso	MS	Aerospace Engineering	03/26/2024
University of Texas Medical Branch Galveston	DNP	Nurse Anesthesia	01/25/2024
University of Texas Rio Grande Valley	DNP	Nurse Anesthesia	01/25/2024
University of North Texas Health Science Center	MSN	Nursing Innovation	02/26/2024
University of North Texas Health Science Center	MSN	Nursing	02/26/2024

PHASE-OUT OF PROGRAMS

Institution	Degree	Program	Phase out Date
Community & Technical Colleges			
Alvin Community College	AAS	Office Systems and Supervision	06/01/2024
Alvin Community College	Level 1 Certificate	Administrative Specialist	06/01/2024
Alvin Community College	Level 2 Certificate	Office Supervision	06/01/2024
Angelina College	AAS	Computer Information Systems-Web Technology	01/01/2024
Angelina College	AAS	Human Services Case Management	01/01/2024
Angelina College	Level 1 Certificate	Human Services	01/01/2024
Angelina College	Level 1 Certificate	Criminal Justice-Law Enforcement	01/01/2024
Angelina College	Level 1 Certificate	Emergency Medical Technician - Intermediate	01/01/2024
Angelina College	Level 1 Certificate	General Business	01/01/2024

Angelina College	Level 1 Certificate	Human Services Activity Directory	01/01/2024
Angelina College	Level 1 Certificate	Human Services Intermediate	01/01/2024
Angelina College	Enhanced Skills Certificate	Child & Family - Administrative	01/01/2024
Angelina College	Enhanced Skills Certificate	Criminal Justice-Law Enforcement	01/01/2024
Angelina College	Enhanced Skills Certificate	Criminal Justice-Supervision	01/01/2024
Angelina College	Enhanced Skills Certificate	General Business-Accounting	01/01/2024
Angelina College	Enhanced Skills Certificate	General Business-Computer Information Systems	01/01/2024
Angelina College	Enhanced Skills Certificate	General Business-Management Development	01/01/2024
Angelina College	Enhanced Skills Certificate	General Business-Office Administration	01/01/2024
Angelina College	Enhanced Skills Certificate	General Business-Word Processing Office Administration	01/01/2024
Angelina College	Enhanced Skills Certificate	Graphic Information Systems	01/01/2024
Angelina College	Enhanced Skills Certificate	Journeyman Machinist	01/01/2024
Angelina College	Enhanced Skills Certificate	Manufacturing	01/01/2024
Austin Community College	AAS	Auto Body Collision & Refinishing	09/01/2024
Austin Community College	AAS	Auto Body Collision and Refinishing	09/01/2024
Austin Community College	AAS	Auto Body Collision and Refinishing	09/01/2024
Austin Community College	Level 1 Certificate	Auto Body Collision Repair	09/01/2024
Austin Community College	Level 1 Certificate	Marine Engine Advanced Repairer	09/01/2024
Austin Community College	Level 1 Certificate	Marine Engine Repair	09/01/2024
Austin Community College	Level 1 Certificate	Motorcycle Advanced Repairer	09/01/2024
Austin Community College	Level 1 Certificate	Motorcycle Repair	09/01/2024

Austin Community College	Level 1 Certificate	Small Engine Advanced Repairer	09/01/2024
Austin Community College	Level 1 Certificate	Small Engine Repair Advanced	09/01/2024
Austin Community College	Level 1 Certificate	Small Engine Repair	09/01/2024
Austin Community College	Continuing Education Certificate	Landscape Design	09/01/2024
Blinn College	AAS	Office Administration Professional	01/01/2024
Blinn College	Level 1 Certificate	Administrative Assistant Specialist	01/01/2024
Blinn College	Level 1 Certificate	Dual Credit - Animal Science Pathway	01/01/2024
Blinn College	Level 1 Certificate	Dual Credit - Applied Agricultural Engineering Pathway	01/01/2024
Blinn College	Level 1 Certificate	Dual Credit - Environmental and Natural Resources Pathway	01/01/2024
Blinn College	Level 1 Certificate	Farm / Ranch Manager	01/01/2024
Blinn College	Level 2 Certificate	Office Administration Specialist	01/01/2024
Blinn College	Level 2 Certificate	Software Specialist	01/01/2024
Blinn College	Occupational Skills Award	Office Administration	01/01/2024
Coastal Bend College	AAS	Oil and Gas Technology	06/01/2024
Coastal Bend College	Level 1 Certificate	Oil and Gas Technology	06/01/2024
Coastal Bend College	Level 2 Certificate	Oil and Gas Technology	06/01/2024
Collin County Community College District	AAS	Web Development	09/01/2024
Collin County Community College District	Level 1 Certificate	Front-End Web Developer	09/01/2024
Collin County Community College District	Level 2 Certificate	Full-Stack Web Developer	09/01/2024
Collin County Community College District	Occupational Skills Award	JavaScript Development	09/01/2024
Collin County Community College District	Occupational Skills Award	Web Foundation	09/01/2024
Dallas College	AAS	Electronics Technology	01/01/2025

Dallas College	AAS	Food and Hospitality Management	09/01/2024
Dallas College	Level 1 Certificate	Custom Auto/Street Rod Fabrication	09/01/2024
Dallas College	Level 2 Certificate	Emergency Medical Services--Paramedicine	09/01/2024
Dallas College	Enhanced Skills Certificate	Administrative Professional	09/01/2024
El Paso Community College	AAS	Hospitality Operations	01/01/2024
El Paso Community College	AAT	Educator Preparation	01/01/2024
El Paso Community College	AS	Civil Engineering	09/01/2024
El Paso Community College	AS	Industrial & Systems Engineering	09/01/2024
El Paso Community College	AS	Materials Engineering	09/01/2024
El Paso Community College	AS	Mechanical Engineering	09/01/2024
El Paso Community College	Level 1 Certificate	Allied Community Health Services (ACHS)	01/01/2024
El Paso Community College	Level 1 Certificate	Electrical Journeyman/Facility Maintenance	01/01/2024
El Paso Community College	Enhanced Skills Certificate	Radiologic Technology	01/01/2024
El Paso Community College	Level 1 Certificate	Front Desk Operations	01/01/2024
El Paso Community College	Level 2 Certificate	Paralegal	01/01/2024
Houston Community College	AAS	Nursing - Transition to Registered Nursing	01/01/2024
Houston Community College	AAS	Nursing	01/01/2024
Lamar State College - Orange	AAS	Medical Laboratory Technology	01/01/2024
Lamar State College - Orange	Level 1 Certificate	Law Enforcement	06/01/2024
Lamar State College - Orange	Level 1 Certificate	Medical Office Assistant	01/01/2024
Lamar State College - Orange	Level 1 Certificate	Medical Transcriptionist	01/01/2024
Lamar State College - Orange	Level 1 Certificate	Process Technology Basic	01/01/2024
Lamar State College - Orange	Level 2 Certificate	Medical Administrative Assistant	01/01/2024
Lamar State College - Orange	AAS	Medical Office Professional	01/01/2024
Navarro College	Level 1 Certificate	Massage Therapy	01/01/2024

Paris Junior College	AAS	Criminal Justice	09/01/2025
South Texas College	Occupational Skills Award	Emergency Management Specialist	09/01/2024
South Texas College	Occupational Skills Award	Police Leadership	09/01/2024
South Texas College	Occupational Skills Award	Security and Loss Prevention Specialist	09/01/2024
Tarrant County College District	AAS	Electronics Technology: Engineering Technology	09/01/2024
Tarrant County College District	Level 1 Certificate	Electronics Engineering Technology	09/01/2024
Tarrant County College District	Occupational Skills Award	Fundamentals of Electronics	09/01/2024
Trinity Valley Community College	Level 1 Certificate	Advanced Medical/Nursing Assistant Certificate	01/01/2024
Trinity Valley Community College	Level 1 Certificate	Basic Certified Clinical Medical Assistant (CCMA)	01/01/2024
Trinity Valley Community College	Level 1 Certificate	Dual Credit Cosmetology Operator	06/01/2025
Trinity Valley Community College	Level 1 Certificate	Medical/Nursing Assistant	01/01/2024
Trinity Valley Community College	Level 2 Certificate	Surgical Technology	01/01/2024
Trinity Valley Community College	Continuing Education Certificate	Patient Care Technology/Medical Assisting (PCT/MA)	01/01/2024
Universities & Health-related			
Tarleton State University	BA	Communications	09/1/2029
Tarleton State University	MA	Teacher Education	09/01/2027
Texas A&M University	BS	Food Systems Industry Management	12/31/2027
Texas A&M University	MAGR	Agricultural Economics	12/31/2024
Texas A&M University-Texarkana	MS	School Counseling	03/20/2024
Texas State University	MS	Human Resource Management	01/16/2024
University of North Texas	MS	Engineering Technology	08/15/2025
University of Texas at El Paso	BS	Geophysics	08/01/2029
University of Texas at San Antonio	BBA	Leadership and Administration	01/23/2024
University of Texas at San Antonio	BBA	Tourism Management	01/23/2024

University of Texas at San Antonio	BM	Music Education	01/23/2024
University of Texas at Tyler	MS	Health Sciences	08/15/2025

CERTIFICATES OF AUTHORIZATION

Non-Public and Out-of-State Institution	Authorization Type	Certificate of Authorization Issue Date
Alliant International University	Certificate of Authorization (clinical)	February 29, 2024
CBD College	Certificate of Authorization (clinical)	February 29, 2024
Concordia University Irvine	Certificate of Authorization (clinical)	February 26, 2024
ECPI University	Certificate of Authorization (Associate and Bachelor)	February 29, 2024
Fielding Graduate University	Certificate of Authorization (clinical)	February 29, 2024
KD Conservatory College of Film and Dramatic Arts	Certificate of Authorization (Associate)	March 6, 2024
MIAT College of Technology	Certificate of Authorization (Associate)	March 6, 2024
University of the Cumberlands, Irving	Certificate of Authorization (Master and Doctoral)	February 15, 2024

AGENDA ITEM VII-E

Consideration and possible action to acknowledge 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 be available to answer questions.

The following gifts and donations have been provided to the agency since the January 2024 Quarterly Board Meeting. This Board must vote to accept these gifts or donations.

Date Received	Gift or Donation	Funding Source	Donor	Estimated Value
1/9/24	Services of Vidlet to design two-way data flow to enhance and improve My Texas Future and Apply Texas application process	Bill and Melinda Gates Foundation	Texas Higher Education Foundation	\$200,000
1/12/24	Purchase of licenses from Coursera, Inc. to advance digital learning initiatives	Texas Higher Education Foundation – Unrestricted Funds	Texas Higher Education Foundation	\$30,000
2/6/24	Travel expenses for staff to attend the State Higher Education Executive Officers Communities of Practice Meeting	State Higher Education Executive Officers	State Higher Education Executive Officers	\$467.91
2/8/24	Services of Jobs for the Future to support THECB with the facilitation, management, & implementation of Opportunity High School Diploma Program	Trellis Foundation	Texas Higher Education Foundation	\$202,699
2/21/24	Additional services of TIP Strategies to provide support with modification for the Strategic Plan for Research.	Economic Development Agency	Texas Higher Education Foundation	\$20,000
2/26/24	Services of Carahsoft Technology Corp. to provide training services of the Snowflake software platform	Bill and Melinda Gates Foundation – Data Modernization	Texas Higher Education Foundation	\$61,749.94
2/26/24	Services of State Higher Education Executive Officers Assoc. to assist with planning of Spring 2024 PSEO Coalition Summit	Strada Education Network-PSEO	Texas Higher Education Foundation	\$40,000

Date Received	Gift or Donation	Funding Source	Donor	Estimated Value
3/6/24	Consulting services of Frontrunner Collaborations to assist THECB with Building a Talent Strong Texas	Greater Texas Foundation – Strategic Planning	Texas Higher Education Foundation	\$95,000
3/22/24	Funds for David Troutman's participation on the Carnegie Classifications TRP in 2024	American Council on Education	American Council on Education	\$2,500
3/27/24	Consulting services of Gina Johnson to provide outreach and coordination through the Postsecondary Employment Outcomes Coalitions	Strada Education Network - PSEO	Texas Higher Education Foundation	\$40,500

AGENDA ITEM VII-F

Consideration and possible action to approve amending the National Student Clearinghouse contract by an amount greater than ten percent pursuant to Government Code, Chapter 2155, at a cost not to exceed \$150,000

RECOMMENDATION: Approval

Background Information:

In August 2022, the Texas Higher Education Coordinating Board contracted with National Student Clearinghouse for \$258,849 to provide Texas institutions of higher education access to the Clearinghouse's Student Tracker Premium service from August 31, 2022 through August 31, 2024.

Staff recommends approving the amendment of the contract for the following additional deliverables:

- a. Access to the National Student Clearinghouse's High School Tracker service.

Dr. David Troutman, Deputy Commissioner for Academic Affairs, will present this item and be available to answer questions.

AGENDA ITEM VIII-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 VIII-B

Consideration and possible action to approve the data report required by Texas Education Code, Section 51.4033 and Section 51.4034, related to nontransferable credit and transfer courses

RECOMMENDATION: Approval

Background Information:

Texas Education Code, Sections 51.4033 and 51.4034, require the Texas Higher Education Coordinating Board (THECB) to provide the Legislature with two transfer-related data reports by May 1 of each year, beginning in 2021. Institutions are required to report the necessary data to the THECB to facilitate the preparation of these reports. The report requirements were part of several outlined in Senate Bill (SB) 25, passed in the 86th Legislative Session, relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education. Because the reports both relate to transfer, the information will be combined into one report for the Legislature.

This report describes: (1) courses in the *Lower-Division Academic Course Guide Manual* that are not granted credit at a receiving general academic teaching institution, and (2) the number of courses taken by students at public two-year colleges (referred to as “junior colleges” in statute) who either transferred to general academic teaching institutions or earned associate degrees at the two-year colleges.

The SB 25 “Report on Non-Transferable Credit and Courses Taken at Public Two-Year Colleges” provides an initial snapshot of the transfer landscape in Texas from the perspective of courses attempted, completed, and transferred by students who took courses at two-year public institutions, either while in high school as dual credit or after high school. Unlike transfer data tracked in the past, this data dives more deeply into student course selection and its relationship to transfer and, ultimately, timely and efficient graduation results.

Dr. Melissa Humphries, Assistant Commissioner for Data Management and Research and Dr. Christina Zavala, Director of Student Success and Research, will provide a brief presentation and be available to answer questions.

AGENDA ITEM VIII-C

Report on Financial Aid Advisory Committee activities

RECOMMENDATION: No action required

Background Information:

Texas Higher Education Coordinating Board (THECB) rules require advisory committees to report on committee activities on an annual basis. This allows the board of the THECB to properly evaluate the committee's work, usefulness, and the costs related to the committee's existence. The current report covers the period from September 2022 through June 2023.

The Financial Aid Advisory Committee (FAAC) is authorized under Texas Education Code, Section 61.0776, and Texas Government Code, Section 2110.0012. The FAAC provides the board of the THECB with advice and recommendations regarding the development, implementation, and evaluation of state financial aid programs for college students. The FAAC also assists staff in the development of training materials for use by the Center for Financial Aid Information and others in informing students, parents, secondary education counselors, college personnel, members of appropriate community-based organizations, and others about financial aid opportunities for Texas students, including eligibility requirements and procedures for applying for financial aid.

Ms. Melet Leafgreen, chair of the FAAC, will present a summary of the FAAC's recent activities and will be available to answer questions.

2022-2023 FINANCIAL AID ADVISORY COMMITTEE

ANNUAL REPORT

COMMITTEE ABOLISHMENT DATE: 10/31/2025

Committee Purpose: The Financial Aid Advisory Committee was created to provide the board of the Texas Higher Education Coordinating Board (Board) advice and recommendations regarding the development, implementation, and evaluation of state financial aid programs for college students. It also assists staff in the development of training materials for use by the Center for Financial Aid Information and others in informing students, parents, secondary education counselors, college personnel, members of appropriate community-based organizations, and others about financial aid opportunities for Texas students, including eligibility requirements and procedures for applying for financial aid (Texas Education Code, [Sec. 61.0776](#)). In addition, the committee shall provide insight on state financial aid program policies and procedures (e.g. eligibility, allocations, disbursement processes, etc.); review the collection, use, and reporting of data; and identify areas of research for consideration (Texas Administrative Rules governing this committee can be found by visiting [FAAC Administrative Rules](#) and [Advisory Committee Administrative Rules](#)).

Report Period: September 2022 – August 2023

Chair: Rachelè Garrett – Stephen F. Austin University

Vice Chair: Melet Leafgreen, University of Texas-Southwestern

Past Chair: Denise Welch, Panola College

Committee Member Name	Position and Institution	Term Dates
DeChá Reid	THECB Representative	Sept. 2020-Sept. 2023
Rachele Garrett	Chair-Stephen F. Austin	Nov 2019-June 2024
Denise Welch	Past Chair- Panola College	Nov. 2018-June 2023
Melet Leafgreen	Vice Chair, UT Southwestern	Nov. 2021-June 2024
Jackie Adler	Member, Texas Technical State College	Nov. 2021-June 2024
Gabriela “Gabby” Leon	Member, Alvin Community College	Sept. 2022- June 2025
Victoria Chen	Member, Texas Christian Univ	Nov. 2020- June 2023
Dede Gonzales	Member, Texas State University	Nov. 2020- June 2023
Bridgette Ingram	Member, Texas A & M Univ	Nov. 2020- June 2023
Cecelia Jones	Member, Jarvis Christian Univ	Nov. 2021- June 2023
Rachel Joseph	Student Member, UT Austin	Sept 2022-May 2023
Dede Gonzales	TASFAA Representative	Nov. 2022- Sept. 2023
Scott Lapinski	Member, Blinn UT-Permian Basin	Sept. 2022- June 2023
Holly Nolan	Member, UH-Clear Lake	Nov. 2020-June 2023
Shonna Norton	Member- Wichita Falls ISD	Nov. 2020- June 2023
Sal Ramirez	Member- El Paso ISD	Nov. 2021- June 2024
Thomas Ratliff	Member- Abilene Christina Univ.	Sept. 2022- June 2023
Joseph Ruiz	Member- Del Mar College	Nov. 2021- June 2024
Lynda McKendree	Member- University of St. Thomas	Sept. 2022- June 2025
Tevian Sides	Member- Western Texas College	Nov. 2021- June 2024
Lisa Schoenbrun	Member- El Paso ISD	Sept. 2022- June 2025
Gilbert Zavala	Member- Austin Chamber of Com	Nov. 2021- June 2024

Committee Meeting Dates: Meetings were held virtually and in-person at the Barbara B. Jordan Building.

- 12-08-2022 (Virtually)
- 03-02-2023 (Virtually)
- 06-01-2023 (In-person)

A key item that changed was the start term for new committee members. The FAAC agreed to amend the rules for the nomination cycle to allow new members to start in September. The reporting period reflects the amended rules to better align committee members' start term with the state fiscal year (Sept. 1). September 2022 was previously reported during the 2021-22 FAAC Annual report.

Annual Costs Expended: Meetings were held virtually and in-person, which led to annual expenses.

Travel: \$0

Other: N/A

Time Commitments: 437 hours

Current Recommendations to the Board:

1. Continue to work with the Financial Aid Advisory Committee (FAAC) in providing feedback and recommendations on new initiatives when there would be an implied or real impact on state financial aid program policies and procedures. This is critical to the strengthening of student participation by removing barriers and providing access to higher education.
2. Continue to work with FAAC in seeking feedback on how the state financial aid program rules and policies could better align with federal policies.
3. Continue the work of the Data Collection Subcommittee to review procedures that impact institutions, along with the collection and use of data through institutional reporting.
4. Continue work with TASFA Subcommittee to review and streamline the electronic and paper state application (TASFA).
5. Continue to create and utilize FAAC subcommittees with subject experts to identify areas of research for consideration of topics of interest.
6. Continue to provide information regarding proposed legislative recommendations so FAAC can provide feedback on potential impact to students in high school and postsecondary education.

Summary of Tasks Completed: Over the course of the 2022-23 year, Coordinating Board staff worked with FAAC members to discuss topics and host presentations related to state financial aid and best practices within higher education. Highlights included:

Discussion Topics:

- NASFAA's Student Aid Index (SAI) Modeling
- 2024-25 FAFSA Delay
- State Priority Deadline for Texas
- Proposed Rules in Texas Administrative Code, Chapter 22 Impacting State Financial Aid Programs
- Overview of the Financial Aid for Swift Transfer (FAST) Program

Presentations:

- TXWORKS and Recruiting - Vanessa Malo, Director, THECB
- State of Student Aid and Higher Education in Texas (SOSA) - Jeff Webster, Director of Research and Carla Fletcher, Senior Research Analyst, Trellis
- More FAFSA Completions, with better reporting—all for free - Charlie Maynard, General Manager, Going Merry
- Top 10 Issues Impacting Financial Aid Offices - Karen McCarthy, Vice President of Public Policy, and Federal Regulations, NASFAA
- Fall 2021 Student Financial Wellness Survey - Jeff Webster, VP, Trellis
- Diversity 101—How to address professional judgement - Danchess Ingram, Diversity Awareness Chair, Southwestern Association of Student Financial Aid Administrators

In addition, FAAC's subcommittees actively engaged with THECB staff on several key agency initiatives and policies to help support the advancement of the agency goals and missions. Below are some highlights from the subcommittees:

TASFA Subcommittee: The TASFA Subcommittee continued to work on the online and paper TASFA to improve the student and institutional experience in delivering information on state aid. A non-inclusive list of activities included:

- Working with financial aid and high school representatives on recommended changes for the paper and online TASFA structure
- Launching the 2023-24 Online TASFA in August 2023
- Held multiple webcast trainings to provide a preview of the online TASFA process.
- Identifying key items on the 2024-25 paper TASFA to modify, eliminate, or add to align with the 2024-25 FAFSA questions.

Data Collection Subcommittee: Data Collection Subcommittee continued to work with THECB staff on the agency initiative to improve the importing of institutional data through the Financial Aid Database (FAD) data modernization project, along with being beta testers to the new payment system called Grant and Aid Processing Payment. In addition, the committee provided guidance on the following topics:

- Financial Aid for Swift Transfer (FAST)
- 2023-24 State Program Guidelines
- THECB Secure Systems: MOVEit
- Grant and Aid Processing Platform
- New administrative changes to the Texas College Work-study program

The members of FAAC are appreciative of the Board's approval for the continuation of the committee and offer the following examples of why the FAAC is important:

- The opportunity to share information helps both the agency and the institutions make informative decisions related to financial aid concerns and challenges in higher education.
- Provides a platform to identify key services and ways to successfully administer programs supporting Texas residents in the pursuit of higher education.
- Allows members representing all sectors to provide a perspective on ways to advance the state's mission and goals in Building a Talent Strong Texas.
- Provides opportunities to influence research and reporting that will provide relevant data to assist THECB and legislators when considering future proposals relevant to the support of higher education.

Committee Meeting Minutes

December 8, 2022, FAAC Meeting Minutes

Committee Members in Attendance Via <u>Virtual</u> Meeting Connection		Committee Members Absent
Rachelè Garrett, Chair Denise Welch, Past Chair DeChá Reid, THECB Rep Jackie Adler Reginald Brazzle Dede Gonzales-TASFAA Rep Bridgette Ingram Cecelia Jones Rachel Joseph-Student Rep Melet Leafgreen Lynda McKendree	Gaby Leon Lynda McKendree Holly Nolan Shonna Norton Sal Ramirez Thomas Ratliff Joseph Ruiz Joseph Sanchez Tevian Sides Arnold Trejo	Victoria Chen Scott Lipinski Gilbert Zavala
Agenda Item 1. Welcome, Introductions and Overview of Meeting		Rachelè Garrett, Chair
Handout Provided: Yes		Formal Decision/Action Required No
Summary:		

**See handout for agenda item 1 for more information

Agenda Item 2. Consideration of Approval of Minutes from the meeting held on September 8, 2022

Rachelè Garrett, Chair

Handout Provided: Yes

Formal Decision/Action Required
Yes – minutes approved

Summary:

- No corrections were identified.
- **See handout for agenda item 2 for more information.

Agenda Item 3. Presentation: TXWORKS

Vanessa Malo, Assistant Director, Workforce Education, THECB

Handout Provided: Yes

Formal Decision/Action Required
No

Presentation Summary:

**See handout for agenda item 3 for more information.

Agenda Item 4. Presentation: State of Student Aid and Higher Education in Texas (SOSA)

Jeff Webster, Director of Research, and Carla Fletcher, Sr. Research Analyst, Trellis

Handout Provided: Yes

Formal Decision/Action Required
No

Presentation Summary:

**See handout for agenda item 4 for more information.

Agenda Item 5. Presentation: More FAFSA Completions, with better reporting – all for free

Charlie Maynard, General Manager, Going Merry

Handout Provided: Yes

Formal Decision/Action Required
No

Presentation Summary:

**See handout for agenda item 5 for more information.

Agenda Item 6. Presentation: Top 10 Issues Impacting Financial Aid Offices

Karen McCarthy, Vice President of Public Policy, and Federal Regulations, NASFAA

Handout Provided: Yes

Formal Decision/Action Required
No

Presentation Summary:

**See handout for agenda item 6 for more information.

Agenda Item 7. Update: Prior FAAC Business

DeChà Reid, Senior Director, THECB

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- Provide an update on TXWORKS being counted as EPA for other federal programs given that it is using a needed component for eligibility.

Agenda Item 8: Update: External Relations

John Wyatt, Sr. Director, External Relations, THECB

Handout Provided: Yes

Formal Decision/Action Required
No

Standing Item

Update Summary:

- 88th Legislature will convene in a little over a month.
- Governor Abbott and Dan Patrick won their re-election.
- Dave Fleming to return as Speaker.
- TX Legislature will have some familiar faces because of the election.
- New Chairman of House Committee
- Will not have a Senate of Higher Education Committee, Higher Education will be a subcommittee.
- Texas is in good financial health. There is a surplus of funds; there is not an exact dollar amount until the Comptroller releases their budget. There is a constitutional limitation on the amount that can be spent from surplus and a lot of good recommendations on how best to spend it (infrastructure, retirement system, property tax...)
- THECB submitted LAR and 153 million to support grant recipients and support the innovative federally-funded grants (Transfer Grants and Texas Scholar)
- Enact the Community College Commission – need the report to send out – increase in funding for TEOG to serve 70% of eligible students to align it with TEXAS Grant population; greater flexibility of serving students; new program for dual credit students and partnerships with work-based learning.

- In the pre-filing stage on bills
- The volume of higher ed bills is low at this stage.

**See handout for agenda item 8 for more information.

Agenda Item 9. Update: THECB Financial Aid Strategic Priority

Charles Contero-Puls, Assistant Commissioner, THECB

Handout Provided: Yes

Formal Decision/Action Required
No

Standing Item

Update Summary:

**See handout for agenda item 9 for more information.

Agenda Item 10. Update: TASFA Subcommittee: House Bill 3 (FAFSA/TASFA Graduation Requirement) and House Bill 2140 (Online TASFA)

Bridgette Ingram, Subcommittee Chair; Claudette Jenks, Director, Strategic Advising; and Leah Smalley, Assistant Director, THECB

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- The projected completion of the online TASFA development is currently the end of January.
 - We are in the process of setting up institutions of higher education with access to download the TASFA files and the daily report from MOVEit, which will be tested with institutions in January – March.
 - The internal team is currently testing both the application submission process and file batch process to both IHEs and the ISDs.
 - We will send an updated file layout to institutions in January to prepare for file transmission testing.
 - We are working with our Marketing and Communications team to develop outreach to all institutions regarding these updates.
 - A dedicated TASFA webpage is being built on the agency's new website.
 - As we identify the question updates for the 2024-2025 FAFSA, we will be revisiting the online TASFA to include all elements institutions will need to calculate the Student Aid Index (replacing the EFC).
 - We will convene the TASFA subcommittee in the early part of February to discuss revisions to the 2024-2025 application for both paper and the online version
- Committee address concerns with communication of a mid-semester launch, alignment with the new FAFSA Simplification

Agenda Item 11. Update: Data Collection Subcommittee

Dede Gonzales, Subcommittee Chair

Handout Provided: Yes

Formal Decision/Action Required
No

Standing Item

Update Summary:

- The committee recommended staggering the FAD deadline dates for sector or volunteer for early submission.

Agenda Item 12. Update: Legislative Subcommittee

Arnold Trejo, Subcommittee Chair

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- Working with TASFAA Committee Chair – Dr. Murr – on recommendations
- Communication to legislators on the priorities on the association and committee
 - Bring the state SAP policy in alignment with federal.
 - Advocate TEOG policy in alignment with TEXAS grant (i.e., Pell Grant)
 - Eliminate the Selective Service Requirement to align with federal.

Agenda Item 13. Update: Texas Association for State Financial Aid Administrators (TASFAA)

Dede Gonzales, TASFAA President

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- Spring Regional Training has been sited: Houston, El Paso, Lubbock and Rio Grande
- Host joint SWASFAA with TASFAA
- Board meeting next week
- Will ask GoingMerry to present at February Board Meeting
- Requesting ways that TASFAA can best assist institutions

Agenda Item 14. Update: High School District

Lisa Schoenbrun, El Paso ISD; Shonna Norton, Wichita Falls ISD

Handout Provided: No

Formal Decision/Action Required
No

*Standing Item***Update Summary**

- None to report

Agenda Item 15. Update: Office of Student Financial Aid Programs**DeChà Reid, Senior Director, THECB****Handout Provided: No****Formal Decision/Action Required**
No*Standing Item*

Topics of Discussion:

1. THECB Redesigned Website
2. FORWARD Loan Program
3. Released and Upcoming Announcements
4. New Staff Hires

Update:

1. THECB is in the process of performing a soft launch of a newly redesigned website. The color scheme and the navigation from page to page is very different. We are still working on a few areas before we have a full launch. Home - Texas Higher Education Coordinating Board
2. FORWARD Loan Program is a new loan program that is scheduled to launch on January 15, 2023. The Future Occupations & Reskilling Workforce Advancement to Reach Demand (FORWARD) Program provides alternative educational loans to Texas students who are unable to meet an institution's cost of attendance (COA).
 - a. Eligibility Requirements
The student must:
 - Be classified by the institution as a Texas resident.
 - Be registered with Selective Service or be exempt.
 - Meet the satisfactory academic progress requirements set by the institution.
 - Receive a favorable credit evaluation or provide a cosigner who has good credit standing and meets other requirements
 - Be pursuing a High-Demand Credential
 - Eligibility for the program ends two years from the start of the semester in which the student received the first loan through the Program.
 - b. Additional enrollment requirements:
 - If enrolled in a degree program, must have completed at least 50% of the required coursework prior to receiving a loan through the Program.
 - If enrolled in a non-degree program, the program's duration must be less than two years.
 - If enrolled in master's degree coursework, the master's degree must be part of a combined baccalaureate-master's program approved by the institution of higher education.
 - c. Loan Amounts:
 - Annual: Cost of attendance less other financial aid and family resources
 - Aggregate: Cannot exceed manageable student loan debt as determined by the Texas Higher Education Coordinating Board
 - An origination fee will not be assessed for all approved FORWARD borrowers.
 - d. Interest Rate:
 - Interest begins to accrue on the outstanding principal from the date of disbursement using simple interest.
 - Loans are not eligible for interest subsidy, but the interest is not capitalized.
 - Interest is currently at a fixed annual rate of 2.00%.
 - e. Additional Information:
 - *Where can they learn more about this program?* Rules have been written for the FORWARD loan program and are in public comment period. Once Rules are finalized and approved, they will be available to schools. Also, information such as Fact Sheet, Program Comparison Chart, and Program Guidelines will be program resources for schools. More information can be found after rules are adopted: Coordinating Board Rules, Chapter 22, Subchapter C and the Texas Education Code, Chapter 52.
 - *What are the eligible high-demand credentials for the launch?* Nursing/Patient Care, Teaching, Transportation/Logistics, Energy (223 separate CIP codes under these four disciplines)
 - *Are CIP codes specific to certain schools? How will schools know if they exist at their school?* The CIP codes are not specific to certain schools.
 - *Who at the institution is responsible for confirming eligibility?* Whoever currently certifies CAL loans would more than likely be responsible for confirming eligibility. However, we don't think we would stipulate who is responsible for confirming eligibility at the school. That should be a school decision.
 - *How will they be notified when a certification is ready?* A CSV file will be uploaded to their folder in MoveIT.
 - *How do schools certify?* School certification will occur in HelmNet.
 - *When will training be provided?* TBD
 - *Will there be resources available to help navigate through the program (i.e., eligibility, loan management, returning funds, FADs, etc.) and when will those be released?* Fact Sheet and Program Comparison Chart are currently in development. It is our understanding that FAS will be creating Program Guidelines for FORWARD. In addition, information will be on the various Agency

websites. A soft launch of the program is scheduled for the Spring semester, a more robust launch later in the Spring for the Fall semester start.

- *When will additional credentials be added?* No set timeframe but assume new credentials will be added prior to the Fall 2023 semester. We would not anticipate new credentials mid-semester but it could happen.

3. Recent Memos:

- a. 12/06/22 Bilingual Education Program 2022-2023 Biennium Report Memo [PDF]
- b. 11/28/22 Texas Transfer Grant Pilot Program FY 2023 Available Spring 2023 Memo [PDF]
- c. 11/18/22: Institutional Financial Aid Calendar Spring 2023 [PDF]

4. Alert

- a. *It has been reported that the State Net Price Calculator is not working. We are looking into the issue and will report when the portal is functioning again.*

5. Upcoming Memos

- a. FY2023 FAD Manual

6. Upcoming deadlines:

- a. FY2023 TASSP Nominations from Legislators-12/31/2022
- b. FY2022 Bilingual Education Biennium report-1/1/2023

7. Past Deadlines

- a. FY 2022 State Campus Based report and TPEG Guidelines-10/28
 - i. Missing 8 reports
 - ii. Missing 31 TPEG Guidelines
- b. Certification Deadline date for FY22 FAD Cycle Three-12/5/2022
 - i. 65 schools have not certified by the deadline.

9 schools have not submitted a file at all-we are here to assist

Agenda Item 16. Discussion Topic: 2022 FAAC Annual Report	DeChà Reid, Senior Director, THECB
Handout Provided: Yes	Formal Decision/Action Required No
Discussion Summary: **See handout for agenda item 16 for more information. <i>This report will be presented at our January Committee on Innovation, Data, and Educational Analytics.</i>	
Agenda Item 17. Discussion Topic: NASFAA's SAI Modeling	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required No
<i>Discussion Topic Tabled until March 2023 meeting</i>	
Agenda Item 18. Discussion Topic: 2023 FAAC Meeting Dates and Location	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required Yes, motion approved
This meeting needs to present the 2023 meeting dates and locations. <ul style="list-style-type: none"> • Motion: Denise Welch • Second: Dede Gonzales • Committee members passed the proposed dates for 2023. Proposed dates. <ul style="list-style-type: none"> • March 2 – Virtual • June 1 – In-person (committee members departing) • September 7 – In-person (new committee members' first meeting) • December 7 - Virtual 	
Agenda Item 19. Discussion Topic: Feedback for Future Meetings	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required No
<ul style="list-style-type: none"> • Apply Texas 	
Agenda Item 20. Adjournment	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required No
Motion to Adjourn: Melet Leafgreen Second: Cecelia Jones Adjourned at 2:42 p.m.	
Reminder. Announcement: Expense Reports	Rachelè Garrett, Chair

March 2, 2023, FAAC Meeting Minutes

Committee Members in Attendance Via <u>Virtual</u> Meeting Connection		Committee Members Absent
Rachelè Garrett, Chair Denise Welch, Past Chair DeChà Reid, THECB Rep Victoria Chen Dede Gonzales (TASFAA Rep.) Bridgette Ingram Cecelia Jones Melet Leafgreen Gaby Leon Scott Lapinski	Lynda McKendree Holly Nolan Shonna Norton Sal Ramirez Joseph Ruiz Joseph Sanchez Lisa Schoenbrun Tevian Sides Gilbert Zavala	Jackie Adler Rachel Joseph (Student Rep.) Thomas Ratliff
Agenda Item 1. Welcome, Introductions and Overview of Meeting		Rachelè Garrett, Chair
Handout Provided: No		Formal Decision/Action Required No
Agenda Item 2. Consideration of Approval of Minutes from the meeting held on December 8, 2022		Rachelè Garrett, Chair
Handout Provided: Yes		Formal Decision/Action Required Yes – <i>minutes approved</i>
Summary: <ul style="list-style-type: none"> No corrections were identified. **See handout for agenda item 2 for more information.		
Agenda Item 3. Presentation: Diversity 101		D. Ingram, Diversity Awareness Chair, Southwestern Association of Student Financial Aid Administrators
Handout Provided: No		Formal Decision/Action Required No
Presentation Summary:		
Agenda Item 4. Presentation: Fall 2021 Student Financial Wellness Survey		Jeff Webster, Director of Research, and Carla Fletcher, Sr. Research Analyst, Trellis
Handout Provided: Yes		Formal Decision/Action Required No
Presentation Summary: **See handout for agenda item 4 for more information.		
Agenda Item 5. Update: Prior FAAC Business		DeChà Reid, Senior Director, THECB
Handout Provided: No		Formal Decision/Action Required No
Standing Item Update Summary: <ul style="list-style-type: none"> Regarding EFA for TXWORKS Internship Program, TXWORKS does not count as EFA. For more information about the TXWORKS Program, you can email Vanessa Malo at vanessa.malo@highered.texas.gov 		
Agenda Item 6. Update: External Relations		John Wyatt, External Relations, THECB
Handout Provided: No		Formal Decision/Action Required No
Standing Item Update Summary: <ul style="list-style-type: none"> The Legislature has been in session for two months. Committees have been appointed in both chambers. Higher Education will function as a subcommittee in the Senate with Senator Brandon Creighton as the chair. Representative John Kuempel is the chair for the House Higher Education Committee Major funding and policy items: <ul style="list-style-type: none"> Both chambers have introduced their first draft appropriation bills; introduced bills keep financial aid programs funding levels even with previous biennium. 		

- THECB has requested additional financial aid assistance through Texas Grant, TEOG and TEG to keep those grants at the same service level as the last biennium so the same percentage of students can be served through those programs.
 - Senate Finance Committee & House Appropriations Committee meeting to discuss the budget proposals.
- HB8- Legislation to enact the recommendations made by the Community College Finance Commission.
 - Looking at how to fund community colleges & keep them affordable.
 - Recommendation: an increase in TEOG funding so that the TEOG program could serve 70% of eligible students (currently only serves approx.. 25-28% of eligible students).
 - Funding for this was included and will only happen if legislation is passed.
- Other bills to note:
 - SB34 and SB35- Texas Promise Grant bills (Sen. Zaffirini).
 - SB902- codify in statute Texas Leadership Scholar Programs (Sen. West)
 - THECB included \$25 mil in funding for the program in its legislative appropriations request.
 - HB 1192 & SB371 – TASSP – bills intended to provide flexibility around the number of required participation years in the ROTC program (Rep. Turner & Sens. Eckhardt & Campbell)

Agenda Item 7. Update: THECB Financial Aid Strategic Priority

Charles Contero-Puls, Assistant Commissioner, THECB (presented by DeChà Reid)

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

The work is in the final stages of review & more updates are to come.

Agenda Item 8. Update: TASFA Subcommittee House Bill 3 (FAFSA/TASFA Graduation Requirement) and House Bill 2140 (Online TASFA)

Bridgette Ingram, Subcommittee Chair; Claudette Jenks, Director, Strategic Advising and Leah Smalley, Assistant Director, THECB

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- TASFA Subcommittee will meet on 3/3/23.

Agenda Item 9. Update: Data Collection Subcommittee

Dede Gonzales, Subcommittee Chair

Handout Provided: Yes

Formal Decision/Action Required
No

Standing Item

Update Summary:

****See handout for agenda item 9 for more information**

Agenda Item 10. Update: Legislative Subcommittee

Subcommittee Chair

Handout Provided: N/A

Formal Decision/Action Required
N/A

Standing Item

Update Summary:

- No updates to provide.

Agenda Item 11. Update: Texas Association for State Financial Aid Administrators (TASFAA)

Dede Gonzales, TASFAA President

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Update Summary:

- Board meeting to discuss strategic plan for the next three years.
- Legislative Issues Committee drafted a letter ([found on TASFAA website](#)) to outline association's legislative goals, sent to the Commissioner, the Senate Higher Education Subcommittee, the House Higher Education Committee, and several legislators who have filed financial aid-related bills.
 - Four Goals, three align state policies with federal policies.
 - Satisfactory Academic Progress
 - Selective Service
 - Drug Offenses

<ul style="list-style-type: none"> TEOG Matching Regional Trainings are ongoing. 	
Agenda Item 12. Update: High School District	Lisa Schoenbrun, El Paso ISD; Shonna Norton, Wichita Falls ISD
Handout Provided: No	Formal Decision/Action Required No
<i>Standing Item</i> Update Summary: <ul style="list-style-type: none"> Concerned about the delay of the 2024-25 FAFSA. 	
Agenda Item 13. Update: Office of Student Financial Aid Programs	DeChà Reid, Senior Director, THECB
Handout Provided: No	Formal Decision/Action Required No
<i>Standing Item</i> Topics of Discussion: <ol style="list-style-type: none"> Grant Application and Payment Portal (GAPP) New Staff Hires Released and Upcoming Announcements Upcoming and Past Deadline Dates Grant Application and Payment Portal (GAPP) <ul style="list-style-type: none"> GAPP is a modernized platform that will integrate 14 out of 20 of the financial aid programs which consist of grants, work-study, loan repayment, exemption, and scholarships. The system will allow institutions to approve user access, upload documents (e.g., program participation), request payments, monitor program spending, send communication directly to THECB staff, and submit authority to transfer requests. The goal is to go live with a few programs in Fall 2023. The proposed programs are: Work-study programs, Educational Aide, and Bilingual Education. More information and training will be released introducing the improved payment platform. Financial Aid Personnel Activity <ul style="list-style-type: none"> THECB has been busy with hiring and promoting internal staff. To date, we had: <ul style="list-style-type: none"> New Hires: 4 <ul style="list-style-type: none"> 1 Manager II for our Workforce Aid (Loan Repayment) team 1 Program Specialist III for our Institutional Aid (Operational) team 2 Customer Service Reps for our Student Aid (Loan Origination) team Vacancies: 2 <ul style="list-style-type: none"> 1 Programs Specialist III for our Institutional Aid (Operations) team 1 Customer Services Rep III for our Workforce (Loan Repayment) team Released Memos <ul style="list-style-type: none"> March 1, 2023 – Tuition Equalization Grant (TEG) FY2024 Award Amounts Memo [PDF] February 24, 2023 – 2022-23 (FY 2023) FORWARD Loan Program Guidelines Memo [PDF] February 22, 2023 – NEW LOAN PROGRAM: FORWARD Loan Program Memo [PDF] February 21, 2023 – Financial Aid Database (FAD) FY 2023 Update Memo [PDF] February 16, 2023 – Texas State Financial Aid FY 2024 OPT-IN/OPT-OUT Form Memo [PDF] February 2, 2023 – Texas Transfer Grant Program Spring 2023 Reimbursement Request Memo [PDF] January 26, 2023 – Financial Aid Database (FAD) Manual - FY 2023 (2022-23) Memo [PDF] January 25, 2023 – Good Neighbor Program FY 2024 (2023-24) Memo [PDF] January 19, 2023 – Toward EXcellence, Access, and Success (TEXAS) Grant and Texas Educational Opportunity Grant FY 2024 Award Amounts Memo [PDF] Upcoming Memos <ul style="list-style-type: none"> March 6, 2023 – FY 2023 Authority to Transfer [PDF] Upcoming deadlines <ul style="list-style-type: none"> March 3, 2023 – 2023-24 Texas State Financial Aid OPT-IN/OPT-OUT Form March 15, 2023 – FY2023 Good Neighbor Program Nominations [PDF] Past Deadlines <ul style="list-style-type: none"> February 28, 2023 – Spring 2023 Texas Transfer Grant Reimbursement Request <ul style="list-style-type: none"> As a reminder, the purpose of submitting your reimbursement data sooner is so the agency can assess the amount of spring funds available for reallocation to other schools that may need additional funding. 	

Agenda Item 14. Discussion Topic: Proposed Rules that Impact Financial Aid Programs		DeChà Reid, Senior Director, THECB
Handout Provided:		Formal Decision/Action Required
These proposed rules will be adopted at our April Board Meeting.		
Proposed Rule(s)	Proposed Amendments	
19 TAC §22.1	In 22.1, the definition of "expected family contribution" is amended to reflect that the phrase refers to the applicable federal methodology.	
19 TAC §§22.22 - 22.24, 22.28, 22.29	In §22.22, two redundant definitions are repealed since the items are explained elsewhere in the subchapter. In §22.23, the timing of data submissions is clarified to ensure that allocation activities can occur in a timely manner. In §22.24(8), eligibility criteria are provided for exceptional TEG need. In §22.28, a clarifying reference to §22.4 is added. In §22.29, outdated language is removed, with appropriate clarifying language. Section 22.29(c) is also removed since the language is being proposed separately as a new §22.30.	
19 TAC §22.30	In 22.30, this new section will establish language currently in §22.29 as a separate rule for greater clarity.	
19 TAC §22.49	In 22.49 will implement new standards regarding the aggregate and annual loan limits.	
<p>Another proposed rule change that we are interested in getting feedback on would impact community colleges.</p> <p>Before we submit a request for a proposed rule change, we were hoping to get your input on whether you think the Coordinating Board should consider calculating two maximum TEOG amounts: an in-district amount and an out-of-district amount.</p> <p>The statute does not distinguish between in-district vs. out-district: TEC 56.407(a) indicates, “the amount of a grant under this subchapter for a student enrolled full-time at an eligible institution is the amount determined by the coordinating board as the average statewide amount of tuition and required fees that a resident student enrolled full-time in an associate degree or certificate program would be charged for that semester or term at eligible institutions.” This can be interpreted as both in-district and out-of-district students are residents.</p> <p>However, our rule for calculating the maximum grant is based on in-district resident tuition and fees. (19 TAC §22.261(b)(2)). We understand that this can lead to some funding challenges at some community colleges, since out-of-district resident tuition and fees are usually several thousand dollars more than in-district resident tuition and fees. TEOG requires institutions to ensure that any TEOG recipient is receiving grant funds to cover tuition and fees. Many community colleges do not have significant institutional funds to draw from to cover the difference between the maximum TEOG and a student’s out-of-district resident tuition and fees, and thus they may avoid offering TEOG to out-of-district students.</p> <p>We are proposing to re-write our rule to calculate both an in-district maximum and an out-of-district maximum to provide institutions with greater flexibility in the utilization of their funding to support the goals of the TEOG program. What are your thoughts on this proposal?</p> <p><i>If the TEOG appropriation increases that have been proposed by the Community College Finance Commission are approved, having an out-of-district maximum may be essential to ensuring institutions can execute the increased funding level.</i></p>		
Agenda Item 15. Discussion Topic: 2024-25 FAFSA Delay		Rachelè Garrett, Chair
Handout Provided: No		Formal Decision/Action Required No
Discussion Summary: <ul style="list-style-type: none">Discussion on how institutions are approaching marketing & high school outreach related to the delay.		
Agenda Item 16. Feedback for Future Meetings		Rachelè Garrett, Chair
Handout Provided: No		Formal Decision/Action Required No
Feedback Summary: <ul style="list-style-type: none">Legislative recap on various Financial Aid changes that may be occurring during the legislative session.		

- Further 2024-25 FAFSA discussion to see if DoE has provided any guidance by June 1.

Agenda Item 17. Adjournment**Rachelè Garrett, Chair****Handout Provided: No****Formal Decision/Action Required**
No**Summary:**

- Motion to adjourn made by Denise Welch
- Motion to adjourn seconded

Meeting adjourned at 12:35 p.m.**Reminder. Announcement: Expense Reports****Rachelè Garrett, Chair**

June 1, 2023, FAAC Meeting Minutes

Committee Members in Attendance (In-Person)	Committee Members in Attendance (Virtual)	Committee Members Absent
Rachelè Garrett, Chair Denise Welch, Past Chair DeChà Reid, THECB Rep Victoria Chen Dede Gonzales Bridgette Ingram Gaby Leon Scott Lapinski Lynda McKendree Joseph Ruiz Joseph Sanchez Tevian Sides	Jackie Adler Cecelia Jones Shonna Norton Thomas Ratliff Lisa Schoenbrun Gilbert Zavala	Rachel Joseph Melet Leafgreen Holly Nolan Sal Ramirez
Agenda Item 1. Welcome, Introductions and Overview of Meeting		Rachelè Garrett, Chair
Handout Provided: No		Formal Decision/Action Required No
Agenda Item 2. Consideration of Approval of Minutes from the meeting held on December 8, 2022		Rachelè Garrett, Chair
Handout Provided: Yes		Formal Decision/Action Required Yes – <i>minutes approved</i>
Summary: <ul style="list-style-type: none"> No corrections were identified. **See handout for agenda item 2 for more information.		
Agenda Item 3. Update: Prior FAAC Business		DeChà Reid, Senior Director, THECB
Handout Provided: No		Formal Decision/Action Required No
Standing Item Update Summary: <ul style="list-style-type: none"> No prior business 		
Agenda Item 4. Update: External Relations		John Wyatt, External Relations, THECB
Handout Provided: No		Formal Decision/Action Required No
Standing Item Update Summary: <ul style="list-style-type: none"> The Legislative Session concluded on May 29 Most productive session based on the number of bills that were passed that supported higher education. Substantial investments in higher education: <ul style="list-style-type: none"> Appropriated over 1.4 billion in three grant programs Community colleges – funded TEOG at the same service level at TEXAS Grant <ul style="list-style-type: none"> HB8 enacted the Community College Finance Creates a new program for dual credit students called FAST; will have an emergency rules which is good for 90 days (will come out in August 2023); FAST has three components: <ul style="list-style-type: none"> Eligible Institution-Must agree to the terms of the program (this is an optional program-not mandatory); institution must treat the student based on the program; the institution will receive funding if the student enrolls and receives Eligible Student-No cost be enrolled and educationally disadvantage (tuition, fees, and books) Eligible Course-Has to be applicable towards an AA or Credential of Value (field of study, Foreign Language, Core,) Eliminates the Pell requirement from TEOG HB8 added new programs HB 4434 expanded the Texas First to all public schools A new bill that creates a new program for competency-based programs HB4363 for Teachers First is a new program to help support teachers Authorized THECB that TEXAS Grant will fund top 10% high school graduates Transfer Grant and Texas Leadership will be supported in legislation; Texas Leaders is within statute and it has a research a research program for graduates 		

- \$25 million in loan repayment programs to support healthcare workforce
- Numerous programs in financial aid programs
- Still in the Governors veto period which ends on June 29; can veto a line item on the budget
- There are still contingencies that remain to determine which specific programs that were funded
- Will produce a summary of legislation for higher education by July
- There will be special sessions on specific items: property taxes and border and there will be more based on what the Governor decides is important.
- Educationally disadvantaged means a student that can receive free lunch four years prior to receiving FAST (Financial Aid Swift Transfer)

Agenda Item 5. Update: THECB Financial Aid Strategic Priority**Charles Contero-Puls, Assistant Commissioner, THECB****Handout Provided: Yes****Formal Decision/Action Required**
No*Standing Item***Update Summary:**

**See handout for agenda item 5 for more information.

Agenda Item 6. Update: TASFA Subcommittee House Bill 3 (FAFSA/TASFA Graduation Requirement) and House Bill 2140 (Online TASFA)**Bridgette Ingram, Subcommittee Chair; Claudette Jenks, Director, Strategic Advising and Leah Smalley, Director, THECB****Handout Provided: No****Formal Decision/Action Required**
No*Standing Item***Update Summary:**

- 2023-24 TASFA was delayed until summer; in regression testing for the application
- Developed an Admin portal for internal staff to help support students, parents, and schools,
- Over the past few months have done test files with the committee; confirmed that the test files can be released to all schools; will send out a notice in June; each school can do what they want to do with the test file and it is a good foundation for what 2024-25 will look like
- Looking at training and demo for June 2023 for schools and SFTP process
- Moved away from collecting a signature to an acknowledgment box similar to ApplyTX; this will change the file layout but will not change the position but will send out a new file layout
- Still a lot of work to be done for 2024-25; doing a massive comparison of what changes will impact TASFA
- The goal is to announce changes of the TASFA during the Sept FAAC meeting

Agenda Item 7. Update: Data Collection Subcommittee**Dede Gonzales, Subcommittee Chair****Handout Provided: Yes****Formal Decision/Action Required**
No*Standing Item***Update Summary:**

**See handout for agenda item 7 for more information

Agenda Item 8. Update: Legislative Subcommittee**Denise Welch, Past Chair****Handout Provided: No****Formal Decision/Action Required**
No*Standing Item***Update Summary:**

- The TASFAA and FAAC Legislative combined the two groups
- Chris Murr, the chair has sent out an update about the bills that are awaiting for signatures

Agenda Item 9. Update: Texas Association for State Financial Aid Administrators (TASFAA)**Dede Gonzales, TASFAA President****Handout Provided: No****Formal Decision/Action Required**
No*Standing Item***Update Summary:**

- Completed the spring regional trainings which had about 85 participants; about a 40% pass rate with the NASFAA Credential
- Will have a joint SWASFAA and TASFAA conference in October; registration to open in June-Theme is Uncharted

- Denise Welch is President-Elect
- Elections are coming up this summer for new TASFAA Board members and a President

Agenda Item 10. Update: High School District

Lisa Schoenbrun, El Paso ISD; Shonna Norton, Wichita Falls ISD

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Agenda Item 11. Update: Office of Student Financial Aid Programs

DeChà Reid, Senior Director, THECB

Handout Provided: No

Formal Decision/Action Required
No

Standing Item

Topics of Discussion:

5. Grant Application and Payment Portal (GAPP)
6. New Staff Hires
7. Released and Upcoming Announcements
8. Upcoming and Past Deadline Dates

Grant Application and Payment Portal (GAPP)

- GAPP is a modernized platform that will integrate 14 out of 20 of the financial aid programs which consist of grants, work-study, loan repayment, exemption, and scholarships.
- The system will allow institutions to approve user access, upload documents (e.g., program participation), request payments, monitor program spending, send communication directly to THECB staff, and submit authority to transfer requests.
- The goal is to go live with a few programs in Fall 2023. The proposed programs are: Work-study programs, Educational Aide, and Bilingual Education.
- More information and training will be released introducing the improved payment platform.

Financial Aid Personnel Activity

- THECB has been busy with hiring and promoting internal staff. Charles mentioned our recent reorganization; we are continuing to look at how best to structure our area to fit the needs of our customers and the agency.
 - New Hires: 2
 - 1 Customer Service Representative for our Loan Repayment team
 - 1 Program Specialist III for our Institutional Aid (Operational) team

Released Announcements

- May 15, 2023 – Memo: 10-Day Review Data Review (Preliminary Allocations)
- May 15, 2023 – Memo: TEXAS Grant 10-Day Allocation Data Review
- May 15, 2023 – Memo: TEOG 10-Day Allocation Data Review
- May 15, 2023 – Memo: Texas College Work-Study Program 10-Day Allocation Data Review
- May 15, 2023 – Memo: EAE 10-Day Allocation Data Review
- May 15, 2023 – Memo: 2024-2025 – TEG OPT-IN/OPT-OUT Form
- May 18, 2023 – [Memo: State Net Price Calculator \(2021-22\)](#)
- May 18, 2023 – Dear Colleagues: Institutional Calendar – Summer 2023
- May 22, 2023 – [Memo: Good Neighbor Program FY 2024 \(2023-24\) – Selected Students](#)

Upcoming Memos

- June 7, 2023 – [Memo: 2023 FAD Cycle 2 Opens](#)
- June 16, 2023 – [Memo: 2024-25 Program Participation Agreement Announcement](#)
- June 22, 2023 – Memo: TEG 10-Day Allocation Data Review
- Launching GAPP

Upcoming deadlines

- All private/independent institutions eligible to participate in the Tuition Equalization Grant (TEG) Program are **required** to complete the 2024-2025 Biennium (FY 2023-24 and FY 2024-25) Opt-In/Opt-Out form. Notifications were sent to financial aid directors at each institution. The deadline to submit the form is today, **June 1, 2023**.
- All public institutions that enroll full-time entering first year students are required to submit the most recent version (2021-22) of the U.S. Department of Education's (ED) Net Price Calculator template to the THECB by **June 23, 2023**. See [memo from May 18, 2023](#).
- Institutions requesting to transfer funds between state grant and work-study programs must submit a request by **July 1, 2023** using the [Authority to Transfer form](#). Please see the [memo from Mar. 6, 2023](#).

Past Deadlines

<ul style="list-style-type: none"> None. 	
Agenda Item 12. Discussion Topic: Recognition of Members Stepping Down	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required No
Discussion Summary: <ul style="list-style-type: none"> This topic will discuss the FAAC members whose term ends on 6/30/2023. <p>Denise Welch – Panola College Victoria Chen – Texas Christian University Bridgette Ingram – Texas A&M University Holly Nolan – University of Houston Clear Lake Shonna Norton – Wichita Falls Independent School District Thomas Ratliff – Abilene Christian University Joseph Ruiz – Del Mar College Joseph Sanchez – UNT Health Science Center</p>	
Agenda Item 13. Discussion Topic: Recommendation on Proposed Nominees for 2023 FAAC	DeChà Reid, Senior Director, THECB
Handout Provided: Yes	Formal Decision/Action Required No
Discussion Summary: <ul style="list-style-type: none"> This topic will discuss the proposed 2023 FAAC member recommendations. <p>**See handout for agenda item 13 for more information.</p>	
Agenda Item 14. Discussion Topic: State Priority Deadline	Charles Contero-Puls, Assistant Commissioner, THECB
Handout Provided: No	Formal Decision/Action Required No
Discussion Summary: <ul style="list-style-type: none"> This topic will discuss the impact of the 2024-25 FAFSA not being available until December and to gather FAAC recommendation on whether an alternate financial aid application deadline is necessary for 2024-2025 academic year. The Jan. 15 State Priority Deadline is in administrative rule Proposed a new rule that will provide the Commissioner the flexibility to delay the rule if there is an extenuating circumstance (i.e., natural disaster); this is an annual review based on the circumstances; this will go back to 1/15 for 2025-26. The rule will go to the July Board meeting for approval and will not be official until August 2023; want to get the feedback early. Received a couple of comments back for approval of the new rule Input from FAAC on the delay of 2024-25: Agree about 3/15 is a reasonable date ASAP, check with your school (recommended submission date) 	
Agenda Item 15. Transition of Leadership	Rachelè Garrett, Chair
Handout Provided: No	Formal Decision/Action Required No
Agenda Item 16. Feedback for Future Meetings	Melet Leafgreen, Chair
Handout Provided: No	Formal Decision/Action Required No
Agenda Item 17. Adjournment	Melet Leafgreen, Chair
Handout Provided: No	Formal Decision/Action Required No
Summary: Meeting adjourned at 12:35 p.m.	
Reminder. Announcement: Expense Reports	Rachelè Garrett, Chair

AGENDA ITEM VIII-D

Consideration and possible action to appoint a student representative to the Financial Aid Advisory Committee

RECOMMENDATION: Approval

Background Information:

Texas Education Code, Section 61.071, directs the Texas Higher Education Coordinating Board (THECB) to appoint student representatives to various advisory committees. This agenda item relates to the appointment of a student representative to the Financial Aid Advisory Committee.

The term of membership for student members of this committee starts June 1, 2024, and ends May 31, 2026.

THECB staff received applications from four-year public institutions of higher education. Applicants were reviewed to ensure they first met the minimum criteria, and then were further evaluated based on the following criteria:

- Academic achievement
- Community and school service
- Work or internship experience
- General commitment to higher education issues

A review committee, composed of staff who directly support the advisory committee, identified a finalist.

The recommended student representative is listed on the following page.

Leah Smalley, Senior Policy Director for Student Financial Aid Programs, will be available to answer questions.

The Financial Aid Advisory Committee consists of financial aid practitioners, public school counselors, and other persons employed in the non-profit sector in roles with responsibility for advising students regarding financial aid. The committee meets at the offices of the Texas Higher Education Coordinating Board approximately four times a year. The committee provides the board of the THECB with advice and recommendations regarding the development, implementation, and evaluation of state financial aid programs for college students.

Finalist: Farzaneh Fouladi

Ms. Fouladi is a student at The University of Texas at Rio Grande Valley pursuing her Ph.D. in Business Administration with a concentration in Management.

AGENDA ITEM VIII-E

Consideration and possible action to approve the recommendations of the commissioner and formula advisory committees relating to funding formulas for use by the governor and the Legislative Budget Board in making appropriations recommendations to the appropriate legislative committees

RECOMMENDATION: Approval

Background Information:

Every two years, the Texas Higher Education Coordinating Board (THECB) is required to make recommendations to the governor and Legislative Budget Board regarding formula funding appropriations for public higher education institutions, other than community colleges. These recommendations must be provided by June 1, 2024.

As part of this review, the THECB is required to employ an ongoing process of committee review and expert testimony and analysis. To assist in this process, advisory committees are established to prepare recommendations to the commissioner and board of the THECB. In each summer of odd-numbered years, two committees are convened:

1. General Academic Institutions, Technical Colleges, and Lamar State Colleges Formula Advisory Committee
2. Health-Related Institutions Formula Advisory Committee

Emily Cormier, Assistant Commissioner for Funding and Resource Planning, will provide a brief overview of the funding formulas and the committee chairs for each of these sectors will present their recommendations. There will also be a presentation on the commissioner's recommendations.

AGENDA ITEM VIII-F

Consideration and possible action to appoint members to the Standing Advisory Committee for Public Junior Colleges

RECOMMENDATION: Approval

Background Information:

The 88th Texas Legislature, Regular Session, passed House Bill 8 (HB 8), which requires a “standing advisory committee composed of representatives of public junior colleges to provide advice and counsel to the coordinating board with respect to the funding of public junior colleges” under Texas Education Code 130.001(b). The Texas Higher Coordinating Education Board (THECB) appoints members on the recommendation of the commissioner.

The Standing Advisory Committee (SAC) includes up to 12 representatives and senior administrators of community colleges, including representatives of each accountability group and of college chief executive officers, chief financial officers, chief academic officers (provosts), and institutional researchers or other experts. The SAC will study and provide counsel and recommendations regarding the formulas, administration, and other components of the Public Junior College Finance Program. The 12 members of the SAC serve under a staggered three-year term limit.

Commissioner Harrison Keller recommends the individuals shown in the following table to replace the four members whose terms end in June 2024. The terms for these individuals are through June 1, 2027.

- Tiska Thomas, Chief Financial Officer, Dallas College
- Sarah Van Cleef, Vice President for Financial and Administrative Affairs/Chief Financial Officer, Tyler Junior College
- Jeff Engbrock, Comptroller/Chief Financial Officer, Galveston College
- Dr. Ron Clinton, President, Northeast Texas Community College

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

AGENDA ITEM VIII-G (1)

Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter S, Sections 13.550-13.558 and 13.560-13.564, concerning the Community College Finance Program

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board or THECB) proposes new rules in Texas Administrative Code (TAC), Title 19, Part 1, Chapter 13, Subchapter S, Sections 13.550-13.558 and 13.560-13.564, Community College Finance Program. The proposed subchapter will replace TAC, Title 19, Part 1, Chapter 13, Subchapter P as the primary community college finance subchapter starting in Fiscal Year 2025. Sections 13.553 and 13.556-13.558 are proposed with changes to the text as published in the January 26, 2024, issue of the *Texas Register* (49 TexReg 354) and will be republished. Sections 13.550-13.552, 13.555, and 13.560-13.564 are proposed without changes and will not be republished.

The Coordinating Board initially adopted rules relating to the new community college finance system on an emergency basis in August 2023, including Chapter 13, Subchapter P, allowing for the implementation of House Bill (HB) 8 by the start of Fiscal Year 2024. Subchapter S, which becomes effective on September 1, 2024, contains the following substantive changes to the rules previously adopted by the Coordinating Board in Subchapter P, which are no longer in effect after August 31, 2024:

- Guidance on permissible expenditures of state-appropriated funds, aligned with restrictions contained in the 2024-2025 General Appropriations Act and Texas Education Code 130.003(c) (see proposed Rule 13.562)
- Requirements for schools receiving a scale adjustment under the Base Tier allocation to submit a report on participation in shared services, implementing Texas Education Code 130A.054(e) (see proposed Rule 13.563)
- Clarification of the Structured Co-Enrollment Fundable Outcome definition, including that these outcomes do not also include courses fundable under the Dual Credit or Dual Enrollment Fundable Outcome (see proposed Rule 13.553(30))
- Modification of the methodology used to calculate the tuition and fees used in the Base Tier Allotment, designed by the Coordinating Board to improve the accuracy, timeliness, and transparency of this value (see proposed Rule 13.554(d))
- Clarification of the Transfer Fundable Outcome to ensure that neither hours reported by an institution nor individual student transfers count towards more than one fundable outcome (see proposed Rules 13.533(32) and 13.556(e))

- Refinement of the methodology for calculating Adult Learners, intended to reinforce institutions' incentives to encourage timely completion and to apply the added weight for Adult Learners to a broader range of outcomes (see proposed Rule 13.557)
- Addition of Third-Party Credentials as a new fundable outcome, in recognition of institutions enabling students to earn credentials of value conferred by third-party providers (see proposed Rule 13.556)
- Clarification and addition of greater detail of the Credential of Value Baseline filter, the minimum benchmark credentials must meet for fundability, which is met by producing a positive return on investment relative to a high school diploma within 10 years (see proposed Rule 13.556)
- Addition of a new Credential of Value Premium as a fundable outcome that rewards an institution when a student earns a credential of value at sufficiently low cost that they are projected to achieve a positive return on investment on or before the year in which the majority of graduates are projected to reach that threshold (see proposed Rule 13.556)
- Recognition of completion of an Opportunity High School Diploma – a new program established by HB 8 (88th Texas Legislature, Regular Session) – as a fundable outcome under the Performance Tier (see proposed Rule 13.556)
- Revision of the Dual Credit and Dual Enrollment Fundable Outcome to ensure that the hours reported by institutions do not count towards multiple fundable outcomes and to include completion of the Texas First program, established by Senate Bill 1888 (87th Texas Legislature, Regular Session) (see proposed Rule 13.556)
- Revisions to certain workforce credential definitions, including Occupational Skills Awards (OSAs), Continuing Education Certificates, and Institutional Credentials Leading to Licensure or Certification (ICLCs), to align more closely with industry practices; this includes redefining ICLCs to fund only the conferring of a credential (see proposed Rule 13.553)
- Specification that the Coordinating Board will apply the rules in effect for the fiscal year in which the funding was delivered, clarifying for institutions which rules will apply as the Coordinating Board continues to refine the community college finance system (see proposed Rule 13.552)
- Exclusion of credentials awarded to non-resident students located outside of Texas and enrolled in 100% online programs from eligibility for funding, in alignment with restrictions on contact hour funding beginning with awards in Fiscal Year 2025 (see proposed Rule 13.556(b)).

The adoption of Subchapter S maintains continuity with existing rules in Subchapter P while adopting the changes listed above and ensuring the applicability of the rules beyond Fiscal Year 2024.

Rule 13.550, Purpose, establishes the purpose of Subchapter S to implement the new community college finance system established by HB 8 (88th Texas Legislature, Regular Session).

Rule 13.551, Authority, establishes the portions of the Texas Education Code (TEC) that authorize the Coordinating Board to adopt rules pertaining to community college finance.

Rule 13.552, Applicability, states the Coordinating Board will apply the rules in effect for the fiscal year in which the funding was delivered, unless otherwise provided. This provision provides guidance to institutions on which rules will apply as the Coordinating Board iterates and refines the community college finance framework.

Rule 13.553, Definitions, lists definitions pertinent to the community college finance system. Whereas the current Subchapter P uses the Definitions section to elaborate on policy details, this revised section provides only general meanings of terms and reserves substantive policy detail for the sections described below.

Rule 13.554, Base Tier Allotment, establishes the calculations used to determine Base Tier funding that the legislature entitled community colleges to receive under TEC, Sections 130A.051-056. To summarize, Base Tier funding is calculated as Instruction and Operations (I&O) minus Local Share. If Local Share is greater than Instructions and Operations, then Base Tier funding is zero.

Specifically, Rule 13.554(b) establishes the I&O funding amount, corresponding to TEC, Section 130A.052, as Contact Hour Funding plus the product of the Weighted Full-Time Student Equivalents (Weighted FTSE) multiplied by Basic Allotment. The rule explicitly defines the calculations used to derive Full-Time Student Equivalents based on contact hours and semester credit hours reported to the Coordinating Board by community college districts. Hours reported are weighted by student characteristics as instructed by TEC, Section 130A.054, at levels based on the higher cost of educating students with certain characteristics (e.g., adult learners are weighted the highest due to the higher cost of educating the student). In accordance with TEC, Section 130A.055, the rule defines Contact Hour Funding as the institution's reported base-year contact hours, weighted by the average cost to provide each contact hour in each discipline as defined in the Report of Fundable Operating Expenses. The Basic Allotment rate and contact hour funding rate are set by the commissioner from funding amounts derived from the General Appropriations Act, in accordance with TEC, Sections 130A.053 and 130.055.

Rule 13.554(d) establishes Local Share as the amount of maintenance and operations ad valorem tax revenue generated by \$0.05 per \$100 of taxable property value in a college's taxing district plus the amount of tuition and fee revenue that would be generated by charging the average amount of tuition and fees charged by community college districts in the state of Texas to each in-district FTSE, in accordance with TEC, Section 130A.056. Specifically, the Coordinating Board will calculate estimated tax revenue for each district as the actual amount of current tax revenue collected in Fiscal Year 2022 multiplied by the ratio of the maintenance and operations tax rate to the total tax rate, divided by the product of the maintenance and operations tax rate and 100 and multiplied by five. This estimation takes into account that not all property taxes owed are able to be collected by institutions due to delinquent or late collections over which the institutions have no control.

The Coordinating Board will estimate tuition and fee revenue for Local Share by summing 1) the average of tuition and fees charged by community colleges to in-district students two fiscal years prior multiplied by non-dual credit or dual enrollment FTSEs during

the fiscal year two years prior and 2) the amount of tuition set per semester credit hour (SCH) for the Financial Aid for Swift Transfer (FAST) program, multiplied by dual credit or dual enrollment SCHs for the fiscal year two years prior. THECB will source tuition and fee data from the Integrated Fiscal Reporting System, which captures the most recent actual tuition and fees charged by Texas community colleges. Using the average tuition and fee rate specific to in-district students avoids unduly penalizing colleges that have above-average percentages of in-district students and/or that provide substantial discounts to their in-district students. Using the two different tuition rates, depending on the type of student, provides further equity in the method of estimating tuition and fee revenue across the community college districts by avoiding an undue penalty on colleges participating in the FAST program and those with higher percentages of dual credit or dual enrollment students, regardless of their participation in FAST.

Rule 13.555, Performance Tier Funding, establishes the basic components of the Performance Tier portion of community college funding, codified under TEC, Chapter 130A, Subchapter C. Performance Tier funding consists of the number of fundable outcomes each community college produces, weighted according to certain fundable outcome weights. The subsequent sections describe each of these components in greater detail.

Rule 13.556, Performance Tier: Fundable Outcomes, describes the outcomes that are eligible to receive Performance Tier funding. Outcomes consist of the categories of 1) fundable credentials; 2) credential of value premium; 3) dual credit fundable outcomes; 4) transfer fundable outcomes; 5) structured co-enrollment fundable outcomes; and 6) Opportunity High School Diploma fundable outcomes.

Specifically, Rule 13.556(b) defines the credentials eligible for funding under the community college finance system, which include associate degrees, bachelor's degrees, Level 1 and 2 certificates, Advanced Technical Certificates, Continuing Education Certificates, Occupational Skills Awards, Institutional Credentials Leading to Licensure or Certification, and Third-Party Credentials. Restrictions are applied on OSAs and ICLCs that share the same contact hours. Pursuant to HB 8 and Texas Education Code, Section 130A.101(c)(1), this section also establishes the manner by which THECB will determine whether a credential qualifies as a credential of value and is thereby fundable. Most otherwise fundable credentials are credentials of value when the majority of graduates are projected to achieve a positive return on investment relative to a high school graduate with no additional credentials within 10 years, whereas OSAs, ICLCs, and Third-Party Credentials are credentials of value through Fiscal Year 2025 when they require a minimum amount of instruction and meet other programmatic requirements.

Rule 13.556(c) establishes the credential of value premium as a fundable outcome that rewards an institution when a student earns certain credentials of value quickly enough that they are projected to achieve a positive return on investment at least on or before the year in which the majority of graduates are projected to reach that threshold. It also requires that THECB annually publish the "target year" by which a student in a given program must graduate for the institution to earn the credential of value premium. This provides an added incentive for colleges to invest in improving the speed and efficiency with which their students are able to complete programs of study.

Rule 13.556(d) describes the Dual Credit Fundable Outcome, as required by Texas Education Code, Section 130A.101(c)(3). An institution earns a Dual Credit Fundable Outcome for students who complete 15 SCHs or the equivalent and transfer to a general academic teaching institution in the state. The Coordinating Board intends to adopt forthcoming rules with greater specificity on qualifying dual credit coursework.

Rule 13.556(e) describes the Transfer Fundable Outcome, as required by Texas Education Code, Section 130A.101(2)(A). The Coordinating Board proposes to refine the methodology used to calculate this outcome to clarify that hours earned by a student will count towards a single fundable outcome for a single institution. As such, the section establishes rules that exclude hours counting towards the Dual Credit Fundable Outcome and require both that a single transfer funds only one institution and that one institution can receive funding for a given student's transfer only once, except under very specific circumstances laid out in rule. These provisions will direct funding to the institution that plays a more substantial role in achieving the transfer outcome and prevent an institution from receiving funding if a transfer student repeatedly re-enrolls at the institution and transfers elsewhere.

Rule 13.556(f) describes the Structured Co-Enrollment Fundable Outcome, as required by Texas Education Code, Section 130A.101(2)(B).

Rule 13.556(g) describes the Opportunity High School Diploma fundable outcome, which is another category of fundable credentials authorized by Texas Education Code, Section 130A.101(c)(1). HB 8 established the Opportunity High School Diploma program under Texas Education Code, Chapter 130, Subchapter O. The Coordinating Board intends to adopt more detailed rules implementing this new program in a forthcoming rulemaking.

Rule 13.557, Performance Tier: Fundable Outcome Weights, establishes the weights applied to the fundable outcomes achieved by students in the categories of Economically Disadvantaged, Academically Disadvantaged, and Adult Learner, for the purposes of Performance Tier funding. Institutions earn an additional weight of 25 of the funding amount for a fundable outcome when that outcome is achieved by an Economically Disadvantaged or Academically Disadvantaged student and an additional weight of 50% when the outcome is achieved by an Adult Learner.

Rule 13.558, Performance Tier: High-Demand Fields, establishes that an institution will receive additional weight for awarding credentials delivered in disciplines listed as high-demand fields. This is described in more detail in Subchapter T of this chapter (a forthcoming rule).

Rule 13.560, Formula Transition Funding, establishes that after calculating the Base Tier and Performance Tier funding for each community college, the Coordinating Board shall ensure that a community college district does not receive less in formula funding for the year in question than it received in 2023 appropriations for formula funding (contact hours, success points, core operations, and bachelor of applied technology funding) and need-based supplements. The Coordinating Board judges this provision to be necessary to smooth the

transition from the prior system of formula funding predominantly based on contact hour generation to the new system of performance-based funding. Including this provision ensures that no institution will experience a significant detrimental impact on its operations as the new system adjusts funding and moves to outcome-driven performance. Because this provision was only intended to facilitate the transition to a new finance system, it will expire at the end of Fiscal Year 2025.

Rule 13.561, Payment Schedule, sets out both the payment schedule for non-formula support items and the payment schedule (three times per year) at which the Coordinating Board will make formula funding payments to each institution as authorized by TEC, Section 130.0031. The Coordinating Board shall pay all non-formula support item amounts to the institution by September 25 of a fiscal year, in accordance with the requirements in the 2024-25 General Appropriations Act. The first payment is 50% of the total formula funding entitlement and the second and final payments are each 25%. Institutional stakeholders suggested that the Coordinating Board should make the first payment 50% in recognition that a college district's expenses are weighted toward the start of the fiscal year and to smooth the transition from the prior payment schedule, which had historically provided 48% of funding to a community college district by October 25.

Rule 13.562, Limitations on Spending, describes the restrictions on how community college districts may expend state-appropriated funds, in alignment with state statute (TEC, Section 130.003(c); General Appropriations Act, 88th Texas Legislature, Regular Session, HB 1, Article III-231, Chapter 1170, Rider 14). The Coordinating Board proposes this provision in response to requests from stakeholders for greater clarification of permissible expenditures.

Rule 13.563, Shared Services Report, stipulates that smaller community college districts receiving a Base Tier scale adjustment must submit a report on their participation in shared services and describes the content of this shared report. This provision carries out a statutory requirement for small schools to submit this report, codified in TEC, Section 130A.054(e).

Rule 13.564, Effective Date of Rules, states that the proposed rules will take effect on September 1, 2024, which is the start of Fiscal Year (FY) 2025. The Coordinating Board intends to supplant current rules contained in Subchapter P of this chapter with proposed rules in Subchapter S, phasing the former out by the end of FY 2024 and the latter in by the start of FY 2025.

Subsequent to the posting of the rules in the *Texas Register*, THECB staff recommend the following amendments:

Section 13.553(13) amends the Credentialing Examination definition for clarity and to include the definition of an Authorized Professional Organization. This provides clarity regarding qualified sources of eligible credentialing examinations.

Section 13.553(14) amends the definition of Dual Credit or Dual Enrollment Fundable Outcome to ensure that dual credit/enrollment hours reported for fundable outcomes beginning in FY 2025 and later are applicable to an academic or technical education program

or are completed by a student who graduates with a Texas First Diploma. It also notes that dual credit or dual enrollment courses must be fundable to apply towards the fundable outcome.

Sections 13.556(b)(1)(C) and 13.556(b)(1)(D) are amended to remove the contact hour thresholds for Institutional Credentials Leading to Licensure or Certification and Third-Party Credentials, respectively. Minimum program lengths of 144 contact hours (9 semester credit hours) for standard ICLCs and third-party credentials and 80 contact hours (5 semester credit hours) for high-demand field ICLCs and third-party credentials will no longer be required for funding eligibility beginning in FY 2026.

Section 13.556(b)(2) clarifies that the Credential of Value Baseline refers to the majority of students statewide within a program area, as opposed to an institutional majority, and that the Credential of Value Baseline criteria for fundability will apply to all potentially fundable credentials beginning in FY 2026.

Section 13.556(b)(3) includes clarifying language to ensure that when a community college awards multiple OSAs and/or ICLCs that share contact hours to the same student in the same fiscal year, the college reports only one such credential for funding. If an OSA shares contact hours with an ICLC, the college reports only the OSA credential for funding. Section 13.556(b)(1) is amended with a conforming removal.

Section 13.556(b)(3) also includes clarifying language to ensure that a credential awarded to non-resident student located out-of-state and enrolled in a 100% online program is not eligible for funding, in alignment with contact hour funding restrictions, and beginning in Fiscal Year 2025. Original language would have inadvertently excluded hybrid programs. Section 13.556(b)(1) is amended with a conforming removal.

Section 13.556(c) clarifies that the Credential of Value Premium only applies to the credentials listed in Section 13.556(b)(1)(A): associate degrees, baccalaureate degrees, Level 1 or Level 2 certificates, advanced technical certificates, and continuing education certificates.

Section 13.556(e) includes additional language to update the methodology for assigning a Transfer Fundable Outcome when more than one community college meets all requirements for a Transfer Fundable Outcome. The methodology now includes an option to grant the Transfer Fundable Outcome to multiple institutions only when a tie remains unbroken after applying three tiebreaker conditions.

Section 13.557(d) includes clarifying language for the calculation of age for Adult Learners. The data collection methodology will now allow for the capture of those students who were not enrolled in a community college in the two fiscal years prior to transfer and will allow for the Coordinating Board to calculate age in the earliest fiscal year of enrollment during the prior four fiscal years.

The Coordinating Board has also made amendments throughout Chapter 13, Subchapter S, to correct for typographical and grammatical errors.

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

Date Published in the *Texas Register*: January 12, 2024.

The 30-day comment period with the *Texas Register* ended on: February 24, 2024.

Summary of comments received:

Comment: South Texas College submitted a comment seeking clarification on whether transfer degrees such as Associate of Arts, Associate of Science, and Associate of Arts in Teaching degrees will qualify as a credential of value. South Texas College is concerned that since these degrees are not designed as terminal degrees they won't fare well on their own if the return on investment in 10 years is the sole criterion for being a recognized credential of value.

Response: The Texas Higher Education Coordinating Board appreciates the clarifying comment. The degrees listed above currently qualify under the same credential of value methodology. For some students, this will be a terminal degree. If the student earned a higher-level credential, then the Credential of Value methodology is applied to the highest-level degree earned.

Comment: South Texas College submitted a comment seeking clarification on whether semester credit hours or contact hours is the defining metric for ICLCs and Third-Party Credentials to be counted as a fundable outcome.

Response: The Coordinating Board thanks the institution for the submitted comment. The definitions for Occupational Skills Awards, Institutional Credentials Leading to Licensure or Certification, and Third-Party Credentials each contain criteria for consideration as a fundable credential. Each definition includes requirements expressed as either semester credit hours (SCH) or contact hours for continuing education units (CEU) for funding in the performance tiers. In the definition for each of these three credentials, these two criteria are meant as either SCH or CEU.

Comment: San Jacinto College and Texas2036 submitted a comment inquiring if there is consideration to lowering the contact hour threshold for non-credit programs, so as to include some that are less than 80 and 144 hours. Both comments acknowledged that while certain credentials are very critical trainings and fields, they will not likely rise to the level of high demand based on volume, and would remain subject to the 144 hour threshold.

Response: The Texas Higher Education Coordinating Board thanks both San Jacinto College and Texas2036 for the question and agrees with the change in methodology. The agency has revised Section 13.557(b)(1)(C) and (D) effectively removing the contact hour threshold for ICLCs and third party credentials beginning in FY26 and making corresponding revisions in Section 13.557(b)(2) to provide that these credentials will be subject to the credential of value baseline methodology at that time.

Comment: Texas Business Leadership Council (TBLC) submitted a comment supporting the creation of a Credential of Value Premium, acknowledging that it will incentivize colleges' focus on guided pathways strategies to support students in timely completion of credentials. Timely completion will allow students to enjoy a faster return on their investment and will in turn bolster the talent pipeline to help address hiring challenges that many employers are currently facing.

Response: The Texas Higher Education Coordinating Board thanks TBLC for the comment, and agrees with the sentiment expressed.

Comment: Texas Business Leadership Council (TBLC) submitted a comment supporting the addition of Third-Party Credentials as fundable outcomes, acknowledging this will further support reskilling and upskilling needs within the workforce that are becoming increasingly important due to emerging technologies. TBLC also encourages the agency to transition to utilizing job and wage data to determine fundability in lieu of contact hour requirements for Third-Party Credentials.

Response: The Texas Higher Education Coordinating Board thanks TBLC for the comment, and agrees with the sentiment expressed. See the revised Section 13.557(b)(1)(D).

Comment: Texas Business Leadership Council (TBLC) submitted a comment requesting that the weights and rates used in the funding formula be relatively consistent from year to year, utilizing a stepped-down approach if significant adjustments need to be made. This will allow the colleges to more confidently conduct long-term planning and investments in program offerings.

Response: The Texas Higher Education Coordinating Board thanks TBLC for the comment. This will be addressed in the July rules that will be posted for public comment at the end of April.

Comment: Texas2036 submitted a comment recommending adjusting funding levels to ensure dual credit is not disproportionately disincentivized relative to transfer outcomes, or vice-versa. Texas2036 is asking that funding levels account for the relative values of dual credit and transfer milestones in relation to the ultimate goal of credential of value attainment.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment. This will be addressed in the July rules that will be posted for public comment at the end of April.

Comment: Texas2036 submitted a comment requesting that the Credential of Value Premium is significant enough to meet the intent of incentivizing college support of timely credential completion. This premium will incentivize colleges to focus on student pathways that lead to timely credential attainment to ensure the positive return on investment is realized for students.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment. This will be addressed in the July rules that will be posted for public comment at the end of April.

Comment: Texas2036 submitted a comment requesting that when the determination for a self-sufficient wage becomes available, the Texas Higher Education Coordinating Board should ensure that the credential of value baseline leads to a self-sufficient wage.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment and will continue to consider the latest data and frameworks available—including self-sufficient wage data—in any future changes to our methodology.

Comment: Texas2036 submitted a comment requesting the Texas Higher Education Coordinating Board adjust its definition of credential of value to rely on data for each credential program so that the value of each individual credential is determined. As higher education institutions increasingly adopt stackable credentials, multiple credentials can be embedded within a single program which may lead to program-level analyses that conflate workforce value among different credentials.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment and respectfully disagrees with adjusting the definition. The current methodology is by credential, and not by program. The Coordinating Board recognizes that stackability is a complex issue and will continue to explore opportunities to refine our methodology.

Comment: Texas2036 submitted a comment requesting the Texas Higher Education Coordinating Board to evaluate Third-Party Credentials utilizing a methodology aligned to how Credentials of Value are determined once adequate data is available to ensure that these fundable outcomes are equipping Texas students in the labor market.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment and agrees that the Credentials of Value methodology should apply to third-party credentials in the future, contingent on the agency having sufficient data to do so. See revisions made to Section 13.557(b)(2) requiring this in fiscal year 2026.

Comment: Texas2036 submitted a comment asking that the Texas Higher Education Coordinating Board consider additional criteria beyond Pell-recipient in determining funding weights based on student type for performance and base tiers to ensure the full economically disadvantaged student population is captured as intended. This adjustment will ensure that college receive the appropriate funding needed to support all of their economically disadvantaged students.

Response: The Texas Higher Education Coordinating Board thanks Texas2036 for the comment, and respectfully disagrees with changing the criteria for determining the economically disadvantaged student type funding weight. As currently drafted, the look-back window checks for Pell receipt in the year in which an outcome was achieved and the four fiscal years prior for all outcomes except structured co-enrollment. The student must have received Pell within that window at the institution where the outcome was earned. For

structured co-enrollment, the student must have received Pell in their initial semester of enrollment in the co-enrollment program (13.557(b)).

As stated, Pell receipt is the best available measure of economic disadvantage at this time. Pell eligibility is calculated using a standardized, rigorous needs assessment methodology that is applied uniformly across institutions. Award determinations are made formulaically, avoiding a possible incentive to alter financial aid practices in ways that could be detrimental to students (e.g., by awarding smaller amounts to a larger number of students who would then qualify). However, we will continue to explore other options.

The new sections are proposed under Texas Education Code, Section 130A.005, which provides the Coordinating Board with the authority to adopt rules and take other actions consistent with Texas Education Code, Chapter 61, Chapter 130, and Chapter 130A to implement Tex. H.B. 8, 88th Leg., R.S. (2023). In addition, Texas Education Code, Section 130.355, permits the Coordinating Board to establish rules for funding workforce continuing education.

CHAPTER 13 FINANCIAL PLANNING

SUBCHAPTER S COMMUNITY COLLEGE FINANCE PROGRAM

§13.550. Purpose.

The purpose of this subchapter is to implement the Community College Finance Program authorized by Texas Education Code, Chapters 61, 130, and 130A.

§13.551. Authority.

The Coordinating Board adopts this subchapter pursuant to Texas Education Code, §130A.005, requiring the Coordinating Board to adopt rules to implement the Community College Finance Program created in Texas Education Code, Chapters 61, 130, and 130A.

§13.552. Applicability.

Unless otherwise provided, the Coordinating Board shall apply the rules in effect for the fiscal year in which the funding was delivered.

§13.553. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings:

- (1) Academically Disadvantaged--A designation that applies to postsecondary students who have not met the college-readiness standard in one or more Texas Success Initiative (TSI) assessments as provided by §4.57 of this title (relating to Texas Success Initiative Assessment College Readiness Standards), and who were not classified as either waived or exempt pursuant to §4.54 of this title (relating to Exemption).
- (2) Adult Learner--A student aged 25 or older on September 1 of the fiscal year for which the applicable data are reported, in accordance with Coordinating Board data reporting requirements.
- (3) Advanced Technical Certificate (ATC)--A certificate that has a specific associate or baccalaureate degree or junior level standing in a baccalaureate degree program as a prerequisite for admission. An ATC consists of at least 16 semester credit hours (SCH) and no more than 45 SCH and must be focused, clearly related to the prerequisite degree, and justifiable to meet industry or external agency requirements.
- (4) Associate Degree--An academic associate degree as defined under Texas Education Code, §61.003(11), or an applied associate degree as defined under Texas Education Code, §61.003(12)(B).
- (5) Baccalaureate Degree--A degree program that includes any grouping of subject matter courses consisting of at least 120 SCH which, when satisfactorily completed by a student, will entitle that student to an undergraduate degree from a public junior college.
- (6) Base Tier Funding--The amount of state and local funding determined by the Board for each public junior college that ensures the college has access to a defined level of funding for instruction and operations.

(7) Base Year--The time period comprising the year of contact hours used for calculating the contact hour funding to public junior colleges. The Base Year for a funded fiscal year consists of the reported Summer I and II academic term from the fiscal year two years prior to the funded fiscal year; the Fall academic term one fiscal year prior to the funded fiscal year; and the Spring academic term one fiscal year prior to the funded fiscal year.

(8) Basic Allotment--A calculation of the dollar value per Weighted FTSE, based on appropriations made in that biennium's General Appropriations Act.

(9) Census Date--The date upon which a college may report a student in attendance for the purposes of formula funding, as specified in the Coordinating Board Management (CBM) manual for the year in which the funding is reported.

(10) Continuing Education Certificate--A credential awarded for completion of a program of instruction that meets or exceeds 360 contact hours and earns continuing education units. The certificate program is intended to prepare the student to qualify for employment; to qualify for employment advancement; or to bring the student's knowledge or skills up to date in a particular field or profession; and is listed in an institution's approved program inventory.

(11) Credential of Value Baseline--A credential earned by a student that would be expected to provide a positive return on investment. Credential of Value Baseline methodology is described in §13.556 of this subchapter (relating to Performance Tier: Fundable Outcomes).

(12) Credential of Value Premium Fundable Outcome--A fundable outcome earned by an institution for a credential earned by a student that would be expected to provide a wage premium. Credential of Value Premium methodology is described in §13.556 of this subchapter.

(13) Credentialing examination--A licensure ~~[-certification,]~~ or registration exam ~~[provided]~~ required by a state or national regulatory entity or a certification exam required by an authorized professional organization. An authorized professional organization is a national, industry-recognized organization that sets occupational proficiency standards, conducts examinations to determine candidate proficiency, and confers an industry-based certification.

(14) Dual Credit or Dual Enrollment Fundable Outcome--An outcome achieved when a student earns at least 15 SCH or the equivalent of fundable dual credit or dual enrollment courses, defined as follows:

(A) Courses that qualify as dual credit courses as defined in §4.83(10) of this title (relating to Definitions); and:

(i) In fiscal year 2025 or later, apply toward an academic or career and technical education program requirement at the postsecondary level; or

(ii) In fiscal Year 2025 or later are completed by a student who graduates with a Texas First Diploma, as codified in chapter 21, subchapter D of this title (relating to Texas First early high school completion program).

(B) All dual credit courses taken by a student enrolled in an approved Early College High School program, as provided by Texas Education Code, §28.009, except a physical education course taken by a high school student for high school physical education credit.

(15) Economically Disadvantaged--A designation that applies to postsecondary students who received the federal Pell Grant under 20 U.S.C. §1070a.

(16) Equivalent of a Semester Credit Hour--A unit of measurement for a continuing education course, determined as a ratio of one continuing education unit to 10 contact hours of instruction, which may be expressed as a decimal. One semester credit hour of instruction equals 1.6 continuing education units of instruction~~[-equals one semester credit hour of~~

instruction]. In a continuing education course, not fewer than 16 contact hours are equivalent to one semester credit hour.

(17) Formula Funding--The funding allocated by the Coordinating Board among all public junior colleges by applying provisions of the Texas Education Code, agency rule, and the General Appropriations Act to a sector-wide appropriation from the General Appropriations Act.

(18) Full-Time Student Equivalent (FTSE)--A synthetic measure of enrollment based on the number of instructional hours delivered by an institution of higher education divided by the number of hours associated with full-time enrollment for the time period in question.

(19) Fundable Credential--As defined in §13.556(b) of this subchapter.

(20) Fundable Outcome Weights--A multiplier applied to eligible fundable outcomes to generate a Weighted Outcome Completion for use in determining the Performance Tier allocation. The methodology for each Fundable Outcome Weight is defined in §13.557 of this subchapter (relating to Performance Tier: Fundable Outcome Weights).

(21) High-Demand Fields--A field in which an institution awards a credential that provides a graduate with specific skills and knowledge required for the graduate to be successful in a high-demand occupation, based on the list of high-demand fields as defined in subchapter T of this chapter (relating to Community College Finance Program: High-Demand Fields).

(22) Institutional Credentials Leading to Licensure or Certification (ICLC)--A credential awarded by an institution upon a student's completion of a course or series of courses that represent the achievement of identifiable skill proficiency and leading to licensure or certification. This definition includes a credential that meets the definition of an Occupational Skills Award in all respects except that the program may provide training for an occupation that is not included in the Local Workforce Development Board's Target Occupations list.

(23) Level 1 Certificate--A certificate designed to provide the necessary academic skills and the workforce skills, knowledge, and abilities necessary to attain entry-level employment or progression toward a Level 2 Certificate or an Applied Associate Degree, with at least 50% of course credits drawn from a single technical specialty. A Level 1 Certificate must be designed for a student to complete in one calendar year or less time and consists of at least 15 semester credit hours and no more than 42 semester credit hours.

(24) Level 2 Certificate--A certificate consisting of at least 30 semester credit hours and no more than 51 semester credit hours. Students enrolled in Level 2 Certificates must demonstrate meeting college readiness standards set forth in §4.57 of this title and other eligibility requirements determined by the institution.

(25) Local Share--The amount determined to be the institution's contribution of local funds to the Instruction and Operations (I&O) amount for each public junior college. The amount consists of estimated ad valorem maintenance and operations tax revenue and tuition and fees revenue, as determined by the Board.

(26) Non-Formula Support Item--An amount appropriated by line item in the General Appropriations Act to a single public junior college or limited group of colleges for a specific, named purpose.

(27) Occupational Skills Award (OSA)--A sequence of courses that meet the minimum standard for program length specified by the Texas Workforce Commission for the federal Workforce Innovation and Opportunity Act (WIOA) program (9-14 SCH for credit courses or 144-359 contact hours for workforce continuing education courses). An OSA must possess the following characteristics:

- (A) The content of the credential must be recommended by an external workforce advisory committee, or the program must provide training for an occupation that is included on the Local Workforce Development Board's Target Occupations list;
 - (B) In most cases, the credential should be composed of Workforce Education Course Manual (WECM) courses only. However, non-stratified academic courses may be used if recommended by the external committee and if appropriate for the content of the credential;
 - (C) The credential complies with the Single Course Delivery guidelines for WECM courses; and
 - (D) The credential prepares students for employment in accordance with guidelines established for the Workforce Innovation and Opportunity Act.
- (28) Opportunity High School Diploma Fundable Outcome--An alternative means by which adult students enrolled in a workforce program at a public junior college may earn a high school diploma at a college through concurrent enrollment in a competency-based program, as codified in Texas Education Code, chapter 130, subchapter O, and Texas Administrative Code, Title 19, Part 1, Chapter 12.
- (29) Semester Credit Hour (SCH)--A unit of measure of instruction, represented in intended learning outcomes and verified by evidence of student achievement, that reasonably approximates one hour of classroom instruction or direct faculty instruction and a minimum of two hours out of class student work for each week over a 15-week period in a semester system or the equivalent amount of work over a different amount of time. An institution is responsible for determining the appropriate number of semester credit hours awarded for its programs in accordance with Federal definitions, requirements of the institution's accreditor, and commonly accepted practices in higher education.
- (30) Structured Co-Enrollment Fundable Outcome--A student who earns at least 15 semester credit hours at the junior college district in a program structured through a binding written agreement between a general academic teaching institution and a community college. Under such a program, students will be admitted to both institutions and recognized as having matriculated to both institutions concurrently. The Structured Co-enrollment Fundable Outcome does not include courses fundable under the Dual Credit or Dual Enrollment Fundable Outcome.
- (31) Third-Party Credential--A certificate as defined in Texas Education Code, §61.003(12)(C), that is conferred by a third-party provider. The third-party provider of the certificate develops the instructional program content, develops assessments to evaluate student mastery of the instructional content, and confers the third-party credential. A third-party credential that meets the requirements of §13.556 of this subchapter is fundable in accordance with that section.
- (32) Transfer Fundable Outcome--An institution earns a fundable outcome in the Performance Tier under §13.555 of this subchapter (relating to Performance Tier Funding) when a student enrolls in a general academic teaching institution, as defined in Texas Education Code, §61.003, after earning at least 15 semester credit hours from a single public junior college district as established under §13.556(e) of this subchapter. For the purpose of this definition, semester credit hours (SCH) shall refer to semester credit hours or the equivalent of semester credit hours.
- (33) Weighted Full-Time Student Equivalent (Weighted FTSE or WFTSE)--A synthetic measure of enrollment equal to the number of instructional hours delivered by an institution of higher education divided by the number of hours associated with full-time enrollment for the fiscal

year two years prior to the one for which formula funding is being calculated, where the hours delivered to students with certain characteristics carry a value other than one.

(34) Weighted Outcomes Completion--A synthetic count of completions of designated student success outcomes where outcomes achieved by students with certain characteristics carry a value other than one. The synthetic count may also represent a calculation, such as an average or maximizing function, other than a simple sum.

§13.554. Base Tier Allotment.

(a) Coordinating Board staff will calculate Base Tier funding for each public junior college district (district) as the greater of the Instruction and Operations (I&O) amount minus Local Share and zero.

(b) A district's I&O amount is the sum of the number of Weighted Full-Time Student Equivalents (Weighted FTSE) enrolled at the district multiplied by the Basic Allotment amount calculated by the Commissioner of Higher Education as provided in subsection (c) of this section and the district's total Contact Hour Funding as determined by the Coordinating Board.

(1) Weighted FTSE for each district is the sum of the district's full-time student equivalents weighted for the student characteristics under subparagraph (B) of this paragraph and the scale adjustment as provided in Texas Education Code, §130A.054.

(A) For purposes of determining annual Weighted FTSE as a component of formula funding for the fiscal year under this section, a district's full-time student equivalents (FTSE) is equal to the sum of:

(i) the total semester credit hours in which for-credit students were enrolled at the district as of the census dates of all academic semesters or other academic terms that were reported for the fiscal year two years prior, divided by 30; and

(ii) the total contact hours in which continuing education students were enrolled at the district as of the census dates of all academic semesters or other academic terms that were reported for the fiscal year two years prior, divided by 900.

(B) The Coordinating Board shall apply a weight to the calculation of Weighted FTSE as follows:

(i) if a student is classified as economically disadvantaged during the fiscal year two years prior, FTSE generated by that student shall have an additional value of 25%;

(ii) if a student is classified as academically disadvantaged during the fiscal year two years prior, FTSE generated by that student shall have an additional value of 25%; and

(iii) if a student is classified as an adult learner on September 1 of the fiscal year two years prior, FTSE generated by that student shall have an additional value of 50%.

(C) The Coordinating Board calculates a district's scale adjustment weight as the greater of the difference between 5,000 and the number of FTSE as defined in subparagraph (A) of this paragraph multiplied by .40, and zero.

(2) For the purpose of calculating formula funding amounts for the fiscal year, Coordinating Board staff will calculate Contact Hour Funding for a public junior college district by first multiplying the number of reported certified fundable contact hours generated by the district in each discipline during the Base Year of the fiscal year by the average cost of delivery per contact hour for each discipline respectively as described in the Report of Fundable Operating Expenses in accordance with §13.524(c) of this chapter (relating to Required Reporting) and summing across all disciplines. Contact hours attributable to students enrolled in a junior-level or senior-level course are weighed in the same manner as a lower division course in a

corresponding field. That sum will then be multiplied by a rate calculated by the Commissioner of Higher Education as provided in subsection (c) of this section in accordance with the General Appropriations Act to calculate the district's Contact Hour Funding.

(c) For purposes of determining the rate to be used for the Basic Allotment and the rate to be used for calculating districts' Contact Hour Funding, the Commissioner shall calculate the rates necessary to maintain an equal split between Contact Hour Funding and Basic Allotment Funding for the fiscal year.

(d) For the purpose of calculating formula funding amounts for the fiscal year, the Local Share for each public junior college district equals the sum of:

(1) the estimated amount of revenue that would have been generated by the district if it had assessed a \$0.05 maintenance and operations ad valorem tax on each \$100 of taxable property value in its taxing district, as reported under §13.524 of this chapter, which the Coordinating Board will calculate as the district's current tax collection for fiscal year two years prior multiplied by the ratio of the maintenance and operations tax rate to the total tax rate, divided by the product of the maintenance and operations tax rate and 100 and multiplied by five; and

(2) the amount of tuition and fee revenue calculated as the sum of:

(A) the district's FTSE two fiscal years prior as defined in subsection (b)(1)(A) of this section, except for semester credit hours derived from students enrolled in dual credit or dual enrollment courses, multiplied by a rate calculated by the Commissioner of Higher Education, which is the enrollment-weighted statewide average of tuition and fees charges to full-time equivalent students residing within the district of the public junior college they attend, as reported by the public junior colleges in the Integrated Fiscal Reporting System for the fiscal year two fiscal years prior; and

(B) the total semester credit hours of dual credit courses in which students were enrolled as of the census dates of all academic semesters or other academic terms that were reported in the fiscal year two years prior, multiplied by the Financial Aid for Swift Transfer (FAST) tuition rate as codified in §13.504 of this chapter (relating to Financial Aid for Swift Transfer (FAST) Tuition Rate) in the fiscal year two years prior. For fiscal year 2023, the FAST tuition rate is equal to the rate for fiscal year 2024.

§13.555. Performance Tier Funding.

(a) Each public junior college district shall receive Performance Tier funding under Texas Education Code, chapter 130A, subchapter C. A district increases its Performance Tier funding amount by producing Fundable Outcomes, with Fundable Outcomes achieved in certain categories eligible for an additional multiplier (Fundable Outcome Weights), as calculated by the Coordinating Board. A Fundable Outcome multiplied by the Fundable Outcome Weight constitutes a Weighted Outcome Completion. A district's Performance Tier funding amount equals the total of each Weighted Outcome Completion multiplied by the funding rates for that completion, as identified in this subchapter. Funding rates include an additional weight for fundable credentials delivered in a high-demand field.

(b) Fundable Outcomes. Section 13.556 of this subchapter (relating to Performance Tier: Fundable Outcomes) defines each Fundable Outcome type, including the methodology used to calculate each outcome.

(c) Fundable Outcome Weight. Section 13.557 of this subchapter (relating to Performance Tier: Fundable Outcome Weights) and subchapter T of this chapter (relating to Community College Finance Program: High-Demand Fields) define each Fundable Outcome Weight type, including the methodology used to calculate each outcome. Fundable Outcome Weights consist of the following categories:

- (1) Fundable Outcomes achieved by economically disadvantaged students;
- (2) Fundable Outcomes achieved by academically disadvantaged students; and
- (3) Fundable Outcomes achieved by adult learners.

§13.556. Performance Tier: Fundable Outcomes.

(a) This section contains definitions of Fundable Outcomes eligible for receiving funding through the Performance Tier. An institution's Performance Tier funding will consist of the count of Fundable Outcomes, multiplied by weights identified in §13.557 of this subchapter (relating to Performance Tier: Fundable Outcome Weights) as applicable, multiplied by the monetary rates identified in this subchapter. Fundable Outcomes consist of the following categories:

- (1) Fundable Credentials;
- (2) Credential of Value Premium;
- (3) Dual Credit Fundable Outcomes;
- (4) Transfer Fundable Outcomes;
- (5) Structured Co-Enrollment Fundable Outcomes; and
- (6) Opportunity High School Diploma Fundable Outcomes.

(b) Fundable Credentials.

(1) A fundable credential is defined as any of the following ~~[, except that, for a credential under subparagraphs (B), (C), or (D) of this paragraph, if more than one credential that the institution awarded to a student includes the same contact hours, the institution may only submit one credential for funding under subparagraphs (B), (C), or (D) of this paragraph. Fundable credential excludes a degree or certificate awarded to a non-resident student enrolled in a distance education program as defined in §2.202(4) of this title (relating to Definitions) for a student who is located out of state.]~~

(A) Any of the following credentials awarded by an institution that meets the criteria of a credential of value as defined in paragraph (2) of this subsection using the data for the year in which the credential is reported that is otherwise eligible for funding, and the institution reported and certified to the Coordinating Board:

- (i) An associate degree;
- (ii) A baccalaureate degree;
- (iii) A Level 1 or Level 2 Certificate;
- (iv) An Advanced Technical Certificate; and
- (v) A Continuing Education Certificate.

(B) An Occupational Skills Award awarded by an institution that the institution reported and certified to the Coordinating Board;

(C) An Institutional Credential Leading to Licensure or Certification (ICLC) not ~~[included in]~~ reported pursuant to subparagraph (B) of this paragraph and that the institution reported and certified to the Coordinating Board ~~[;].~~ For fiscal year 2025 or prior only, the credential shall ~~[that]~~ meet[s] one of the following criteria:

- (i) The credential includes no fewer than 144 contact hours or nine (9) semester credit hours; or
- (ii) The credential is awarded in a high demand field, as defined in Coordinating Board rule, and includes no fewer than 80 contact hours or five (5) semester credit hours; or
- (D) A Third-Party Credential that meets the following requirements:
 - (i) The third-party credential is listed in the American Council on Education's ACE National Guide with recommended semester credit hours;
 - (ii) The third-party credential program content is either embedded in a course, embedded in a program, or is a stand-alone program;
 - (iii) The third-party credential is conferred for successful completion of the third-party instructional program in which a student is enrolled;
 - (iv) The third-party credential is included on the workforce education, continuing education, or academic transcript from the college; and
- (I) For fiscal year 2025 only, the [The] third-party credential includes no fewer than the equivalent of nine (9) semester credit hours or 144 contact hours; or
- (II) For fiscal year 2025 only, the [The] third-party credential is awarded in a high-demand field[.] as defined in Coordinating Board rule, and includes no fewer than the equivalent of five (5) semester credit hours or 80 contact hours; and
- (v) The student earned the third-party credential on or after September 1, 2024.
- (2) Credential of Value Baseline. For fiscal year 2025 or prior only, a credential [Credentials] identified in subparagraph (b)(1)(A) of this subsection must meet the Credential of Value Baseline criteria for eligibility as a Fundable Outcome. Beginning in fiscal year 2026, any credential identified in paragraph (b)(1) must meet the Credential of Value Baseline criteria for eligibility as a Fundable Outcome. This baseline is met when a credential earned by a student would be expected to provide a positive return on investment within a period of ten years.
 - (A) A program demonstrates a positive return on investment when the majority of students statewide completing the credential, within a program area, are expected to accrue earnings greater than the cumulative median earnings of Texas high school graduates who do not hold additional credentials, plus recouping the net cost of attendance within ten years after earning the credential.
 - (B) This calculation of return on investment shall include students' opportunity cost, calculated as the difference between median earnings for Texas high school graduates and estimated median earnings for students while enrolled:
 - (i) Four years for baccalaureate degree holders;
 - (ii) Two years for associate degree holders; or
 - (iii) One year for holders of a Level 1 certificate, Level 2 certificate, Advanced Technical Certificate, or Continuing Education Certificate.
 - (C) The Coordinating Board shall calculate the expected return on investment for each program based on the most current data available to the agency for the funding year for each program or a comparable program.
 - (D) In applying the methodology under this section to a program offering a credential in an emerging or essential high-demand field pursuant to §13.595(a) and (b) of this chapter (relating to Emerging and Essential Fields), the Commissioner of Higher Education shall utilize recent, relevant data, including:
 - (i) employer certifications provided under §13.595(b);

(ii) information on program design, including at minimum the cost and length of the program; and

(iii) any other information necessary for the Coordinating Board to apply the methodology under this section to the program proposed in an emerging or essential high-demand field.

(3) The following limitations apply to a fundable credential:

(A) For a credential under subparagraph (b)(1)(B) or (b)(1)(C) of this subsection, if more than one credential that the institution awarded to a student includes the same contact hours, the institution may only submit one credential for funding;

(B) If an institution awarded to a student a credential eligible for funding under subparagraphs (b)(1)(B) and (b)(1)(C) and those credentials share the same contact hours, the institution shall submit for funding only the credential awarded under subparagraph (b)(1)(B); and

(C) For a degree or certificate awarded on or after September 1, 2024, a fundable credential excludes a degree or certificate awarded to a non-resident student enrolled in a 100-percent online degree or certificate program as defined in §2.202(4)(A) of this title (relating to Definitions) for a student who resides out-of-state.

(c) Credential of Value Premium. An institution earns a Credential of Value Premium for each student who completes a Fundable Credential under ~~[subsection (b) of this section]~~ subparagraph (b)(1)(A) of this subsection as follows:

(1) The student completes the credential of value on or before the target year for completion that, for the majority of students who complete comparable programs, would enable the student to achieve a positive return on investment within the timeframe specified for the program as described in paragraph (2) of this subsection.

(2) For each program, the Coordinating Board shall calculate the year in which the majority of comparable programs would be projected to have the majority of their students achieve a positive return on investment.

(3) Each year, the Coordinating Board shall publish a list of the target years for completion for each program.

(d) Dual Credit Fundable Outcome. An institution achieves a Dual Credit Fundable Outcome when a student has earned a minimum number of eligible dual credit semester credit hours, as defined in §13.553(14) of this subchapter (relating to Definitions).

(e) Transfer Fundable Outcome.

(1) An institution earns a transfer fundable outcome when a student enrolls in a general academic teaching institution (GAI), as defined in Texas Education Code, §61.003(3), after earning at least 15 semester credit hours (SCH) from a single public junior college district, subject to the following:

(A) The student is enrolled at the GAI for the first time in the fiscal year for which the public junior college is eligible for a performance tier allocation, as established in this subchapter;

(B) The student earned a minimum of 15 SCHs from the public junior community college district seeking the transfer fundable outcome during the period including the fiscal year in which they enroll at the GAI and the four fiscal years prior; and

(C) The attainment of the 15 SCHs satisfies the following restrictions:

(i) The transfer fundable outcome shall exclude the 15 SCHs that previously counted toward attainment of a dual credit fundable outcome for the student under subsection (d) of this section.

(ii) The transfer fundable outcome may include any SCHs earned by the student not previously counted toward a dual credit fundable outcome under subsection (d) of this section.

(2) Only one institution may earn a transfer fundable outcome for any individual student, except as provided by subsection (2)(C). An institution may earn the transfer fundable outcome only once per student. The Coordinating Board shall award the transfer fundable outcome in accordance with this subsection.

(A) If a student has earned 15 SCH at more than one institution prior to transfer to any GAI, the Coordinating Board shall award the transfer fundable outcome to the last public junior college at which the student earned the 15 SCH eligible for funding under this section.

(B) If the student earned the 15 SCH at more than one institution during the same academic term, the Coordinating Board shall award the transfer fundable outcome to the public junior college:

(i) from which the student earned the greater number of the SCH that count toward the transfer fundable outcome during the academic term in which they earned the 15 SCH; or
(ii) if the student earned an equal number of SCH that count toward the transfer fundable outcome in the academic term in which the student earned the 15 SCH, to the institution from which the student earned a greater number of SCH that count toward the transfer fundable outcome in total.

(C) If a student has met the SCH requirements of both (B)(i) and (B)(ii) at more than one public junior college, each public junior college may receive a transfer fundable outcome.

(f) Structured Co-Enrollment Fundable Outcome. An institution achieves a Structured Co-Enrollment Fundable Outcome when a student has earned a minimum number of eligible semester credit hours in a structured co-enrollment program, as defined in §13.553(30) of this subchapter.

(g) Opportunity High School Diploma Fundable Outcome.

An institution achieves an Opportunity High School Diploma Fundable Outcome when a student has completed the program and attained the credential, as defined in §13.553(28) of this subchapter. A student must earn the Opportunity High School Diploma on or after September 1, 2024 to qualify as a Fundable Outcome.

§13.557. Performance Tier: Fundable Outcome Weights.

(a) This section contains definitions of Fundable Outcome Weights that are applied to the Fundable Outcomes specified in §13.556 of this subchapter (relating to Performance Tier: Fundable Outcomes) to generate a Weighted Outcome Completion. A Fundable Outcome that does not qualify for one of the following Fundable Outcome Weight categories receives a weight of 1. The Coordinating Board will apply the following weights to Fundable Outcomes to the extent permitted by data availability. Fundable Outcome Weights consist of the following categories:

- (1) Outcomes achieved by economically disadvantaged students;
- (2) Outcomes achieved by academically disadvantaged students; and
- (3) Outcomes achieved by adult learners.

(b) Economically Disadvantaged Students.

(1) An institution will receive an additional weight of 25% for fundable credentials, transfer fundable outcomes, and structured co-enrollment fundable outcomes as referenced in §13.556 of this subchapter achieved by an economically disadvantaged student, as defined in §13.553(15) of this subchapter (relating to Definitions).

(2) For purposes of calculating economically disadvantaged for the Transfer Fundable Outcome and Fundable Credentials, the student must be classified as economically disadvantaged at any point during the fiscal year in which the outcome was achieved or the four fiscal years prior at the institution in which the outcome was achieved.

(3) For purposes of calculating economically disadvantaged for Structured Co-Enrollment Fundable Outcome, the student must be classified as economically disadvantaged in the initial semester of enrollment in the Structured Co-Enrollment Program at either the community college or general academic institution.

(c) Academically Disadvantaged Students.

(1) An institution will receive an additional weight of 25% for any fundable credentials, transfer fundable outcomes, and structured co-enrollment fundable outcomes in §13.556 of this subchapter achieved by an academically disadvantaged student, as defined in §13.553(1) of this subchapter.

(2) For purposes of calculating academically disadvantaged for Transfer Fundable Outcome and Fundable Credentials, the student must be classified as academically disadvantaged at any point during the fiscal year in which the outcome was achieved or the four fiscal years prior at the institution in which the outcome was achieved.

(3) For purposes of calculating academically disadvantaged for Structured Co-Enrollment Fundable Outcome, the student must be classified as academically disadvantaged in the initial semester of enrollment in the Structured Co-Enrollment Program at the institution in which the outcome was achieved.

(d) Adult Learners.

(1) An institution will receive an additional weight of 50% for a fundable credential[s], transfer fundable outcomes, and structured co-enrollment fundable outcomes in §13.556 of this subchapter achieved by an adult learner, as defined in §13.553(2) of this subchapter.

(2) For purposes of calculating an Adult Learner for a transfer fundable outcome, the Coordinating Board shall calculate age in accordance with this subsection.

(A) The student shall be 25 years of age or older in the earliest fiscal year in which they were enrolled at the public junior college during the current fiscal year or the two fiscal years prior to first enrollment in a general academic institution; or

(B) If the student was not enrolled at the public junior college during the current fiscal year or the two fiscal years prior to the first enrollment in a general academic institution, the student must be 25 years of age or older in the earliest fiscal year of enrollment at the public junior college during the prior four fiscal years.

~~[the student must be 25 years of age or older in the earliest fiscal year in which they were enrolled at the public junior college during the two fiscal years prior to first enrollment in a general academic institution.]~~

(3) For purposes of calculating an Adult Learner for a fundable credential, the student's eligibility will be determined as follows:

(A) For a student who completes an Occupational Skills Award, Institutional Credential leading to Licensure or Certification, Third Party Credential, Level I Certificate, Level II Certificate, Continuing Education Certificate, or Advanced Technical Certificate, as defined in §13.556(b) of this subchapter, 25 years of age or older on September 1 of the fiscal year in which the student earned the credential ~~[was earned]~~;

(B) For a student who completes an associate degree as defined in §13.556(b) of this subchapter, 25 years of age or older on September 1 of the earliest fiscal year in which the

student was enrolled during the period including the year in which the student earned the credential ~~[was earned]~~ and the prior fiscal year; and

(C) For a student who completes a bachelor's degree as defined in §13.556(b) of this subchapter, 25 years of age or older on September 1 of the earliest fiscal year in which the student was enrolled during the period including the year in which the student earned the credential ~~[was earned]~~ and the three fiscal years prior.

(4) For purposes of calculating an Adult Learner for Structured Co-Enrollment Fundable Outcome, the student must be classified as an Adult Learner in the initial semester of enrollment in the Structured Co-Enrollment Program at the institution in which the outcome was achieved.

(e) Applicability of Weights. For purposes of transitioning to the new formula model, an institution will receive fundable outcome weights for Occupational Skills Awards, Institutional Credentials Leading to Licensure or Certification, and Third-Party Credentials achieved by economically disadvantaged students, academically disadvantaged students, or adult learners beginning with these awards reported in Fiscal Year 2025. This subsection expires on August 31, 2026.

§13.558. Performance Tier: High-Demand Fields.

An institution will receive an additional weight, as calculated by an increased funding rate for awarding a Fundable Credential described in §13.556 of this subchapter (relating to Performance Tier: Fundable Outcomes) for credentials delivered in disciplines designated as a High-Demand Field for that institution, as described in subchapter T of this chapter (relating to Community College Finance Program: High-Demand Fields).

§13.560. Formula Transition Funding.

In FY 2025, for purposes of transitioning to the new formula model, if the sum of a public junior college district's Base and Performance Tier funding as calculated in §13.554 and §13.555 of this subchapter (relating to Base Tier Allotment and Performance Tier Funding, respectively) would result in the district receiving less in General Revenue formula funding than the district received through the sum of appropriations made in the core operations strategy, student success strategy, contact hour funding strategy, and, if applicable, the need-based supplement and bachelor of applied technology strategies, as provided for FY 2023 in the 2022-23 General Appropriations Act, then the Coordinating Board will add transitional funding in the amount of the difference to the district's formula funding for FY 2025. This rule expires on August 31, 2025.

§13.561. Payment Schedule.

(a) Non-Formula Support Items. For the purpose of distributing state appropriations to a public junior college district in a fiscal year, the Coordinating Board shall distribute the full amounts of all fiscal year non-formula support items to the district to which they are appropriated in accordance with the provisions of the General Appropriations Act in effect for the biennium by September 25th of the fiscal year. The Coordinating Board shall recover any overallocation or

adjust any installment required to comply with state law or chapter 13 of this title (relating to Financial Planning).

(b) Formula Funding Amounts: Fall. For the purpose of distributing state appropriations to a public junior college district in a fiscal year, the Coordinating Board shall distribute to each district by October 15th one-half of the formula funding amount it determines the district may be entitled to receive in a fiscal year based on the total forecasted by the Coordinating Board.

(c) Formula Funding Amounts: Spring. For the purpose of distributing state appropriations to a public junior college district in a fiscal year, the Coordinating Board shall distribute to each district by February 15th one-quarter of the formula funding amount it determines the district may be entitled to receive in a fiscal year based on the total forecasted by the Coordinating Board, pursuant to the provisions of the General Appropriations Act, Texas Education Code, and all other pertinent statutes and rules.

(d) Formula Funding Amounts: Summer. For the purpose of distributing state appropriations to a public junior college district in a fiscal year, the Coordinating Board shall distribute to each district by June 15th, one-quarter of the formula funding amount it determines the college may be entitled to receive in a fiscal year based on the total forecasted by the Coordinating Board, pursuant to the provisions of the General Appropriations Act, Texas Education Code, and all other pertinent statutes and rules, and in odd-numbered years shall distribute the formula funding amount likewise determined as soon as is practicable after June 15 in accordance with the appropriations process.

(e) The Coordinating Board may modify any installment under this schedule as necessary to provide an institution with the amounts to which the institution is entitled under Texas Education Code, chapters 130 and 130A, the General Appropriations Act, or chapter 13 of this title.

§13.562. Limitations on Spending

(a) Texas Education Code Section 130.003(c) establishes that state funds provided under Texas Education Code Chapter 130 and 130A may be used exclusively for the purpose of paying salaries of the instructional and administrative forces, purchase of supplies and materials for instructional purposes, and paying the cost of audits.

(b) The General Appropriations Act limits funding for instructional and administrative forces as follows:

(1) Formula funding, including base tier, performance tier, and formula transition funds, may be used for the following elements of cost: instruction, academic support, student services, institutional support, organized activities, and staff benefits associated with salaries paid from general revenue.

(2) Non-formula support item funds may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses, in addition to the elements of cost listed under paragraph (b)(1) of this section.

(3) Formula and non-formula support item funding may not be used for the operation of intercollegiate athletics.

(c) The elements of cost in subsection (b) of this section are defined in the Coordinating Board's Budget Requirements and Annual Financial Reporting Requirements for Texas Public Community Colleges, also known as the AFR Manual, as published under §13.524 of this chapter (relating to Required Reporting).

(d) Institutions may expend funds as otherwise permitted by statute.

§13.563. Shared Services Report.

(a) This rule applies to each public junior college district of fewer than 5,000 full-time equivalent students which receives a scale adjustment under §13.554(b)(1)(C) of this subchapter (relating to Base Tier Allotment).

(b) Public junior colleges subject to this rule must submit a report on their participation in shared services to the Coordinating Board by November 1st of each even numbered year.

(c) The report will include information for each fiscal year in the previous two fiscal years in which a college received a scale adjustment.

§13.564. Effective Date of Rules.

This subchapter takes effect September 1, 2024.

AGENDA ITEM VIII-G (2)

Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 13, Subchapter T, Sections 13.590-13.597, concerning the Community College Finance Program: High-Demand Fields

RECOMMENDATION: Approval

Background Information:

Supplemental materials will be forthcoming.

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

AGENDA ITEM VIII-G (3)

Consideration and possible action to adopt amendments to Board Rules Chapter 22, Subchapter D, Section 22.64 concerning the Texas Public Educational Grants and Emergency Tuition, Fees, and Textbook Loan Programs

RECOMMENDATION: Approval

Background Information:

This amendment removes the requirement for the Texas Higher Education Coordinating Board to collect and maintain copies of guidelines submitted by public institutions for the administration of the Texas Public Educational Grant and program on their campuses.

Rule 22.64 is amended to remove the reporting requirement for respective governing boards to file adopted copies of rules and regulations to the Coordinating Board and Texas Comptroller of Public Accounts before disbursing any funds. This update is a result of Article III, Special Provisions, Section 11(2), being removed from the General Appropriations Act under House Bill 1 during the 88th legislative session. Removing this requirement in the Texas Administrative Code aligns the program requirements and responsibilities of both the institutions and the Coordinating Board with the changes made to the Special Provisions rider.

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

Date Published in the *Texas Register*: January 26, 2024

The 30-day comment period with the *Texas Register* ended on: February 25, 2024.

No comments were received regarding this rule.

CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

SUBCHAPTER D TEXAS PUBLIC EDUCATIONAL GRANT AND EMERGENCY TUITION,
FEES, AND TEXTBOOK LOAN PROGRAMS

§22.64. Coordinating Board Responsibilities

The ~~[Texas Higher Education]~~ Coordinating Board shall perform the following services with regard to the Program:

~~[(1) Collect and maintain copies of guidelines submitted by institutions for the administration of the Program on their campuses.]~~

(1) ~~[(2)]~~ Accept funds transferred to the Coordinating Board by institutions for use in matching federal or state grant funds, assure such matching funds are used to assist institutions and students with the greatest financial need, and return any funds on deposit from institutions if matching funds are not available.

(2) ~~[(3)]~~ Monitor institutional use of program funds and accept funds transferred to the Coordinating Board by institutions which fail to fully utilize the grant funds set aside in accordance with Program requirements. If an institution's year-end Program balance, including funds on deposit with the Coordinating Board, exceeds 150 percent of the amount set aside from tuition, the excess funds shall be sent to the Coordinating Board which shall use the funds for the Toward EXcellence, Access and Success Grant Program.

AGENDA ITEM VIII-G (4)

Consideration and possible action to adopt amendments to Board Rules, Chapter 22, Subchapter I, Sections 22.165-22.168 and 22.170-22.173, concerning the Texas Armed Services Scholarship Program

RECOMMENDATION: Approval

Background Information:

These amendments redefine Texas Higher Education Coordinating Board terminology used throughout the subchapter, update promissory note obligations based on legislative changes, and provide greater clarity of operational procedures.

Rule 22.165 is amended to update scholarship time limitations in which a recipient can receive an award to remove unnecessary language.

Rules 22.166, 22.167, and 22.170-22.173 are amended to update the definition of "Coordinating Board" to clarify that references throughout the subchapter are for the agency and its staff members and not the governing body of the agency. This update aligns terminology throughout subchapter I with the overarching definitions found in General Provisions under Subchapter A, Section 22.1.

Rule 22.168 is amended to update the promissory note requirements a recipient must agree to when applying for a scholarship and removes duplicative language in the section. This rule change aligns with Senate Bill 371, 88th Legislative Session, that amended Texas Education Code, Chapter 61, Subchapter FF, which updated the requirement for a recipient to complete one year of ROTC training for each year that the student receives a scholarship instead of four years.

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

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 25, 2024.

No comments were received regarding this rule.

CHAPTER 22 STUDENT FINANCIAL AID PROGRAMS

SUBCHAPTER I TEXAS ARMED SERVICES SCHOLARSHIP PROGRAM

§22.165. Award Amount and Limitations.

- (a) The amount of a scholarship in an academic year shall not exceed \$15,000.
- (b) A scholarship awarded to a student under this subchapter shall be reduced for an academic year by the amount by which the full amount of the scholarship plus the total amount to be paid to the student for being under contract with one of the branches of the armed services of the United States exceeds the student's total cost of attendance for that academic year at the institution of higher education in which the student is enrolled.
- (c) A student may receive a scholarship for four ~~[of the six]~~ years ~~[allowed for graduation]~~, if the student is enrolled in a degree program of four years or less, or for five ~~[of the six]~~ years ~~[allowed for graduation]~~, if enrolled in a degree program of more than four years.
- (d) A student may not receive a scholarship after having earned a baccalaureate degree or a cumulative total of 150 credit hours, including transferred hours, as verified by the student's institution of higher education.

§22.166. Requirements for Appointment by Elected Officials.

- (a) Each year the governor and the lieutenant governor may each appoint two students and two alternates, and each state senator and each state representative may appoint one student and one alternate to receive an initial scholarship.
- (b) Appointments must be reported to the Coordinating Board by the deadline established by the Commissioner.
- (c) A selected student must meet two of the following four academic criteria at the time of application:
 - (1) Is on track to graduate high school or graduated with the Distinguished Achievement Program (DAP), the distinguished level of achievement under the Foundation High School program, or the International Baccalaureate Program (IB);
 - (2) Has a current high school GPA of 3.0 or higher or graduated with a high school GPA of 3.0 or higher;
 - (3) Achieved a college readiness score on the SAT or ACT;
 - (4) Is currently ranked in the top one-third of the prospective high school graduating class or graduated in the top one-third of the high school graduating class.
- (d) If a student appointed to receive a scholarship fails to initially meet eligibility or fails to meet the requirements to initially receive the scholarship, the Coordinating Board must notify the alternate on file of his or her nomination.
- (e) If a recipient's scholarship converts to a loan prior to graduation, beginning with the academic year following the determination, the appointing official may appoint another eligible student to receive any available funds designated for the recipient who no longer meets the requirements for the scholarship.

§22.167. Award Eligibility.

To receive a scholarship, a selected student must:

- (1) Be enrolled in an institution of higher education, as certified by that institution;
- (2) Enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program or another undergraduate officer commissioning program while enrolled in the institution of higher education, as certified by that institution;
- (3) Enter into a written agreement with the Coordinating Board, set forth in §22.168 of this subchapter (relating to Promissory Note);
- (4) Be appointed to receive a scholarship by the governor, lieutenant governor, a state senator, or a state representative; and
- (5) Maintain the satisfactory academic progress requirements as indicated by the financial aid office at the recipient's institution of higher education.

§22.168. Promissory Note.

(a) The Coordinating Board shall require a recipient to sign a promissory note acknowledging the conditional nature of the scholarship and promising to repay the amount of the scholarship plus applicable interest, late charges, and any collection costs, including attorneys' fees, if the recipient fails to meet certain conditions of the scholarship, set forth in §22.170 of this subchapter (Conversion of the Scholarship to a Loan).

(b) Recipients agree to:

- (1) Complete one year ~~[four years]~~ of ROTC training for each year that the student receives a scholarship, or the equivalent of one year ~~[four years]~~ of ROTC training if the institution of higher education awards ROTC credit for prior service in any branch of the U.S. Armed Services or the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine, or another undergraduate officer commissioning program;
- (2) Graduate no later than six years after the date the student first enrolls in an institution of higher education after having received a high school diploma or a General Educational Diploma or its equivalent;
- (3) After graduation, enter into and provide the Coordinating Board with verification of:
 - (A) A four-year commitment to be a member of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine; or
 - (B) A contract to serve as a commissioned officer in any branch of the armed services of the United States;
- (4) Meet the physical examination requirements and all other prescreening requirements of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine, or the branch of the armed services with which the student enters into a contract. ~~and~~
- ~~[(5) Repay the scholarship according to the terms of the promissory note if the student fails to meet the requirements described in §22.170 of this subchapter (relating to Conversion of the Scholarship to a Loan).]~~

§22.170. Conversion of the Scholarship to a Loan.

(a) A scholarship will become a loan if the recipient:

- (1) Fails to maintain satisfactory academic progress as described in §22.167 of this subchapter (relating to Award Eligibility);
- (2) Withdraws from the scholarship program, as indicated through withdrawal or removal from the institution of higher education or that institution's ROTC program or other undergraduate officer commissioning program, without subsequent enrollment in another institution of higher education and that subsequent institution's ROTC program or other undergraduate officer commissioning program; or
- (3) Fails to fulfill one of the following:
 - (A) a four-year commitment to be a member of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine; or
 - (B) the minimum active service requirement included in a contract to serve as a commissioned officer in any branch of the armed services of the United States; honorable discharge is considered demonstration of fulfilling the minimum active service requirement.
- (b) A scholarship converts to a loan if documentation of the contract or commitment outlined in subsection (a)(3) of this section is not submitted to the Coordinating Board within twelve months of graduation with a baccalaureate degree. Subsequent filing of this documentation will revert the loan back to a scholarship.
- (c) If a recipient's scholarship converts to a loan, the recipient:
 - (1) cannot regain award eligibility in a subsequent academic year; and
 - (2) loses eligibility to receive any future awards.
- (d) If a recipient requires a temporary leave of absence from the institution of higher education and/or the ROTC program or another undergraduate officer commissioning program for personal reasons or to provide service for the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine for fewer than twelve months, the Coordinating Board may agree to not convert the scholarship to a loan during that time.
- (e) If a recipient is required to provide more than twelve months of service in the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine as a result of a national emergency, the Coordinating Board shall grant that recipient additional time to meet the graduation and service requirements specified in the scholarship agreement.

§22.171. Repayment of Loans.

- (a) A scholarship is considered a loan on the date the recipient fails to meet the conditions of the scholarship as described in §22.170 of this subchapter (relating to Conversion of the Scholarship to a Loan); the loan amount must be repaid, plus interest accrued.
- (b) Loan interest. The interest rate charged on the loans shall be the same rate charged for a College Access Loan at the time the funds were disbursed. Interest shall begin to accrue on the date the scholarship is converted to a loan.
- (c) Period of loan repayment. The total amount of principal, interest, late charges, and any costs of collection that accrue over the life of the loans are to be repaid in installments over a period of not more than 15 years after the date the scholarship becomes a loan.

(d) Grace period. A recipient shall begin making payments six months after the date the scholarship becomes a loan.

(e) Minimum repayment amount. The minimum monthly payment amount required by any repayment plan is \$100, or an amount required to repay the loan within 15 years, whichever is greater.

(f) Late charges. A charge of 5 percent of the scheduled monthly payment amount or five dollars (\$5), whichever is less, shall be assessed if the past due amount is not received within 20 days of the scheduled due date. These charges shall be collected for late payment of all sums due and payable and shall be taken out of the next payment received by the Coordinating Board.

(g) Collection charges. In the case of delinquent accounts, the Commissioner may authorize the assessment of charges to cover costs necessary to collect the loan.

(h) Deferments. An education deferment is available to any recipient whose loan is not in a default status and who provides the Coordinating Board documentation of enrollment as at least a half-time student.

(i) Forbearance. The Coordinating Board [~~staff~~] may grant periods of forbearance in the form of postponed or reduced payments for unusual financial hardship if the Coordinating Board receives a written or verbal request stating the circumstances that merit such consideration.

(j) Prepayment. Any loans made through the program may be prepaid without penalty.

(k) Application of payments. In accordance with the terms of the promissory note, the Coordinating Board [~~staff~~] shall determine the priority order in which payments shall be applied to interest, late charges, principal, collections costs and any other charges.

§22.172. Enforcement of Collection.

(a) When a scholarship recipient fails to make as many as five monthly payments due in accordance with the established repayment schedule for a scholarship which has become a loan, the entire unpaid balance shall become due and payable immediately.

(b) When as many as six payments have been missed, the loan(s) will be considered to be in default, and the Office of the Attorney General, at the request of the Commissioner, may file suit for the unpaid balance plus court costs and attorneys' fees.

(c) The Coordinating Board [~~staff~~] shall notify the Comptroller of Public Accounts when a recipient's loan has become 90 days or more past due, resulting in the non-issuance of certain state warrants.

§22.173. Exemption and Cancellation.

(a) The recipient shall be exempt from the requirement to repay the scholarship if the person is unable to meet the obligations of the agreement solely as a result of physical inability and provides a physician's certification and/or other appropriate documentation to the satisfaction of the Coordinating Board.

(b) The Coordinating Board [~~staff~~] shall cancel a recipient's loan upon the death of the recipient unless the debt was reduced to judgment before the death occurred.

(c) The Coordinating Board [~~staff~~] may cancel a recipient's service and/or repayment obligation if funding for the Texas Armed Services Scholarship Program is discontinued while the recipient continues to meet eligibility requirements.

AGENDA ITEM VIII-G (5)

Consideration and possible action to adopt amendments to Board Rules, Chapter 23, Subchapter J, Sections 23.286-23.293, concerning the Math and Science Scholars Loan Repayment Program

RECOMMENDATION: Approval

Background Information:

These amendments redefine Texas Higher Education Coordinating Board terminology used throughout Subchapter J, expand program eligibility to math and science teachers working in any Texas public school, remove award amount limitations based on service location, and clarify which loans can be considered when determining repayment eligibility.

Rule 23.286, Authority and Purpose, is amended to remove language from the program's purpose statement that requires a teacher to work at a Title I school during the first four years of participation in the program. Senate Bill 532, 88th Legislative Session, amended Texas Education Code (TEC), Chapter 61, Subchapter KK, to remove the requirement for a teacher to work at a Title I school during the first four years of service beginning with applicants on or after September 1, 2023.

Rule 23.287, Definitions, is amended to update the definition of "Coordinating Board" to clarify that references throughout the subchapter are for the agency and its staff members and not the governing body of the agency. It would also revise the term "Commissioner" from chief executive officer of the board to the Commissioner of Higher Education. These amendments also impact Sections 23.288-23.290 and 23.292. These non-substantive changes are being implemented to align terminology across all subchapters in Chapter 23.

Rule 23.288, Eligibility for Enrollment in the Program, is amended to delineate program eligibility requirements between applicants who first establish eligibility for the program before September 1, 2023, and applicants who first establish eligibility for the program on or after September 1, 2023, as required by Section 6 of House Bill 532, 88th Legislative Session. Revisions to TEC, Chapter 61, Subchapter KK, no longer require applicants to work at a Title I school to be eligible for participation on or after September 1, 2023. An update to the rule also clarifies which loans can be considered when determining repayment eligibility.

Rule 23.289, Application Ranking Priorities, is amended to make a non-substantive change that aligns with a similar change in Section 23.287 (relating to Definitions).

Rule 23.290, Exceptions to Consecutive Years of Employment Requirement, is amended to delineate exceptions for the consecutive years of employment requirement between applicants who first establish eligibility for the program before September 1, 2023,

and applicants who first establish eligibility for the program on or after September 1, 2023, as required by Section 6 of House Bill 532, 88th Legislative Session. Revisions to TEC, Chapter 61, Subchapter KK, no longer require applicants to work at a Title I school on or after September 1, 2023.

Rule 23.291, Eligibility for Disbursement of Award, is amended to delineate disbursement criteria to an eligible teacher between applicants who first establish eligibility for the program before September 1, 2023, and applicants who first establish eligibility for the program on or after September 1, 2023, as required by Section 6 of House Bill 532, 88th Legislative Session. Revisions to TEC, Chapter 61, Subchapter KK, no longer require applicants to work at a Title I school on or after September 1, 2023. The rules for applicants on or after September 1, 2023, no longer require a teacher to provide verification of working at a Title I school during the first four years to align with statutory updates.

Rule 23.292, Eligible Lender and Eligible Education Loan, is amended to make a non-substantive change that aligns with a similar change in Section 23.287 (relating to Definitions).

Rule 22.293, Disbursement of Repayment Assistance and Award Amount, is amended to clarify that a math or science teacher that applies for the program on or after September 1, 2023, may continue to receive the same amount of loan repayment assistance received during the first four consecutive years of teaching service required. This rule change aligns with Senate Bill 532, 88th Legislative Session, that amended TEC, Chapter 61, Subchapter KK. Teachers participating in the program before September 1, 2023, are subject to the law and rules in effect at the time.

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

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 25, 2024.

No comments were received regarding this rule.

CHAPTER 23 EDUCATION LOAN REPAYMENT PROGRAMS

SUBCHAPTER J MATH AND SCIENCE SCHOLARS LOAN REPAYMENT PROGRAM

§23.286. Authority and Purpose.

(a) Authority. Authority for this subchapter is provided in the Texas Education Code, subchapter ~~[Subchapter]~~ KK, Math and Science Scholars Loan Repayment Program. These rules establish procedures to administer the subchapter as prescribed in the Texas Education Code, §§61.9831 - 61.9841.

(b) Purpose. The purpose of the Math and Science Scholars Loan Repayment Program is to encourage teachers, who demonstrated high academic achievement as math or science majors, to teach math or science in Texas public schools for eight years, the first four of which are required ~~[at Title I schools]~~.

§23.287. Definitions.

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

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

(1) [(2)] Commissioner--~~[The] Commissioner of Higher Education~~~~[-the chief executive officer of the Board].~~

(2) Coordinating Board--The agency known as the Texas Higher Education Coordinating Board and its staff.

(3) Employment Service Period--A period of at least 9 months of a 12-month academic year.

(4) Program--The Math and Science Scholars Loan Repayment Program.

(5) Title I school--Texas public schools that receive federal funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. §6301 et seq.)

§23.288. Eligibility for Enrollment in the Program.

(a) To be eligible for the Coordinating Board to conditionally approve an application and encumber loan repayment funds, a teacher who first applies for the Program prior to September 1, 2023, must:

- (1) ensure that the Coordinating Board has received the completed enrollment application and transcripts of the applicant's postsecondary coursework, and any other requested documents by the established deadline posted on the Program web page;
- (2) be a U.S. citizen;
- (3) have completed an undergraduate or graduate program in mathematics or science;
- (4) have earned a cumulative GPA of at least 3.0 on a four-point scale, or the equivalent, at the institution from which the teacher graduated;
- (5) be certified under the Texas Education Code, Subchapter B, Chapter 21, or under a probationary teaching certificate, to teach mathematics or science in a Texas public school;
- (6) have secured an employment contract as a full-time classroom teacher to teach mathematics or science in a Title I school at the time of application for enrollment in the Program;

(7) not receive any other state or federal loan repayment assistance, including a Teacher Education Assistance for College and Higher Education (TEACH) Grant or teacher loan forgiveness for the loan(s) that the applicant is seeking to be repaid;

(8) not be in default on any education loan; and

(9) enter into an agreement with the Coordinating Board that includes the provisions stated in subsection (b) of this section.

(b) The agreement with the Coordinating Board made prior to September 1, 2023, must include the following provisions:

(1) the applicant will accept an offer of continued employment to teach mathematics or science, as applicable based on the teacher's certification, for an average of at least four hours each school day in a Title I school, for four consecutive years, beginning with the school year that has recently begun or the upcoming school year at the time of the application for enrollment in the Program;

2) the applicant may complete up to four additional consecutive school years teaching mathematics or science, as applicable based on the teacher's certification, for an average of at least four hours each school day in any Texas public school, beginning with the school year immediately following the last of the four consecutive school years described by paragraph (1) of this subsection; and

(3) the applicant understands that loan repayment awards are contingent on available funding received, the Coordinating Board may make a financial commitment only based on funds that have been appropriated for each two-year state budget period, and the teacher will be released from the teaching obligation for any year of employment for which funds are not available.

(c) To be eligible for the Coordinating Board to conditionally approve an application and encumber loan repayment funds, a teacher who first applies for the Program on or after September 1, 2023, must:

(1) ensure that the Coordinating Board has received the completed enrollment application and transcripts of the applicant's postsecondary coursework, and any other requested documents by the established deadline posted on the Program web page;

(2) be a U.S. citizen;

(3) have completed an undergraduate or graduate program in mathematics or science;

(4) have earned a cumulative GPA of at least 3.0 on a four-point scale, or the equivalent, at the institution from which the teacher graduated;

(5) be certified under the Texas Education Code, chapter 21, subchapter B, or under a probationary teaching certificate, to teach mathematics or science in a Texas public school;

(6) have secured an employment contract as a full-time classroom teacher to teach mathematics or science in a public school at the time of application for enrollment in the Program;

(7) not receive any other state or federal loan repayment assistance, including a Teacher Education Assistance for College and Higher Education (TEACH) Grant or teacher loan forgiveness for the loan(s) that the applicant is seeking to be repaid;

(8) not be in default on any education loan; and

(9) enter into an agreement with the Coordinating Board that includes the provisions stated in subsection (d) of this section.

(d) The agreement with the Coordinating Board made on or after September 1, 2023, must include the following provisions:

(1) the applicant will accept an offer of continued employment to teach mathematics or science, as applicable based on the teacher's certification, for an average of at least four hours each school day in a any public school, for four consecutive years, beginning with the school year that has recently begun or the upcoming school year at the time of the application for enrollment in the Program;

(2) the applicant may complete up to four additional consecutive school years teaching mathematics or science, as applicable based on the teacher's certification, for an average of at least four hours each school day in any Texas public school, beginning with the school year immediately following the last of the four consecutive school years described by paragraph (1) of this subsection; and

(3) the applicant understands that loan repayment awards are contingent on available funding received, the Coordinating Board may make a financial commitment only based on funds that have been appropriated for each two-year state budget period, and the teacher will be released from the teaching obligation for any year of employment for which funds are not available.

§23.289. Application Ranking Priorities.

(a) Renewal applicants shall be given priority over first-time applicants unless a break in Employment Service Periods has occurred as a result of the circumstances described in §21.2025 of this title (relating to Exceptions to Consecutive Years of Employment Requirement).

(b) If there are not sufficient funds to encumber awards for all eligible applicants for enrollment in the Program, applications shall be ranked according to a cumulative ranking system developed by the Coordinating Board based on:

- (1) the number of mathematics and science courses completed by the applicants;
- (2) the grade received by each applicant for each of those courses; and
- (3) employment at schools having the highest percentages of students who are eligible for free or reduced cost lunches.

§23.290. Exceptions to Consecutive Years of Employment Requirement.

(a) Although funding limitations may require the Coordinating Board to exercise the ranking priorities established in §23.289 of this title (relating to Application Ranking Priorities) a teacher who has enrolled in the Program prior to September 1, 2023, shall not lose Program eligibility due to failure to meet the consecutive years of qualifying employment requirement if the break in employment service is a result of the person's:

- (1) full-time enrollment in a course of study related to the field of teaching that is approved by the State Board for Educator Certification and provided by a Texas institution of higher education, as defined in Texas Education Code §61.003;
- (2) service on active duty as a member of the armed forces of the United States, including as a member of a reserve or National Guard unit called for active duty;
- (3) temporary total disability for a period of not more than 36 months as established by the affidavit of a qualified physician;
- (4) inability to secure employment as required in a Title I school for a period not to exceed 12 months, because of care required by a disabled spouse or child; or

(5) inability, despite reasonable efforts, to secure, for a single period not to exceed 12 months, employment in a Title I school.

(b) A teacher who has enrolled in the Program on or after September 1, 2023, shall not lose Program eligibility due to failure to meet the consecutive years of qualifying employment requirement if the break in employment service is a result of the person's:

(1) full-time enrollment in a course of study related to the field of teaching that is approved by the State Board for Educator Certification and provided by a Texas institution of higher education, as defined in Texas Education Code §61.003;

(2) service on active duty as a member of the armed forces of the United States, including as a member of a reserve or National Guard unit called for active duty;

(3) temporary total disability for a period of not more than 36 months as established by the affidavit of a qualified physician;

(4) inability to secure employment for a period not to exceed 12 months, because of care required by a disabled spouse or child; or

(5) inability, despite reasonable efforts, to secure, for a single period not to exceed 12 months, employment in a public school.

§23.291. Eligibility for Disbursement of Award.

(a) To be eligible for disbursement of a loan repayment award, a teacher who applies for the Program prior to September 1, 2023, must:

(1) for teachers having a probationary teaching certificate during the initial year in the Program, have received a standard teaching certificate by the beginning of the second year of employment, to qualify for a second-year award;

(2) for the first four years of employment, submit all required end-of-year forms verifying completion of one, two, three, or four consecutive years of employment as a full-time classroom teacher in a Title I school; and

(3) following the first four years of employment, submit all required end-of-service period forms verifying completion of five, six, seven, or eight consecutive years of employment as a full-time classroom teacher in any Texas public school.

(b) To be eligible for disbursement of a loan repayment award, a teacher who applies for the Program on or after September 1, 2023, must:

(1) for teachers having a probationary teaching certificate during the initial year in the Program, have received a standard teaching certificate by the beginning of the second year of employment, to qualify for a second-year award;

(2) for the first four years of employment, submit all required end-of-year forms verifying completion of one, two, three, or four consecutive years of employment as a full-time classroom teacher in a public school; and

(3) following the first four years of employment, submit all required end-of-service period forms verifying completion of any subsequent year of employment, not to exceed eight consecutive years, as a full-time classroom teacher in any public school.

§23.292. Eligible Lender and Eligible Education Loan.

(a) The Coordinating Board shall retain the right to determine the eligibility of lenders and holders of education loans to which payments may be made. An eligible lender or holder shall, in general, make or hold education loans made to individuals for purposes of undergraduate, medical and graduate medical education and shall not be any private

individual. An eligible lender or holder may be, but is not limited to, a bank, savings and loan association, credit union, institution of higher education, student loans secondary market, governmental agency, or private foundation.

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

(1) be evidenced by a promissory note for loans to pay for the cost of attendance for undergraduate or graduate education;

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

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

(4) not be subject to repayment through another student loan repayment or loan forgiveness program;

(5) if the loan was consolidated with other loans, the teacher must provide documentation of the portion of the consolidated debt that was originated to pay for the cost of attendance for the teacher's undergraduate or graduate education; and

(6) not be an education loan made to oneself from one's own insurance policy or pension plan or from the insurance policy or pension plan of a spouse or other relative.

§23.293. Disbursement of Repayment Assistance and Award Amount.

(a) The annual repayment(s) shall be in one disbursement made payable to the servicer(s) or holder(s) of the loan upon the teacher's completion of each year of qualifying employment.

(b) The Commissioner or his or her designee shall determine the maximum annual repayment amount in each state fiscal year, taking into consideration the amount of available funding and the number of eligible applicants.

(c) A teacher who transfers to a Texas public school that is not a Title I school after completing four consecutive years of employment at a Title I school may qualify for no more than 75% of the annual award amount established for the fiscal year. This award limitation is applicable only to a teacher who applies for the Program prior to September 1, 2023.

(d) A teacher who applies for the Program on or after September 1, 2023, may continue to receive the same amount of loan repayment assistance provided during the first four years of teaching service in subsequent years, not to exceed eight years in the Program.

AGENDA ITEM X-A

Committee Chair's 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 X-B

Consideration and possible action to adopt the report to the Board on school closures and/or teach-outs pursuant to Board Rule 7.7(6)

RECOMMENDATION: Approval

Background Information:

Pursuant to Texas Higher Education Coordinating Board (THECB) Rules, Texas Administrative Code, Chapter 7, Subchapter A, Section 7.7(6), Closure of an Institution, the 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 Academic & Health Affairs the authority to oversee this approval process.

MIAT College of Technology-Houston

On July 11, 2023, Universal Technical Institute (UTI), the parent corporation that owns MIAT College of Technology (MIAT), notified THECB staff of the possible consolidation of the MIAT location into the UTI location in Houston, as the locations were within a one-mile distance. UTI also notified the Texas Workforce Commission of this consolidation at the same time and notified The U.S. Department of Education on July 20, 2023. The Accrediting Commission of Career Schools and Colleges (ACCSC) approved the teach-out plan for MIAT College of Technology, 522 Northpark Central Drive, Houston, TX 77073, on August 1, 2023. ACCSC approved Universal Technical Institute, 721 Lockhaven Dr., Houston, TX 77073, to take over the MIAT facilities and teach-out the remaining MIAT students. Students were notified of the closure in January 2024. The expected closure of MIAT is October 25, 2024. As MIAT is owned by Universal Technical Institute, all MIAT student records will be accessible through UTI. MIAT's Certificate of Authorization will be cancelled upon notification of the final closure on or about October 25, 2024.

Florida Career College-Houston North

On December 1, 2023, International Education Corporation (IEC), the parent corporation of Florida Career College (FCC), notified THECB staff of the closure of Florida Career College, 70 FM 1960 W., Houston, TX 77090, as of January 31, 2024. IEC notified the Texas Workforce Commission and the Council on Occupational Education, the location's accreditor, on December 1, 2023. The closure was a result of the nonrenewal of the location's lease due to a pending request to reconsider a U.S. Department of Education decision regarding FCC's recertification for participation in Title IV student financial aid programs. Two remaining degree students completed their programs on December 21, 2023, and the location closed on January 31, 2024.

All student records will be accessible through IEC. FCC's Certificate of Authorization was cancelled as of the date of closure.

AOMA Graduate School of Integrative Medicine

On February 12, 2024, AOMA Graduate School of Integrative Medicine (AOMA), 4701 West Gate Blvd, Austin TX 78745, notified THECB staff of the closure and possible teach-out of students. On February 23, 2024, AOMA notified THECB staff that AOMA's board had agreed to a proposal by the Acupuncture & Integrative Medicine College (AIMCB), Berkeley, California, to take over operations of the AOMA location. Under the proposed transfer, AOMA will cease teaching as of April 6, 2024, and students will immediately transfer to AIMCB. AOMA is also working on options for eight doctoral students who would not be able to transfer to AIMCB. AOMA's accreditor, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), has been notified of the proposed transfer to AIMCB. AIMCB is accredited by the Accreditation Commission for Acupuncture and Herbal Medicine (ACAHM), a THECB-recognized accreditor. AIMCB will complete a Certificate of Authorization application as soon as the transfer is final. AIMCB will be responsible for all AOMA student records.

Elizabeth Mayer, Assistant Commissioner for Academic & Health Affairs, will present this item and be available to answer questions.

AGENDA ITEM X-C

Consideration and possible action to adopt the report to the Legislature regarding reporting of sexual misconduct at institutions of higher education, per Texas Education Code, Chapter 51, Subchapters E-2 and E-3

RECOMMENDATION: Approval

Background Information:

The 86th Texas Legislature recognized the need for accurate reporting of certain incidents of sexual harassment, sexual assault, dating violence, or stalking at public and private or independent institutions of higher education through its passage of Senate Bill 212 and House Bill 1735, codified as Texas Education Code (TEC), Chapter 51, Subchapters E-2 and E-3. The two subchapters require institutions to submit reports and certify information to the Texas Higher Education Coordinating Board (THECB).

Senate Bill 212, codified as TEC, Chapter 51, Subchapter E-2, requires an employee of a public or private/independent institution of higher education who witnesses or is told about an incident involving sexual harassment, sexual assault, dating violence, or stalking alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident to report such incidents to the institution's Title IX coordinator. Subchapter E-2 requires the chief executive officers of postsecondary educational institutions to annually certify to the THECB that their institution is in substantial compliance with the subchapter.

House Bill 1735, codified as TEC, Chapter 51, Subchapter E-3, requires institutions to develop a policy on sexual harassment, sexual assault, dating violence, and stalking; allows for electronic reporting of sexual misconduct; provides amnesty for good faith reports; allows victims to request no investigation; provides a disciplinary process for sexual misconduct; addresses student withdrawal or graduation pending disciplinary charges and requests for information from another postsecondary educational institution; requires trauma-informed investigation training; requires at least one memorandum of understanding with local law enforcement, a sexual misconduct advocacy group, or a hospital or medical provider; provides for designation of confidential employees and student advocates; sets confidentiality protections; allows the THECB to assess an administrative penalty for institutional noncompliance; and requires equal access to persons with disabilities.

Subchapters E-2 and E-3 also require the THECB to annually submit to the governor, the lieutenant governor, the speaker of the House of Representatives, and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions a report regarding compliance with both subchapters,

including a summary of the postsecondary educational institutions found not to be in substantial compliance and any penalties assessed during the calendar year preceding the date of the report.

The report on compliance with Subchapters E-2 and E-3 includes the summary results of compliance monitoring for Academic Year 2022-2023, presented by Arby Gonzales, Assistant Commissioner, Internal Audit and Compliance.

Arby Gonzales, Assistant Commissioner for Internal Audit and Compliance, will present this item and be available to answer questions.

AGENDA ITEM X-D

Consideration and possible action to adopt the “Report on the Fiscal Year 2024 Annual Review of Low-Producing Programs”

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (THECB) is authorized to make recommendations to close or consolidate low-producing degree programs (Texas Education Code, Chapter 61, Subchapter C, Section 61.0512 (f)). Recommendations to close or consolidate are made for nonexempt degree programs that have been on the annual list of low-producing degree programs for three or more consecutive reviews (Texas Administrative Code, Rule 4.290). The list of low-producing degree programs is available on the agency’s website. The recommendations are made to the governing board of a public system of higher education or, where a system does not exist, to the governing board of a public institution of higher education.

If the governing board of the system or institution does not accept the THECB recommendation, the system (or, where a system does not exist, the institution) must identify the programs recommended for consolidation or closure on its next Legislative Appropriations Request (LAR). In those situations, a system or institution should develop a plan for the degree program to achieve the minimum standard for the degree program or, if the standard is not attainable, the institution should provide a rationale describing the merits of continuing the degree program.

The THECB makes recommendations to the governing boards of systems and institutions for closure or consolidation of low-producing degree programs in odd-numbered years. This allows systems and institutions time to decide on appropriate action in the year before the submission of their LAR, which is done in even-numbered years.

The THECB approved a list of programs recommended for closure based on the Fiscal Year (FY) 2023 low-producing programs review at the April 2023 Board meeting. The list based on this year’s review, FY 2024, is an updated list to reflect actions on programs and to include new programs that are low producing for three consecutive years. The list includes a definition of low-producing programs.

No new recommendations to close or consolidate programs are made this year, because institutions and their boards would not have time to act on a recommendation before the LAR is due this year.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available to answer questions.

Report on the 2024 Annual Review of Low-Producing Programs

In 2013, the Texas Higher Education Coordinating Board (THECB) began issuing recommendations for closure or consolidation to institutions' governing boards for degree programs that have consistently produced low numbers of graduates. The THECB posts a [list of low-producing degree programs](#) on its website. The list includes degree programs identified as low producing, based on the annual Low-Producing Degree Program (LPP) review. The THECB also publishes an annual report of degree programs that have been on the list of low-producing programs for three or more consecutive years.

The rules for the annual review of graduates of degree programs from Texas public institutions of higher education are in Texas Administrative Code (TAC), Title 19, Chapter 4, Subchapter R, Rules 4.285-4.290. The rules are based on Texas Education Code, Chapter 61, Subchapter C, Section 61.0512(f), which authorizes the THECB to make recommendations for consolidation or closure of degree programs.

The TAC defines the process THECB staff follow to determine which programs are low producing. For a degree program to be identified as low producing, the number of its graduates is, over a cumulative five-year period:

- Fewer than 25 graduates for undergraduate degree programs
- Fewer than 15 graduates for master's degree programs
- Fewer than 10 graduates for doctoral degree programs

New degree programs are exempt from the low-producing review for the first five years of operation. The first review to determine whether a program is low producing is done in Year 11, as the first five years are exempt, and the LPP review requires five consecutive years of data regarding the number of program graduates.

Academic associate degree programs are exempted from LPP review because they are intended to give students a pathway from two-year institutions into baccalaureate programs.

The number of graduates of applied associate degree programs and corresponding career technical certificate programs are combined by program CIP code for LPP purposes. Certificate programs are not affected by THECB recommendations based on the LPP review of applied associate degree programs.

Master's degree programs that lead directly to a doctoral degree are exempted from LPP review. These degrees are available to students who initially pursue a doctoral degree but are unable to meet doctoral degree requirements.

The 2024 Annual Review of Low-Producing Degree Programs

The 2024 report of the low-producing degree programs review includes graduates of programs from Academic Year (AY) 2017 through AY 2023. Approximately 5,500 degree programs were reviewed, and 219 degree programs were identified as low-producing.

Of the 219 programs identified as low-producing, 129 programs have been low producing for three or more consecutive reviews. The 2023 report identified about the same number of programs, 123 programs, as low producing for three or more consecutive reviews. Of those degree programs, 17 were closed or consolidated at the request of their institution during the following year, and 5 increased the number of graduates and were no longer low producing.

LPP Action	2020 Review	2021 Review	2022 Review	2023 Review	2024 Review
Review of three 5-year periods	AY 13-19	AY 14-20	AY 15-21	AY 16-22	AY 17-23
Total LPP	196	194	195	203	219
LPP three years in a row	113	121	126	123	129
Sufficient graduates the following year to not be LPP	10	16	19	5	NA*
Closed or consolidated the following year	12	8	6	17	NA*
Recommended for close-out #	76	120	97	123	102
Percent of Programs reported on LAR		78%		NA*	

* NA, not available at this time: number of programs closing or consolidating in response to the AY 2024 review, programs with increased numbers of graduates the following year, and percentage of programs reported on LAR in response to the AY 2023 review.

New recommendations are made only in odd-numbered review years. Recommendations in even-numbered review years are carried forward from the previous year.

Actions Following the Low-Producing Degree Program Review

THECB staff alerts an institution's governing board each year when a degree program has not met the minimum standard of graduates for three consecutive years, i.e., when it was low producing for three consecutive years of review. Notification to governing boards is sent following the April board meeting of the THECB.

The THECB is authorized to make recommendations to close or consolidate low-producing degree programs. Recommendations to close or consolidate are made for non-exempt degree programs that have been on the annual list of low-producing degree programs for three or more consecutive reviews. The recommendations are made to the governing board of a public system of higher education or to the governing board of a public institution of higher education where a system does not exist.

The THECB makes recommendations to systems and institutional governing boards for closure or consolidation of low-producing degree programs in **odd-numbered years**. This

allows systems and institutions ample time to decide on appropriate action, in the year before the submission of their Legislative Appropriation Request (LAR), which is done in **even-numbered years**.

In response to the THECB's recommendation, the system (or the institution, where a system does not exist), may close a low-producing program, consolidate the program with one or more other programs, or may retain the program. Staff welcomes working with institution representatives on questions regarding graduate count, related issues regarding the history of program changes, and data reporting.

Recommendations to Close or Consolidate Low-Producing Degree Programs

The list of low-producing degree programs includes programs recommended for closure or consolidation in AY 2021 and AY 2023 but not closed or consolidated and not sufficiently increased the number of graduates. The list of low-producing programs on the 2021 report was approved by the board of the THECB (Board) at its April 2021 meeting, and the list on the 2023 report was approved by the Board at its April 2023 meeting.

The low-producing programs recommended to be closed or consolidated in the 2021 and 2023 reports are identified on the list. *If they are not closed or consolidated in the meantime, institutions would list their identified programs with the LAR for the 2026-27 biennium.*

This year's list also includes programs identified as low producing for three consecutive reviews during the 2024 review. *THECB staff does not recommend programs for closure or consolidation for these programs this year, because systems and institutions would not have time to decide on appropriate action before submission of their LAR for the 2026-27 biennium.*

Low-Producing Programs Identified for Three or More Consecutive Years				Review Year			First Year of Recommendation
Academic Year -- Review				AY 22	AY 23	AY 24	
Institution	Program			Graduates Over Five Year Periods			
Non-System - Community and Technical Colleges							
Angelina College	Diagnostic Medical Sonography/Sonographer and Ultrasound Technician	AAS	18	21	18	2019	
Blinn College District	Surgical Technology/Technologist	AAS	16	19	23	2023	
Brazosport College	Human Development, Family Studies, and Related Services	AAS	21	22	17	--	
Central Texas College	Computer Engineering Technologies/Technicians	AAS	8	8	3	2023	
Clarendon College	Emergency Medical Technology/Technician (EMT Paramedic)	AAS	0	0	0	--	
Del Mar College	Electrical/Electronics Maintenance and Repair Technologies/Technicians	AAS	12	5	5	--	
Grayson College	Air Transportation	AAS	0	0	0	2023	
Hill College	Heavy/Industrial Equipment Maintenance Technologies/Technicians	AAS	21	22	22	2017	
Kilgore College	Surgical Technology/Technologist	AAS	13	1	1	2023	
Lee College	Criminal Justice and Corrections, General	AAS	12	11	6	2017	
Midland College	Human Development, Family Studies, and Related Services	AAS	17	22	23	--	
Navarro College	Design and Applied Arts	AAS	14	6	2	2023	
Northeast Texas Community College	Agricultural Production Operations	AAS	20	20	16	--	
Paris Junior College	Business Administration, Management and Operations	AAS	19	18	22	2023	

Paris Junior College	Business Operations Support and Assistant Services	AAS	11	10	11	2021
San Jacinto Community College	Air Transportation	AAS	12	7	0	--
Temple College	Computer and Information Sciences, General	AAS	16	16	12	2023
Temple College	Computer/Information Technology Administration and Management	AAS	24	20	14	--
Texarkana College	Computer Programming	AAS	24	22	18	--
Texarkana College	Marketing	AAS	0	0	0	2017
Trinity Valley Community College	Fire Protection	AAS	24	20	21	2023
¹ Year of LPP Report with which a low-producing program was first recommended for consolidation or closure. Programs without a year, indicated by dashes (--), are currently not recommended for closure or consolidation.						
Alamo Community College District						
Alamo Community College District - St. Philips College	Accounting and Related Services	AAS	23	17	22	--
Howard County Junior College District						
Howard College-Southwest Collegiate Institute for the Deaf	American Sign Language	AAS	13	10	10	2021
Non-System - Universities						
Texas Southern University	Spanish	BA	15	13	12	2017
Texas Southern University	Mathematics	MS	0	7	9	2021
Texas Southern University	Chemistry	MS	12	13	11	2023
Texas Southern University	Nutritional Sciences and Dietetics	BS	4	2	7	2023
Texas A&M University System						
Prairie View A&M University	Clinical Adolescent Psychology	PHD	5	9	9	2017
Tarleton State University	Performance	BM	16	17	23	2023
Texas A&M University	Agricultural Economics	MAGR	0	0	0	2023
Texas A&M University	Veterinary Public Health - Epidemiology	MS	13	13	14	2023

Texas A&M University	Applied Physics	PHD	7	8	3	2023
Texas A&M University-Corpus Christi	Early Childhood Education	MS	10	8	9	2021
Texas A&M University-Kingsville	Spanish	BA	15	16	17	2021
Texas A&M University-Kingsville	Applied Arts and Sciences	BAAS	16	16	15	2023
Texas A&M University-Kingsville	General Business Administration	BBA	15	15	14	2021
Texas A&M University- Texarkana	English	MA	14	7	8	--
Texas A&M University- Texarkana	Nursing Administration	MSN	11	7	8	--
Texas A&M University- Texarkana	History	MS	10	12	12	2021
West Texas A&M University	Spanish	BA BS	20	20	10	--
West Texas A&M University	School Psychology	SSP	12	8	11	--
West Texas A&M University	Social Sciences	BA BS	5	6	9	2023
West Texas A&M University	Art	BA BS	24	24	22	2017
West Texas A&M University	Studio Art	MFA	12	10	12	2017
West Texas A&M University	Athletic Training	BS	24	21	17	--
Texas State University System						
Lamar University	Environmental Studies	MS	4	5	8	2017
Lamar University	Advertising	BBA	11	7	8	2017
Lamar University	Biochemistry	BA	13	16	15	2019
Lamar University	Forensic Chemistry	BS	9	8	7	2019
Lamar University	Earth Science/Geology	BS	18	23	19	2023
Lamar University	Music Business	BA	0	0	0	2019
Lamar University	Retail Merchandising	BBA	2	3	1	2017
Lamar University	History	MA	13	11	8	2017
Sam Houston State University	Food Service Management	BA BS	19	17	15	2023

Sam Houston State University	Composite Science	BS	4	4	9	2017
Sul Ross State University	Industrial Technology	BS	13	14	17	2017
Sul Ross State University	Spanish	BA	5	5	5	2017
Sul Ross State University	English	BA	17	23	22	2021
Sul Ross State University	English	MA	5	5	5	2021
Sul Ross State University	Theatre	BFA	21	22	23	2017
Sul Ross State University	Mathematics	BS	9	9	10	2017
Sul Ross State University	Interdisciplinary Studies	BA	1	1	1	2023
Sul Ross State University	Interdisciplinary Studies	MA	11	8	4	2023
Sul Ross State University	Chemistry	BS	3	3	3	2017
Sul Ross State University	Social Science	BA	2	1	3	2017
Sul Ross State University	Political Science	BA	6	7	6	2017
Sul Ross State University	Political Science	MA	3	6	8	2017
Sul Ross State University	Art	BFA	17	20	22	2017
Sul Ross State University	Art	MA	2	3	4	2017
Sul Ross State University	Music	BM	11	9	6	2017
Sul Ross State University Rio Grande College	Reading	MED	8	8	10	2017
Sul Ross State University Rio Grande College	Biology	BS	17	16	18	2019
Sul Ross State University Rio Grande College	Mathematics	BS	17	20	16	2019
Sul Ross State University Rio Grande College	Interdisciplinary Studies	BS	0	0	0	2023
Sul Ross State University Rio Grande College	Social Science	BA	13	9	11	2017
Texas State University	Elementary Education Bilingual/Bicultural	MA MED	14	8	8	--

Texas Tech University System						
Angelo State University	Food Animal Science and Marketing	BS	12	13	14	2023
Midwestern State University	English	MA MS	14	13	10	--
Midwestern State University	Humanities	BA	8	7	6	2019
Midwestern State University	Global Studies	BA	18	19	17	2019
Midwestern State University	History	MA	14	13	13	--
Texas Tech University	Arid Land Studies	MS	1	2	2	--
Texas Tech University	Land Use Planning, Management, and Design	PHD	3	4	7	2017
Texas Tech University	Instructional Technology	EDD	9	6	5	2023
Texas Tech University	Language/Literacy Education	MED	0	1	3	2021
Texas Tech University	Multidisciplinary Science	BS	16	15	21	2021
Texas Tech University	Interdisciplinary Arts Studies	BA	10	14	15	2019
Texas Tech University	Art History	MA	2	2	3	--
Texas Woman's University System						
Texas Woman's University	School Counseling	MED	0	0	0	2023
Texas Woman's University	Political Science	MA	7	8	11	2023
The University of Texas System						
Stephen F. Austin State University	Forestry	PHD	3	5	3	2017
Stephen F. Austin State University	Art Education	MA	2	3	2	2023
Stephen F. Austin State University	Hispanic Studies	MA	8	9	8	--
Stephen F. Austin State University	Philosophy	BA	9	8	4	2019
Stephen F. Austin State University	Economics	BA	7	6	6	2017

The University of Texas at Arlington	Teaching English to Speakers of Other Languages	MA	13	10	11	--
The University of Texas at Arlington	Public Policy	MPP	9	7	2	2023
The University of Texas at Austin	Architectural History	MA	4	2	3	2017
The University of Texas at Austin	European Studies	BA	15	15	12	2021
The University of Texas at Austin	Italian Studies	BA	11	12	7	2017
The University of Texas at Austin	Italian Studies	PHD	7	5	7	2023
The University of Texas at Austin	Portuguese	BA	4	2	2	2021
The University of Texas at Austin	Jewish Studies	BA	6	5	5	2017
The University of Texas at Austin	Dance	MFA	3	6	8	2017
The University of Texas at Austin	Composition	BM	11	10	8	2017
The University of Texas at Austin	Jazz	BM	22	23	18	2017
The University of Texas at Austin	International Business	BBA	0	0	0	2021
The University of Texas at Dallas	American Studies	BA	16	13	9	2023
The University of Texas at Dallas	Latin American Studies	MA	3	3	3	2023
The University of Texas at Dallas	Telecommunications Engineering	PHD	7	5	6	--
The University of Texas at El Paso	Engineering	MS	10	7	13	2023
The University of Texas at San Antonio	Mathematics Education	MS	12	11	12	2023
The University of Texas at San Antonio	Art History	MA	7	5	6	2021
The University of Texas Health Science Center at San Antonio	Dental Hygiene	MS	10	10	10	2023
The University of Texas Health Science Center at San Antonio	Medical Health Physics	MS	2	2	2	2019

The University of Texas Health Science Center at San Antonio	Clinical Nurse Leader	MSN	2	0	0	--
The University of Texas M.D. Anderson Cancer Center	Cytotechnology	BS	10	19	24	2021
The University of Texas Medical Branch at Galveston	Aerospace Medicine	MS	0	0	0	2021
The University of Texas Medical Branch at Galveston	Rehabilitation Sciences	PHD	7	7	8	--
The University of Texas Medical Branch at Galveston	Clinical Science	PHD	3	3	4	2021
The University of Texas Permian Basin	Information Systems	BS	23	19	20	2017
The University of Texas Permian Basin	Spanish	MA	6	11	13	2021
The University of Texas Permian Basin	Biology	MS	7	11	13	2019
The University of Texas Permian Basin	Psychology	MA	12	13	14	--
The University of Texas Permian Basin	Athletic Training	BS	18	17	16	2021
The University of Texas Permian Basin	History	MA	10	11	10	2021
University of Houston System						
University of Houston	Architectural Studies	MA	5	5	5	2023
University of Houston-Victoria	Communication Design	BA	19	20	22	--
University of North Texas System						
University of North Texas	German Studies	BA	24	24	24	--

AGENDA ITEM X-E (1)

Consideration and possible action to appoint members to the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities

RECOMMENDATION: Approval

Background Information:

The Texas Education Code, Section 61.06641, directs the Texas Higher Education Coordinating Board (THECB) to establish an advisory council to periodically review the policies and practices that increase access to higher education opportunities for persons with intellectual and developmental disabilities (IDD). THECB staff requests appointment of new members to the Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities.

The council is composed of 16 members with expertise in postsecondary opportunities for persons with IDD. Recommendations for membership positions were selected from nominations by the Texas Workforce Commission, the Texas Education Agency, and the Texas Governor's Committee on People with Disabilities. Members represent higher education IDD programs at the two- and four-year levels, students, parents, and advocacy groups. Members serve two-year terms and elect a presiding officer to serve a two-year term. The council meets four times per year as called by the presiding officer.

The nominees for a new term are attached with current roles and organizations represented.

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will be available to answer questions.

Advisory Council on Postsecondary Education for Persons with Intellectual and Developmental Disabilities

Linda Litzinger, Presiding Officer

Disability Advocacy Group
Representative Parent
Texas Parent to
Parent Austin

Aaron W. Bangor, Ph.D.

Continuing Advisory Committee
Representative for Special Education
AT&T Services, Inc.
Austin

Brenda Barrio, Ph.D.

IDD College Program Representative
Empower, Learn, Excel, enVision, Advance,
and Rise Program, University of North
Texas Denton

Elizabeth Fuller

Student
Representative
Texas Tech
University Lubbock

Tracy Glass

IDD College Program Representative
Postsecondary Access and Training in
Human Services Program, Texas A&M
University College Station

Christina Gushanas, Ph.D.

Transition to Employment Specialist
Representative
Sam Houston State University
Huntsville

Susan Moraska

IDD College Program Representative
Vocational Advancement and Skill Training
Academy, Houston Community College
Houston

Edward O'Neill, Ph.D.

Texas Education Agency Representative
Office of Special Populations and
Monitoring, Texas Education Agency
Austin

Christine Price

IDD College Program Representative
Skills, Training and Education for
Personal
Success Program, Austin Community
College Austin

Jolene Sanders

Disability Advocacy Group
Representative Parent
Coalition of Texans with
Disabilities Austin

Beth Stalvey, Ph.D.

Disability Advocacy Group
Representative Texas Council for
Developmental Disabilities Austin

Sabrina Gonzalez Saucedo

Disability Advocacy Group
Representative The Arc of Texas
Austin

Laura Villarreal

Texas Workforce Commission
Representative Vocational Rehabilitation,
Texas Workforce Commission
Austin

Tamara Shetron

IDD College Program
Representative Bobcat RISE,
Texas State University San Marcos

Lauryn Woolfolk

Student Representative
University of North Texas
Denton

Nina Zuna

University Centers for Excellence in
Developmental Disabilities Representative
University of Texas at Austin
Austin

AGENDA ITEM X-E (2)

Consideration and possible action to appoint members to the ApplyTexas Advisory Committee

RECOMMENDATION: Approval

Background Information

Texas Higher Education Coordinating Board (THECB) staff request appointment of a new member to the ApplyTexas Advisory Committee (ATAC). In accordance with Texas Administrative Code, Title 19, Chapter 1, Subchapter G, Rule 1.128, the ATAC provides the board of the THECB with advice and recommendations regarding the common admission applications and the ApplyTexas System.

The ATAC is composed of individuals representing two- and four-year institutions, both public and private. The committee discusses and votes on changes that may be needed to the state common admission applications for the upcoming academic year. The committee also focuses on additional initiatives to strengthen student participation in and access to higher education. This committee may meet up to four times annually as needed to recommend appropriate changes to the common admission applications and the ApplyTexas System.

Members serve two-year staggered terms. Membership positions are selected from institutions' nominations, considering the type of institution, geographic location, as well as gender composition and college admission experience.

Nominee's current position and highest degree awarded:

Brandie Eneks, Director, Freshman Admissions, Texas A&M University
MBA, Prairie View A&M University

Laura Brennan, Assistant Commissioner for College and Career Advising, will be available to answer questions.

AGENDA ITEM X-F (1)

Consideration and possible action to appoint a student representative to the ApplyTexas Advisory Committee

RECOMMENDATION: Approval

Background Information:

Texas Education Code, Section 61.071, directs the Texas Higher Education Coordinating Board (THECB) to appoint student representatives to various advisory committees. This agenda item relates to the appointment of a student representative to the ApplyTexas Advisory Committee (ATAC).

On August 25, 2023, the Commissioner of Higher Education notified Texas institutions of higher education of these opportunities and provided the information required to solicit nominees. The nomination process began on August 25, 2023, and ended January 15, 2024. The term of membership for a student member of the ATAC starts June 1, 2024, and ends May 31, 2026.

THECB staff received applications from two-year and four-year public institutions of higher education. Applicants were reviewed to ensure they first met the minimum criteria and then were further evaluated based on the following criteria:

- Academic achievement
- Community and school service
- Work or internship experience
- General commitment to higher education issues

A review committee, composed of staff who directly support the advisory committee, identified a finalist:

Qingyang Li

Ms. Li is pursuing her BA in Business Administration at The University of Texas at Austin.

The ATAC discusses and votes on changes that may be needed to the state common admission applications for the upcoming academic year. The committee also focuses on additional initiatives to strengthen student participation in and access to higher education.

Laura Brennan, Assistant Commissioner for College and Career Advising, will be available to answer questions.

AGENDA ITEM X-F (2)

Consideration and possible action to appoint a student representative to the Learning Technology Advisory Committee

RECOMMENDATION: Approval

Background Information:

Texas Education Code, Section 61.071 directs the Texas Higher Education Coordinating Board (THECB) to appoint student representatives to various advisory committees. This agenda item relates to the appointment of a student representative to the Learning Technology Advisory Committee.

On August 25, 2023, the Commissioner of Higher Education notified Texas institutions of higher education of these opportunities and provided the information required to solicit nominees. The nominations process began on August 25, 2023, and ended January 15, 2024.

THECB staff received applications from two and four-year public institutions of higher education. Applicants were reviewed to ensure they first met the minimum criteria and then were further evaluated based on the following criteria:

- Academic achievement
- Community and school service
- Work or internship experience
- General commitment to higher education issues

A review committee, composed of staff who directly support the advisory committee, identified the finalist.

The term of membership for student members of this committee starts June 1, 2024, and ends May 31, 2026.

The recommended student representatives are named on the following page.

Dr. Michelle Singh, Assistant Commissioner for Digital Learning, will be available to answer questions.

The Learning Technology Advisory Committee is charged with engaging in substantive policy research regarding the role that learning technology plays in Texas higher education and providing advice and recommendations to the Board. It is composed of 24 members, with representation from public community colleges, public universities, public health-related institutions, and an independent institution. Members have extensive experience with learning technology from a broad array of educational perspectives. The committee meets quarterly and may do so more frequently as needed.

Finalist: Esmeralda Gonzalez

Ms. Gonzalez is a student at The University of Texas Rio Grande Valley pursuing her Bachelor of Science in Civil Engineering.

AGENDA ITEM X-G

Consideration and possible action to approve receipt of Fiscal Year 2025 Carl D. Perkins Community and Technical Colleges Consolidated Grant funds not to exceed \$43 million, and receipt of Fiscal Year 2025 Carl D. Perkins State Leadership Grant funds not to exceed \$5 million

RECOMMENDATION: Approval

Background Information:

Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter A, Rule 1.16(2)(b), requires that the board of the Texas Higher Education Coordinating Board approve any agreement over \$5 million, inclusive of all amendments.

The Texas Education Agency (TEA) is the designated eligible agency for the state of Texas for receipt of the annual federal allocation of Carl D. Perkins under the Strengthening Career and Technical Education for the 21st Century Act of 2019 (Perkins V). TEA is responsible for state administration of Perkins V funds as set forth in Title I, Part B, Section 121(a) of the act.

The State Board of Education allocates 30% of the state's annual federal Perkins V allocation to the Texas Higher Education Coordinating Board (THECB) for administration of postsecondary career and technical funds as permitted under Title I, Part B, Section 121(b) of the act.

It is anticipated that TEA will make state Fiscal Year 2024-2025 funds available to the THECB through TEA's annual Carl D. Perkins Community and Technical Colleges Consolidated Grant program and Carl D. Perkins Community and Technical Colleges Leadership Grant. Staff anticipate that TEA will make state Fiscal Year 2024-2025 Consolidated Grant funds available in an amount up to but not exceeding \$43 million, and Leadership Grant funds in an amount up to but not exceeding \$5 million.

TEA allocates The Carl D. Perkins Community and Technical Colleges Consolidated Grant program for one year under three categories:

- 1) the Formula (Basic);
- 2) the Administration Grant; and
- 3) the Leadership Grant, including funding for the Nontraditional Grant.

Title I, Part B, Section 112(a) sets forth allowable percentage caps for each allocation category:

Not more than	Allocation Breakout
85%	Formula (Basic) Grant for noncompetitive distribution to public, two-year colleges consistent with the formula set forth in Title I, Part C, Section 132(2) to support postsecondary career and technical education
5%	Administration Grant for THECB's administration of postsecondary Perkins funds
10%	Leadership Grant for state leadership activities to improve career and technical education, including a Nontraditional Grant for activities supporting entry into fields for which individuals of one gender comprise less than 25% of the workforce consistent with Title I, Part B, Section 121(a)(1)

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

The Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act of 2019 (“Perkins V”), requires the Secretary of Education to allocate Perkins V funds to each state’s eligible agency consistently with the requirements of Title I, Part A, Section 111, of the act.

The Texas Education Agency (TEA) is the designated eligible agency for the state of Texas. TEA is responsible for state administration of Perkins V funds as set forth in Title I, Part B, Section 121(a) of the act:

- A. “coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title, including preparation for non-traditional fields;
- B. consultation with the Governor and appropriate agencies, groups, and individuals including teachers, faculty, specialized instructional support personnel, paraprofessionals, school leaders, authorized public chartering agencies and charter school leaders (consistent with State law), employers, representatives of business (including small businesses), labor organizations, eligible recipients, local program administrators, State and local officials, Indian Tribes or Tribal organizations present in the State, parents, students, and community organizations;
- C. convening and meeting as an eligible agency (consistent with State law and procedure for the conduct of such meetings) at such time as the eligible agency determines necessary to carry out the eligible agency's responsibilities under this title, but not less than 4 times annually; and
- D. the adoption of such procedures as the eligible agency considers necessary to--
 - i. implement State level coordination with the activities undertaken by the State boards under section 101 of the Workforce Innovation and Opportunity Act; and
 - ii. make available to the one-stop delivery system under section 121 of the Workforce Innovation and Opportunity Act within the State a listing of all school dropout, postsecondary education, and adult programs assisted under this title.”

Title I, Part B, Section 121(b) provides that TEA may delegate other responsibilities that involve the administration, operation, or supervision of Title I activities to one or more appropriate state agencies. Under this provision, the State Board of Education allocates 30% of the state’s annual Perkins V allocation to the Texas Higher Education Coordinating Board (THECB) for administration of postsecondary career and technical funds.

TEA makes postsecondary funds available annually to THECB through the Carl D. Perkins Community and Technical Colleges Consolidated Grant program and the Carl D. Perkins Community and Technical Colleges Leadership Grant program. Staff anticipate that TEA will make state Fiscal Year 2024-2025 Consolidated Grant funds available in an amount up to but not exceeding \$43 million, and Leadership Grant funds in an amount up to but not exceeding \$5 million.

The Consolidated Grant is allocated for one year under three categories:

- 1) the Formula (Basic) Grant;
- 2) the Administration Grant; and
- 3) the Leadership Grant, which includes funding for a Nontraditional Grant.

Title I, Part B, Section 112(a) sets forth allowable percentage caps for each allocation category:

Not more than	Allocation Breakout
85%	Formula (Basic) Grant for noncompetitive distribution to public, two-year colleges consistent with the formula set forth in Title I, Part C, Section 132(2) to support postsecondary career and technical education
5%	Administration Grant for THECB's administration of postsecondary Perkins funds
10%	Leadership Grant for state leadership activities to improve career and technical education, including funding for a Nontraditional Grant for activities supporting entry into fields for which individuals of one gender comprise less than 25% of the workforce consistent with Title I, Part B, Section 121(a)(1)

THECB distributes postsecondary noncompetitive Formula (Basic) Grant funds to colleges for the following required uses:

- 1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, including in the middle grades, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study;
- 2) provide professional development for teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals;
- 3) provide within career and technical education the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations;
- 4) support integration of academic skills into career and technical education programs and programs of study;
- 5) plan and carry out elements that support the implementation of career and technical education programs and programs of study and that result in increasing student achievement of the local levels of performance; and
- 6) THECB adds the state requirement that colleges demonstrate in their local applications how they support Goal 1 of the *Building a Talent Strong Texas* supporting attainment of postsecondary credentials.

Administration Grant funds support THECB's workforce education division activities:

- 1) Salaries
- 2) Fringe benefits
- 3) Professional fees and services
- 4) Supplies
- 5) In-state and out-of-state travel
- 6) Other operating expenses

Leadership Grant funds are allocated for two years and funds support two competitive grant programs:

- 1) General Perkins State Leadership Grant Program supporting projects awarded under three competition categories:
 - a. Advancing *Building a Talent Strong Texas* through Postsecondary Credentials of Value
 - b. Field-Based Innovation, including the Nontraditional Grant
 - c. Funding for one-year continuation of existing Perkins Leadership Grants
- 2) Carl D. Perkins Excellence in Access and Opportunity Program addressing the Perkins V emphasis on the success of career and technical education students who belong to Perkins V's nine special populations categories:
 - a. Individuals with disabilities;
 - b. Individuals from economically disadvantaged families, including low-income youth and adults;
 - c. Individuals preparing for non-traditional fields
 - d. Single parents, including single pregnant women
 - e. Out-of-workforce individuals
 - f. English learners
 - g. Homeless individuals described in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C 11434a)
 - h. Youth who are in, or have aged out of, the foster care system
 - i. Youth with a parent who:
 - i. is a member of the armed forces (as such term is defined in Section 101(a)(4) of Title 10, United States Code); and
 - ii. is on active duty (as such term is defined in Section 101(d)(1) of such title)

AGENDA ITEM X-H (1)

Consideration and possible action to approve the request from Tarleton State University for a Doctor of Occupational Therapy in Occupational Therapy

RECOMMENDATION: Approval

Program Summary:

Tarleton State University (TaSU) is seeking approval to offer a Doctor of Occupational Therapy (OTD) degree program in Occupational Therapy that would require 86 semester credit hours (SCH) for students entering with either a bachelor's or master's degree. The proposed face-to-face program on the Stephenville campus would provide professional training to develop entry level occupational therapists with an understanding of the occupational needs of clients, groups and populations in various contexts and communities.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$16,468 Non-resident: \$28,508
Estimated average annual <i>per student</i> institutional financial support**	N/A
Projected state post-graduation first year annual earnings	\$86,674
Number of existing Texas doctoral programs in related fields	8
Minimum SCH required for completion	86 SCH beyond bachelor's

*Student costs assume full-time enrollment and include tuition, fees, course supplies and other annual expenses identified by the institution. Variable costs such as housing are not included.

**Includes total annual financial support made available by the institution (scholarships, teaching assistantships, research assistantships, etc.) divided by the annual number of enrollments projected. This does not include federal and state financial aid.

Similar Programs

Program Title & Designation	University	Region
Doctor of Occupational Therapy, OTD	Abilene Christian University	Northwest
Doctor of Occupational Therapy, OTD	Baylor University	Central Texas
Doctor of Occupational Therapy, OTD	Texas Tech University Health Sciences Center	High Plains
Doctor of Occupational Therapy, OTD	Texas Woman's University	Metroplex
Doctor of Occupational Therapy, OTD	The University of Texas at El Paso	Upper Rio Grande

Doctor of Occupational Therapy, OTD	The University of Texas Health Science Center at San Antonio	South Texas
Doctor of Occupational Therapy, OTD	The University of Texas Medical Branch at Galveston	Gulf Coast
Doctor of Occupational Therapy, OTD	The University of Texas Rio Grande Valley	South Texas

Labor Market Demand

The Bureau of Labor Statistics (BLS) predicts the national demand from 2022-2032 to grow 12 percent for occupational therapists, much faster than the average for all occupations. The median annual wage for occupational therapists was \$93,180 in May 2022, when the lowest 10 percent earned less than \$63,320, and the highest 10 percent earned more than \$123,870 (BLS, 2023). In May 2022, Texas was ranked as the 2nd highest employer of occupational therapists, with an average annual mean salary of \$96,900 (BLS, 2023).

Similarly, the Texas Workforce Commission (TWC) anticipates the state demand from 2020-2030 for occupational therapists to grow 24 percent.

Academic Quality/Site Visit Summary

External reviewers conducted a virtual site visit on February 5, 2024. They recognized that “the tuition for the OTD program at Asu will be one of the lowest in the state,” and “a sufficiently large pool of dedicated associated faculty who can provide additional support for student capstone projects.” The institution responded to the site visit report recommendations, including recruiting qualified faculty within the proposed timeframe and enrolling enough students to meet enrollment projections.

Projected 5-Year Enrollments, Costs, and Funding

Tas would begin the proposed program in summer 2025 with six core faculty dedicating 6 FTE. In accordance with the institution’s proposed hiring schedule, Asu plans to hire three additional core faculty within the first year of the proposed program, for a total of 9 headcount (9 FTE).

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	34	70	106	108	108	426
Estimated Total Costs	\$1,618,240	\$1,347,840	\$1,353,600	\$1,347,730	\$1,347,730	\$7,015,140
Estimated Total Funding	\$931,880	\$1,311,919	\$1,607,505	\$3,224,377	\$3,224,377	\$10,300,058
Net Funding	\$-686,360	\$-35,921	\$253,905	\$1,876,647	\$1,876,647	\$3,284,918

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available to answer questions.

Online Resume for Legislators and Other Policymakers

TARLETON STATE UNIVERSITY

Location: Stephenville, Metroplex Region

Comprehensive Accountability Peer Group: Lamar University, Prairie View A&M Univ, Stephen F. Austin State Univ, Texas A&M International, West Texas A&M Univ

Out-Of-State Peers: Arkansas State University-Main Campus, Florida Gulf Coast University, New Mexico State University, Slippery Rock University, University Of Central Missouri

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	8,615	66.2%	8,875	63.4%	8,820	62.6%
Hispanic	2,435	18.7%	3,030	21.7%	3,144	22.3%
African American	1,286	9.9%	1,350	9.6%	1,264	9.0%
Asian	183	1.4%	173	1.2%	176	1.2%
International	51	.4%	86	.6%	103	.7%
Other & Unknown	449	3.4%	481	3.4%	586	4.2%
Total	13,019	100.0%	13,995	100.0%	14,093	100.0%
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	1,196	10.8%	1,058	9.1%	1,053	8.9%
Other Institutions	183	1.6%	260	2.2%	216	1.8%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2018	\$8,417	.0%	\$9,079	.0%
2019	\$8,692	3.3%	\$9,474	4.4%
2020	\$8,956	3.0%	\$9,759	3.0%
2021	\$9,529	6.4%	\$9,997	2.4%
2022	\$9,728	2.1%	\$10,144	1.5%
2023	\$10,294	5.8%	\$10,238	.9%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	53%	\$9,352	55%	\$6,640	46%	\$6,711
2021	52%	\$9,115	50%	\$6,643	42%	\$6,628
Federal, State, Institutional or Other Grants Known by Institutions						
2020	66%	\$6,892	74%	\$8,093	73%	\$7,937
2021	72%	\$7,676	79%	\$8,400	79%	\$8,077
Federal (Pell) Grants						
2020	39%	\$5,313	51%	\$4,701	35%	\$4,666
2021	39%	\$5,603	48%	\$5,031	33%	\$4,772

Student Success							
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Graduation Rates		
Enter Fall 2016		Enter Fall 2020	Enter Fall 2021		Cohort	Institution Rate	Peer Group Rate
Cohort	2,043		2,177		2,011		
Total	83.8%		81.7%		81.5%		
Same	67.2%		69.6%		70.4%		
Other	16.7%		12.1%		11.1%		
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates							
Enter Fall 2015		Enter Fall 2019	Enter Fall 2020		Fall 2013 4-year	33.3%	26.8%
Institution Persistence					Fall 2017 4-year	39.6%	31.5%
Cohort	1,830		1,981		Fall 2018 4-year	38.4%	31.7%
Total	77.9%		72.4%		Fall 2012 5-year	49.1%	41.6%
Same	57.7%		57.5%		Fall 2016 5-year	50.8%	47.4%
Other	20.2%		14.9%		Fall 2017 5-year	55.5%	48.0%
Peer Group Persistence					Fall 2011 6-year	53.8%	47.0%
Cohort	1,587		1,587		Fall 2015 6-year	59.5%	54.0%
Total	75.0%		72.5%		Fall 2016 6-year	56.7%	53.4%
Same	57.8%		59.7%		National Comparison (IPEDS Definition)		
Other	17.1%		12.7%		Cohort	Institution Rate	OOS Peers Rate
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree					Fall 2012 4-year	24.0%	29.4%
Institution	SCH		Peer Group Average		Fall 2016 4-year	30.0%	35.4%
Grade	Sem	Grade	Sem	SCH	Fall 2017 4-year	30.0%	37.6%
					Fall 2011 5-year	39.0%	46.0%
					Fall 2015 5-year	42.0%	51.2%
					Fall 2016 5-year	44.0%	52.0%
					Fall 2010 6-year	43.0%	51.2%
					Fall 2014 6-year	46.0%	55.0%
					Fall 2015 6-year	49.0%	55.8%

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	668	51.0%
Peer Group	653	47.2%
<i>For Students NOT Needing Dev Ed</i>		
Institution	1,375	69.2%
Peer Group	1,023	70.7%

*Peer Group data is average for peer group.

Funding						
Source	FY 2017 Amount	Pct of Total	FY 2021 Amount	Pct of Total	FY 2022 Amount	Pct of Total
Appropriated Funds	\$63,527,452	37.9%	\$62,943,792	27.6%	\$70,311,764	28.7%
Federal Funds	\$27,694,434	16.5%	\$57,260,009	25.1%	\$60,066,973	24.5%
Tuition & Fees	\$62,071,538	37.1%	\$83,273,755	36.5%	\$88,655,391	36.2%
Institution	\$14,155,997	8.5%	\$24,545,541	10.8%	\$25,746,562	10.5%
Total Revenue	\$167,449,421	100.0%	\$228,023,097	100.0%	\$244,780,690	100.0%

Online Resume for Prospective Students, Parents and the Public

TARLETON STATE UNIVERSITY

Location: Stephenville, Metroplex Region

Comprehensive Accountability Peer Group: Lamar University, Prairie View A&M Univ, Stephen F. Austin State Univ, Texas A&M International, West Texas A&M Univ

Out-Of-State Peers: Arkansas State University-Main Campus, Florida Gulf Coast University, New Mexico State University, Slippery Rock University, University Of Central Missouri

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2022 Number	Percent
White	8,820	62.6%
Hispanic	3,144	22.3%
African American	1,264	9.0%
Asian	176	1.2%
International	103	.7%
Other & Unknown	586	4.2%
Total	14,093	100.0%
TX First Time Transfers	Number	% of UG
Two-Year Institutions	1,053	8.9%
Other Institutions	216	1.8%

Baccalaureate Success			
Graduation Rate of First-time, Full-time Degree-seeking Students Entering			
Measure	Fall	Rate	
4-year Rate Total	2018	38.4%	
Same Institution		32.9%	
Other Institutions		5.5%	
5-year Rate Total	2017	55.5%	
Same Institution		47.0%	
Other Institutions		8.4%	
6-year Rate Total	2016	56.7%	
Same Institution		45.8%	
Other Institutions		10.9%	

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2021	
Total	81.5%
Same	70.4%
Other	11.1%

2-Year Persistence, Fall 2020	
Total	71.9%
Same	57.6%
Other	14.3%

Avg Number SCH for Bachelor's Degree	
FY 2022 Average	
Sem	SCH
All	9.60 131.00

Degrees Awarded	
Type	FY 2022
Bachelor's	2,713
Master's	812
Doctoral	38
Professional	0
Total	3,563

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2022 Rate
Law	%
Pharmacy	%
Nursing	94.1%
Engineering	%

*Data for FY 2021

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2022		
Test Section	ACT	SAT
Composite	https://nces.ed.gov/	
Math		
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	4,512	78.5%	45.5%
African American	954	70.2%	17.6%
Hispanic	2,825	75.0%	25.3%
Asian	129	76.0%	24.5%
International	48	64.6%	51.6%
Other	512	77.0%	35.3%
Total	8,980	76.4%	35.7%

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2018	\$8,417	.0%	\$9,211	.0%
2019	\$8,692	3.2%	\$9,631	4.4%
2020	\$8,956	2.9%	\$9,920	2.9%
2021	\$9,529	6.0%	\$10,091	1.7%
2022	\$9,728	2.0%	\$10,227	1.3%
2023	\$10,294	5.5%	\$10,227	.0%

Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023	
Type of Cost	Average Amount
Total Academic Cost	\$10,294
On-campus Room & Board	\$10,328
Books & Supplies	\$1,560
Off-Campus Transportation & Personal Expenses	\$3,431
Total Cost	\$25,613

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

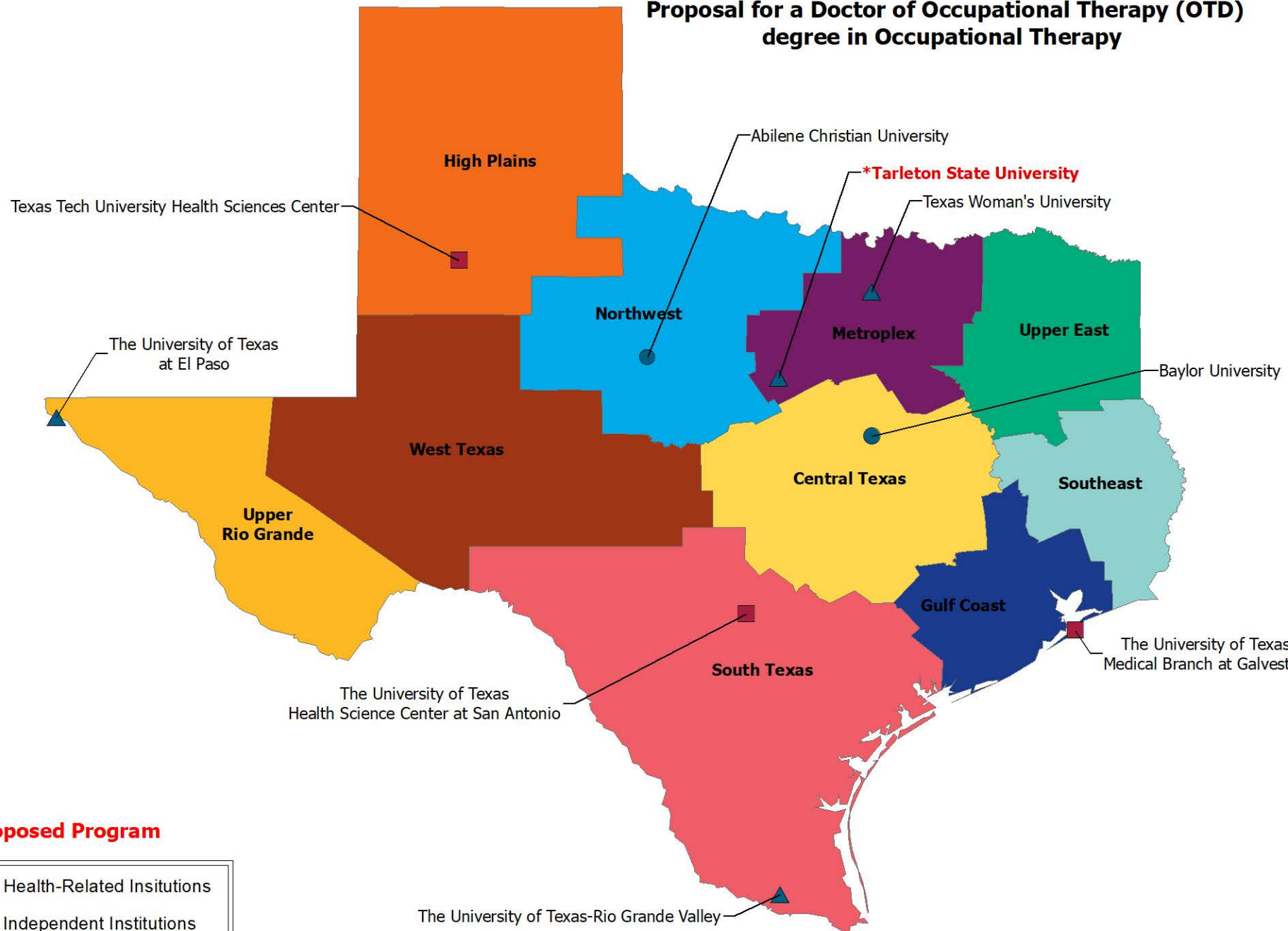
Instruction	
Measure of Excellence	Fall 2022
Undergraduate Classes with < 20 Students	34.5%
Undergraduate Classes with > 50 Students	7.0%
% of Teaching Faculty Tenured/Tenure-track *	52.4%
Student/Faculty Ratio *	24:1

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	72%	\$7,676
Federal (Pell) Grants	39%	\$5,603
Federal Student Loans	52%	\$9,115

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$70,311,764	28.7%
Federal Funds	\$60,066,973	24.5%
Tuition & Fees	\$88,655,391	36.2%
Institution	\$25,746,562	10.5%
Total Revenue	\$244,780,690	100.0%

* Fall 2021 Data

Proposal for a Doctor of Occupational Therapy (OTD) degree in Occupational Therapy



* Proposed Program

- Health-Related Institutions
- Independent Institutions
- ▲ Public Universities

AGENDA ITEM X-H (2)

Consideration and possible action to approve the request from Texas State University for a Doctor of Philosophy in Civil Engineering

RECOMMENDATION: Approval

Program Summary:

Texas State University (TXST) is seeking approval to offer a Doctor of Philosophy (PhD) degree program in Civil Engineering that would begin in fall 2024. The proposed program would be offered face to face on the San Marcos campus. The proposed program would require 54 SCHs for students entering with a master's degree and 78 SCHs for students entering with a bachelor's degree. The proposed program would incorporate components aimed at training students for research-oriented professions in both industry and academia, encompassing traditional civil engineering pathways.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$39,103 Non-resident: \$71,863
Estimated average annual <i>per student</i> institutional financial support**	\$ 25,109
Projected state post-graduation first year annual earnings	\$94,000
Number of existing Texas doctoral programs in related fields	9
Minimum SCHs required for completion	78 beyond bachelor's 54 beyond master's

*Student costs assume full-time enrollment and include tuition, fees, course supplies and other annual expenses identified by the institution. Variable costs such as housing are not included.

**Includes total annual financial support made available by the institution (scholarships, teaching assistantships, research assistantships, etc.) divided by the annual number of enrollments projected. This does not include federal and state financial aid.

Similar Programs

Program Title & Designation	University	Region
Doctor of Philosophy (PhD) in Civil Engineering	Rice University	Gulf Coast
Doctor of Philosophy (PhD) in Civil Engineering	Southern Methodist University	Metroplex
Doctor of Philosophy (PhD) in Civil Engineering	Texas A&M University	Central Texas
Doctor of Philosophy (PhD) in Civil Engineering	Texas Tech University	High Plains
Doctor of Philosophy (PhD) in Civil Engineering	The University of Texas at Arlington	Metroplex

Doctor of Philosophy (PhD) in Civil Engineering	The University of Texas at Austin	Central Texas
Doctor of Philosophy (PhD) in Civil Engineering	The University of Texas at El Paso	Upper Rio Grande
Doctor of Philosophy (PhD) in Civil Engineering	The University of Texas at San Antonio	South Texas
Doctor of Philosophy (PhD) in Civil Engineering	University of Houston	Gulf Coast

Labor Market Demand

The Bureau of Labor Statistics (BLS) predicts the national demand from 2022-2032 to grow 5% for civil engineers, faster than the average for all occupations. The median annual wage for civil engineers was \$89,940 in May 2022, when the lowest 10% earned less than \$61,040, and the highest 10% earned more than \$138,690 (BLS, 2024). In May 2022, Texas was ranked as the 2nd-highest employer of civil engineers, with an average annual mean salary of \$93,970 (BLS, 2024).

Similarly, the Texas Workforce Commission anticipates the state demand from 2020-2030 for civil engineers to grow 22%.

Academic Quality/Site Visit Summary

External reviewers conducted a virtual site visit on February 20, 2024. They highlighted the success of the fact that “the university is well-positioned to nurture a thriving research ecosystem conducive to the proposed PhD program's objectives” and that “student feedback underscores the positive atmosphere within the CE Department and the School of Engineering, with students expressing satisfaction with job placement services and the overall academic experience.” The reviewers offered “recommendations for enhancing collaboration, growing the number of faculty and demographic representation, and expanding the curriculum to meet evolving industry demands are essential for the program's long-term success.” TXST responded to the site visit recommendation with specific implementation plans.

Projected 5-Year Enrollments, Costs, and Funding

TXST would begin the proposed program in fall 2024 with six core faculty dedicating 3 FTEs. In accordance with the institution’s proposed hiring schedule, TXST plans to hire two additional core faculty within the first five years of the proposed program, for a total of eight headcount (4 FTEs).

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	8	16	24	31	36	115
Estimated Total Costs	\$790,536	\$1,490,810	\$1,241,336	\$1,285,202	\$822,960	\$5,630,844
Estimated Total Funding	\$790,536	\$1,490,810	\$1,241,336	\$1,285,202	\$822,960	\$5,630,844
Net Funding	\$0	\$0	\$0	\$0	\$0	\$0

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 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	18,090	46.8%	15,887	42.0%	15,452	40.5%
Hispanic	13,885	35.9%	15,041	39.7%	15,466	40.5%
African American	4,267	11.0%	4,217	11.1%	4,147	10.9%
Asian	957	2.5%	1,048	2.8%	1,040	2.7%
International	527	1.4%	554	1.5%	718	1.9%
Other & Unknown	940	2.4%	1,117	3.0%	1,348	3.5%
Total	38,666	100.0%	37,864	100.0%	38,171	100.0%
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	2,524	7.4%	2,126	6.4%	1,758	5.2%
Other Institutions	716	2.1%	628	1.9%	584	1.7%

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
2018	\$10,620	.0%	\$10,443	.0%
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%
2022	\$11,860	2.8%	\$11,762	2.7%
2023	\$11,860	.0%	\$11,793	.3%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	49%	\$6,373	41%	\$6,704	39%	\$6,473
2021	47%	\$6,386	38%	\$6,753	37%	\$6,573
Federal, State, Institutional or Other Grants Known by Institutions						
2020	54%	\$7,757	66%	\$8,028	73%	\$7,171
2021	54%	\$7,722	65%	\$8,509	76%	\$7,403
Federal (Pell) Grants						
2020	36%	\$4,758	38%	\$4,753	29%	\$4,602
2021	36%	\$4,815	36%	\$4,726	29%	\$4,653

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2016	Enter Fall 2020	Enter Fall 2021	Cohort	Peer Group
Cohort		5,573	5,431	6,196	Fall 2013 4-year	34.4%
Total		89.1%	84.8%	87.3%	Fall 2017 4-year	43.2%
Same		77.7%	76.7%	79.6%	Fall 2018 4-year	42.9%
Other		11.4%	8.0%	7.7%	Fall 2012 5-year	54.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2016 5-year	60.5%	
		Enter Fall 2015	Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	60.7%
Institution Persistence				Fall 2011 6-year	60.8%	
Cohort				Fall 2015 6-year	66.7%	
Total				Fall 2016 6-year	66.6%	
Same				National Comparison (IPEDS Definition)		
Other				Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence				Fall 2012 4-year	27.0%	30.4%
Cohort				Fall 2016 4-year	31.0%	39.4%
Total				Fall 2017 4-year	33.0%	41.0%
Same				Fall 2011 5-year	48.0%	50.8%
Other				Fall 2015 5-year	50.0%	58.4%
				Fall 2016 5-year	52.0%	59.6%
				Fall 2010 6-year	54.0%	57.0%
				Fall 2014 6-year	55.0%	63.0%
				Fall 2015 6-year	56.0%	64.2%

Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution			Peer Group Average		
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2018	5,454	10.00	134.00	4,194	10.62	138.12
FY 2021	5,701	9.60	130.00	4,850	9.82	134.25
FY 2022	5,460	9.40	129.00	4,700	9.62	132.25

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	867	60.2%
Peer Group	495	56.8%
<i>For Students NOT Needing Dev Ed</i>		
Institution	4,706	75.4%
Peer Group	3,544	76.4%

*Peer Group data is average for peer group.

Funding						
Source	FY 2017 Amount	Pct of Total	FY 2021 Amount	Pct of Total	FY 2022 Amount	Pct of Total
Appropriated Funds	\$202,892,939	36.3%	\$206,842,810	32.3%	\$230,286,757	30.4%
Federal Funds	\$87,663,369	15.7%	\$142,660,412	22.3%	\$231,291,371	30.5%
Tuition & Fees	\$233,494,375	41.8%	\$242,535,976	37.9%	\$245,955,484	32.5%
Institution	\$35,049,371	6.3%	\$47,790,018	7.5%	\$50,189,208	6.6%
Total Revenue	\$559,100,054	100.0%	\$639,829,216	100.0%	\$757,722,820	100.0%

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 2022	
	Number	Percent
White	15,452	40.5%
Hispanic	15,466	40.5%
African American	4,147	10.9%
Asian	1,040	2.7%
International	718	1.9%
Other & Unknown	1,348	3.5%
Total	38,171	100.0%
TX First Time Transfers	Number	% of UG
Two-Year Institutions	1,758	5.2%
Other Institutions	584	1.7%

Baccalaureate Success				
Graduation Rate of First-time, Full-time Degree-seeking Students			1-Year Persistence, Fall 2021	
Entering		Rate	Total	87.3%
Measure	Fall		Same	79.6%
			Other	7.7%
			2-Year Persistence, Fall 2020	
4-year Rate Total		2018	Total	77.3%
Same Institution			Same	65.5%
Other Institutions			Other	11.8%
33.4%				
3.4%				
5-year Rate Total		2017		
Same Institution				
Other Institutions				
59.5%				
52.2%				
7.2%				
6-year Rate Total		2016		
Same Institution				
Other Institutions				
65.8%				
55.6%				
10.2%				
Grad Rates by Ethnicity				
			Avg Number SCH for Bachelor's Degree	
			FY 2022 Average	
			Sem	SCH
All			9.40	129.00

Degrees Awarded	
Type	FY 2022
Bachelor's	7,088
Master's	1,391
Doctoral	49
Professional	40
Total	8,568

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
FY 2022	
Field	Rate
Law	%
Pharmacy	%
Nursing	100.0%
Engineering	57.5%

*Data for FY 2021

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2022		
Test Section	ACT	SAT
Composite	https://nces.ed.gov/	
Math		
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	8,721	92.1%	35.6%
African American	3,680	84.8%	29.7%
Hispanic	13,878	89.4%	26.9%
Asian	1,072	92.4%	21.0%
International	561	87.3%	6.1%
Other	866	90.9%	30.1%
Total	28,778	89.7%	29.4%

Costs				
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2018	\$10,620	.0%	\$10,417	.0%
2019	\$10,920	2.7%	\$10,682	2.5%
2020	\$11,240	2.8%	\$10,979	2.7%
2021	\$11,540	2.6%	\$11,443	4.1%
2022	\$11,860	2.7%	\$11,748	2.6%
2023	\$11,860	.0%	\$11,783	.3%
Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023				
Type of Cost		Average Amount		
Total Academic Cost		\$11,860		
On-campus Room & Board		\$11,460		
Books & Supplies		\$790		
Off-Campus Transportation & Personal Expenses		\$3,610		
Total Cost		\$27,720		

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

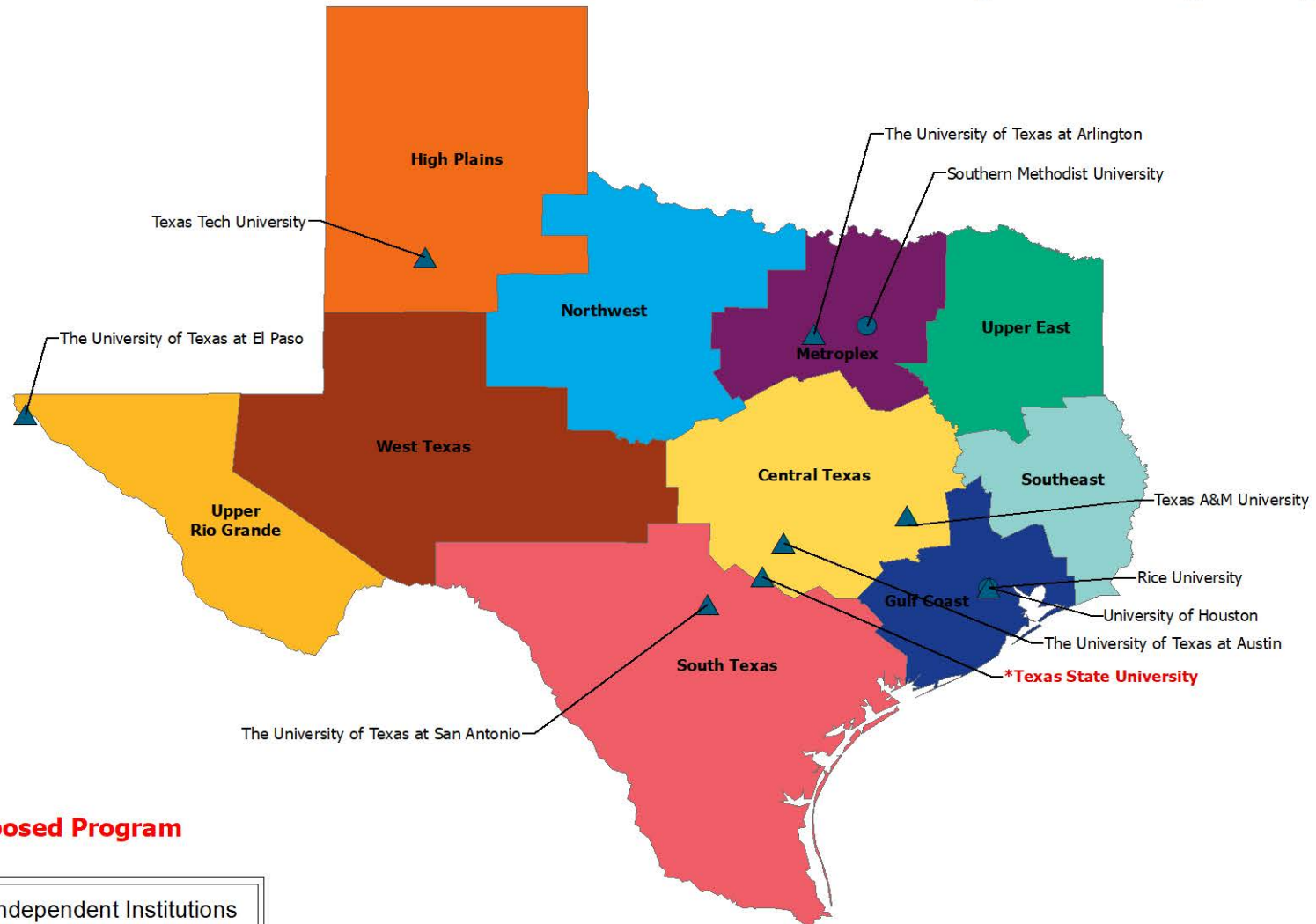
Instruction		
Measure of Excellence	Fall 2022	
Undergraduate Classes with < 20 Students	32.2%	
Undergraduate Classes with > 50 Students	12.0%	
% of Teaching Faculty Tenured/Tenure-track *	43.6%	
Student/Faculty Ratio *	26:1	

* Fall 2021 Data

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	54%	\$7,722
Federal (Pell) Grants	36%	\$4,815
Federal Student Loans	47%	\$6,386

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$230,286,757	30.4%
Federal Funds	\$231,291,371	30.5%
Tuition & Fees	\$245,955,484	32.5%
Institution	\$50,189,208	6.6%
Total Revenue	\$757,722,820	100.0%

Proposal for a Doctor of Philosophy (PhD) degree in Civil Engineering



*** Proposed Program**

- Independent Institutions
- ▲ Public Universities

AGENDA ITEM X-H (3)

Consideration and possible action to approve the request from Texas State University for a Doctor of Philosophy in Integrated Molecular and Biophysical Chemistry

RECOMMENDATION: Approval, beginning fall of 2024

Program Summary:

Texas State University (Texas State) is seeking approval to offer a Doctor of Philosophy (PhD) degree program in Integrated Molecular and Biophysical Chemistry (26.0210) that would begin in fall 2024. The proposed program would be offered in person to students in San Marcos, and would train PhD-level biochemists, biophysicists, and chemists for the growing biomedical and life science industry in Texas and the nation. This PhD program will be focused on the chemistry and biochemistry of natural systems.

The unique features of the proposed program include: the interdisciplinary training of students through coursework that integrates biochemistry, biophysics, organic synthesis, medicinal chemistry, cell biology, biological chemistry, and molecular genetics; a focus on training students to enter the workforce in industry coupled with a foundation in business fundamentals, leadership, and innovation training both in the classroom and through business boot camps; and a prominent location in the rapidly growing Austin-San Antonio biotechnology business corridor. The proposed program would be unique in Texas for its emphasis on commercialization and industrial collaboration, and thus would be positioned to support and enhance the growing role of biomedical research and development in Texas and the nation.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$9,740 Non-resident: \$17,300
Estimated average annual <i>per student</i> institutional financial support**	\$35,000
Projected state post-graduation first year annual earnings	\$60,000
Number of existing Texas doctoral programs in related fields	2
Minimum SCHs required for completion	51 SCHs beyond master's 72 SCHs beyond bachelor's

*Student costs assume full-time enrollment and include tuition, fees, course supplies, and other annual expenses identified by the institution. Variable costs such as housing are not included.

**Includes total annual financial support made available by the institution (scholarships, teaching assistantships, research assistantships, etc.) divided by the annual number of enrollments projected. This does not include federal and state financial aid.

Similar Programs

Program Title & Designation	University	Region
Biochemistry and Molecular Biology PhD	University of North Texas	Metroplex
Biochemistry and Molecular Biology PhD	UT Medical Branch Galveston	Gulf Coast

Labor Market Demand

The Bureau of Labor Statistics projects that nationally, between 2021 and 2031, there will be on average about 4,000 new jobs for biochemists and biophysicists, a 15% increase, which is much higher than the average rate of growth for all occupations.

Similar to national trends, the Texas Workforce Commission (TWC) projects 20% growth in the number of biochemistry and biophysics positions in Texas from 2020-2030, which is well above the average growth in all positions, with 162 annual openings available. Both nationally and in Texas, there is high demand for biochemists and biophysicists, especially to support the growing needs of the life science industry.

There are two existing Biochemistry and Molecular Biology doctoral programs at Texas public institutions under the CIP code of 26.0210: one at University of North Texas and one at The University of Texas Medical Branch-Galveston. Together, these two programs graduate on average (2018-2022 data) 12 PhD students a year combined, far less than the 162 annual openings projected by TWC data.

Academic Quality/Site Visit Summary

External reviewers assessed the program on March 27, 2024, and found the proposed program will support a critical regional and national need for PhD programs that feed into the rapidly expanding biotechnology and related industry sectors. The unique aspect of this proposed program is the focus on industry and business development to meet projected needs in those sectors both regionally and nationally. The reviewers recommended the institution increase the amount and number of graduate assistantships to attract and retain high-quality students into the program.

Projected 5-Year Enrollments, Costs, and Funding

In accordance with the institution's proposed hiring schedule, Texas State will hire one new tenure-track faculty member in Year 2, an administrative assistant in Year 1, and a senior lab services technician in Year 3 for the program.

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	6	13	20	28	35	102
Estimated Total Costs	\$170,709	\$1,257,635	\$590,788	\$650,751	\$675,821 -	\$3,345,703 -
Estimated Total Funding	\$170,709	\$1,257,635 -	\$590,788	\$650,751	\$675,821 -	\$3,345,703
Net Funding	\$0	\$0	\$ 0	\$0	\$0	\$0

Elizabeth Mayer, Assistant Commissioner for Academic and Health affairs will present this item and be available for 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 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	18,090	46.8%	15,887	42.0%	15,452	40.5%
Hispanic	13,885	35.9%	15,041	39.7%	15,466	40.5%
African American	4,267	11.0%	4,217	11.1%	4,147	10.9%
Asian	957	2.5%	1,048	2.8%	1,040	2.7%
International	527	1.4%	554	1.5%	718	1.9%
Other & Unknown	940	2.4%	1,117	3.0%	1,348	3.5%
Total	38,666	100.0%	37,864	100.0%	38,171	100.0%
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	2,524	7.4%	2,126	6.4%	1,758	5.2%
Two-Year Institutions	Number	% of UG	Number	% of UG	Number	% of UG
	716	2.1%	628	1.9%	584	1.7%

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
2018	\$10,620	.0%	\$10,443	.0%
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%
2022	\$11,860	2.8%	\$11,762	2.7%
2023	\$11,860	.0%	\$11,793	.3%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	49%	\$6,373	41%	\$6,704	39%	\$6,473
2021	47%	\$6,386	38%	\$6,753	37%	\$6,573
Federal, State, Institutional or Other Grants Known by Institutions						
2020	54%	\$7,757	66%	\$8,028	73%	\$7,171
2021	54%	\$7,722	65%	\$8,509	76%	\$7,403
Federal (Pell) Grants						
2020	36%	\$4,758	38%	\$4,753	29%	\$4,602
2021	36%	\$4,815	36%	\$4,726	29%	\$4,653

Student Success							
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Graduation Rates		
		Enter Fall 2016	Enter Fall 2020	Enter Fall 2021	Cohort	Institution Rate	Peer Group Rate
Cohort		5,573	5,431	6,196	Fall 2013 4-year	32.3%	34.4%
Total		89.1%	84.8%	87.3%	Fall 2017 4-year	40.5%	43.2%
Same		77.7%	76.7%	79.6%	Fall 2018 4-year	36.8%	42.9%
Other		11.4%	8.0%	7.7%	Fall 2012 5-year	56.1%	54.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates					Fall 2016 5-year	59.6%	60.5%
		Enter Fall 2015	Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	59.5%	60.7%
Institution Persistence					Fall 2011 6-year	62.8%	60.8%
Cohort		5,529	6,092	5,402	Fall 2015 6-year	66.2%	66.7%
Total		82.5%	78.7%	77.3%	Fall 2016 6-year	65.8%	66.6%
Same		67.6%	64.9%	65.5%	National Comparison (IPEDS Definition)		
Other		14.9%	13.8%	11.8%	Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence					Fall 2012 4-year	27.0%	30.4%
Cohort		4,012	4,707	4,460	Fall 2016 4-year	31.0%	39.4%
Total		82.5%	81.6%	79.9%	Fall 2017 4-year	33.0%	41.0%
Same		67.8%	70.6%	68.6%	Fall 2011 5-year	48.0%	50.8%
Other		14.7%	10.9%	11.2%	Fall 2015 5-year	50.0%	58.4%
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree					Fall 2016 5-year	52.0%	59.6%
					Fall 2010 6-year	54.0%	57.0%
					Fall 2014 6-year	55.0%	63.0%
					Fall 2015 6-year	56.0%	64.2%
Institution				Peer Group Average			
Grade	Sem	SCH	Grade	Sem	SCH		

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 2018	5,454	10.00	134.00	4,194	10.62	138.12
FY 2021	5,701	9.60	130.00	4,850	9.82	134.25
FY 2022	5,460	9.40	129.00	4,700	9.62	132.25

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	867	60.2%
Peer Group	495	56.8%
<i>For Students NOT Needing Dev Ed</i>		
Institution	4,706	75.4%
Peer Group	3,544	76.4%

*Peer Group data is average for peer group.

Funding						
Source	FY 2017 Amount	Pct of Total	FY 2021 Amount	Pct of Total	FY 2022 Amount	Pct of Total
Appropriated Funds	\$202,892,939	36.3%	\$206,842,810	32.3%	\$230,286,757	30.4%
Federal Funds	\$87,663,369	15.7%	\$142,660,412	22.3%	\$231,291,371	30.5%
Tuition & Fees	\$233,494,375	41.8%	\$242,535,976	37.9%	\$245,955,484	32.5%
Institution	\$35,049,371	6.3%	\$47,790,018	7.5%	\$50,189,208	6.6%
Total Revenue	\$559,100,054	100.0%	\$639,829,216	100.0%	\$757,722,820	100.0%

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 2022	
	Number	Percent
White	15,452	40.5%
Hispanic	15,466	40.5%
African American	4,147	10.9%
Asian	1,040	2.7%
International	718	1.9%
Other & Unknown	1,348	3.5%
Total	38,171	100.0%
TX First Time Transfers		
Number	% of UG	
Two-Year Institutions	1,758	5.2%
Other Institutions	584	1.7%

Baccalaureate Success			
Graduation Rate of First-time, Full-time Degree-seeking Students			
Measure	Entering		Rate
	Fall		
4-year Rate Total	2018		36.8%
Same Institution			33.4%
Other Institutions			3.4%
5-year Rate Total	2017		59.5%
Same Institution			52.2%
Other Institutions			7.2%
6-year Rate Total	2016		65.8%
Same Institution			55.6%
Other Institutions			10.2%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2021	
Total	87.3%
Same	79.6%
Other	7.7%

2-Year Persistence, Fall 2020	
Total	77.3%
Same	65.5%
Other	11.8%

Avg Number SCH for Bachelor's Degree	
FY 2022 Average	
Sem	SCH
All	9.40 129.00

Degrees Awarded	
Type	FY 2022
Bachelor's	7,088
Master's	1,391
Doctoral	49
Professional	40
Total	8,568

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
FY 2022	
Field	Rate
Law	%
Pharmacy	%
Nursing	100.0%
Engineering	57.5%

*Data for FY 2021

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2022		
Test Section	ACT	SAT
Composite		
Math		
English		
Critical Reading		

<https://nces.ed.gov/>

Application for First-time Undergraduate Admission			
Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	8,721	92.1%	35.6%
African American	3,680	84.8%	29.7%
Hispanic	13,878	89.4%	26.9%
Asian	1,072	92.4%	21.0%
International	561	87.3%	6.1%
Other	866	90.9%	30.1%
Total	28,778	89.7%	29.4%

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	
2018	\$10,620	.0%	\$10,417	.0%	Type of Cost
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
2022	\$11,860	2.7%	\$11,748	2.6%	Books & Supplies
2023	\$11,860	.0%	\$11,783	.3%	Off-Campus Transportation & Personal Expenses
					Total Cost

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

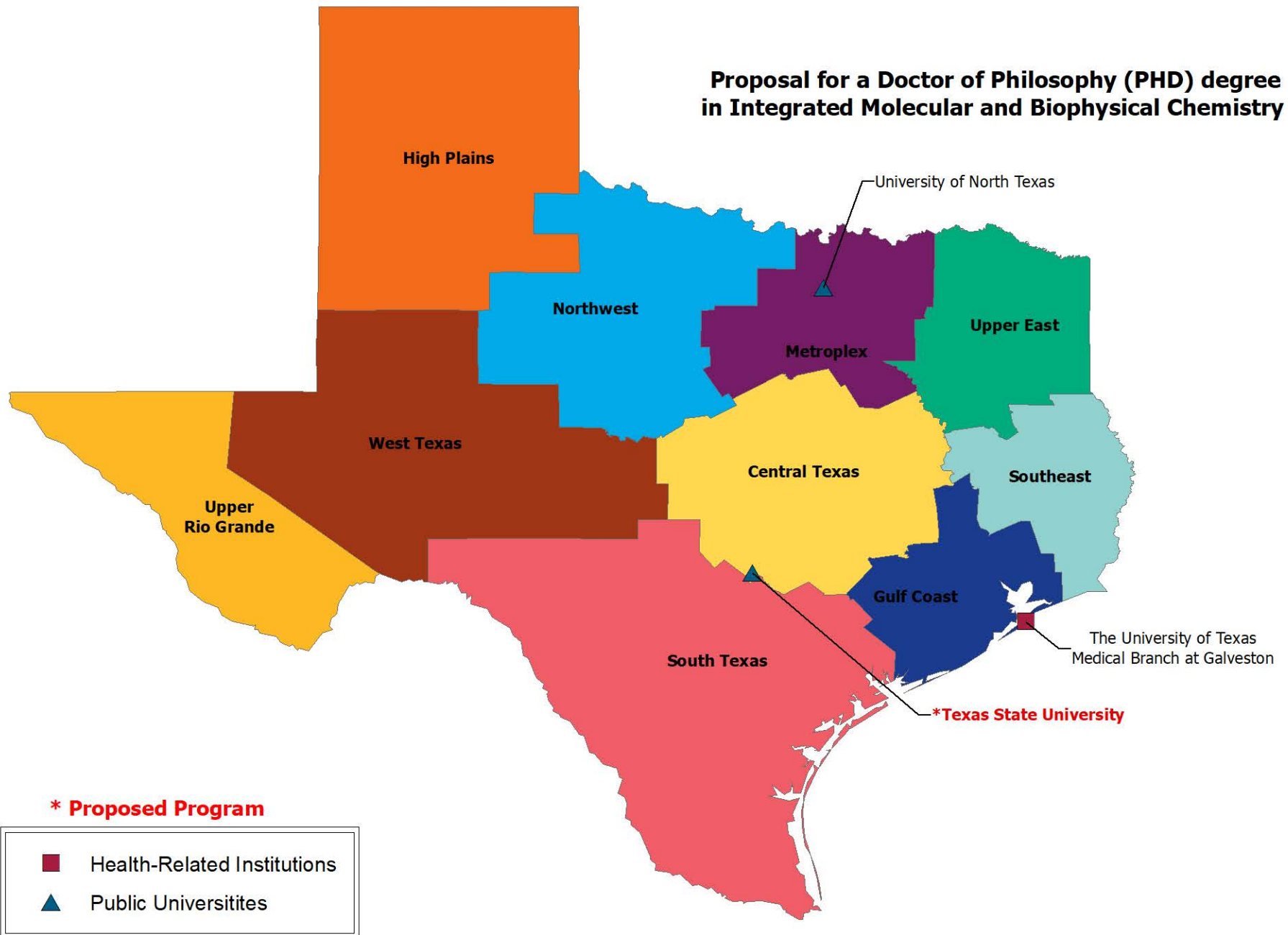
Instruction		
Measure of Excellence	Fall 2022	
Undergraduate Classes with < 20 Students		32.2%
Undergraduate Classes with > 50 Students		12.0%
% of Teaching Faculty Tenured/Tenure-track *		43.6%
Student/Faculty Ratio *		26:1

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	54%	\$7,722
Federal (Pell) Grants	36%	\$4,815
Federal Student Loans	47%	\$6,386

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$230,286,757	30.4%
Federal Funds	\$231,291,371	30.5%
Tuition & Fees	\$245,955,484	32.5%
Institution	\$50,189,208	6.6%
Total Revenue	\$757,722,820	100.0%

* Fall 2021 Data

Proposal for a Doctor of Philosophy (PHD) degree in Integrated Molecular and Biophysical Chemistry



AGENDA ITEM X-H (4)

Consideration and possible action to approve the request from The University of Texas at San Antonio for a Doctor of Philosophy in Computer Engineering.

RECOMMENDATION: Approval, beginning fall 2024

Program Summary:

The University of Texas at San Antonio (UT-San Antonio) is seeking approval to offer a Doctor of Philosophy (PhD) degree program in Computer Engineering (14.0901.00) that would begin in fall 2024. The proposed program would be offered face-to-face to students in San Antonio. If approved, the program would be the sixth PhD Computer Engineering program in Texas and the first in South Texas. UT-San Antonio intends to provide full financial coverage to its Computer Engineering PhD students. In addition to having their tuition and fees and student health insurance paid by the college, full-time PhD students appointed as graduate teaching assistants will receive an annual salary of \$24,000 per year for Fiscal Year 2024.

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$9,466 Non-resident: \$18,432
Estimated average annual <i>per student</i> institutional financial support**	100%
Projected state post-graduation first year annual earnings	\$107, 439
Number of existing Texas doctoral programs in related fields	5
Minimum SCHs required for completion	54 SCHs beyond master's 81 SCHs beyond bachelor's

*Student costs assume full-time enrollment and include tuition, fees, course supplies, and other annual expenses identified by the institution. Variable costs such as housing are not included.

**Includes total annual financial support made available by the institution (scholarships, teaching assistantships, research assistantships, etc.) divided by the annual number of enrollments projected. This does not include federal and state financial aid.

Similar Programs

Program Title & Designation	University	Region
PhD in Computer Engineering	TAMU	Central
PhD in Computer Engineering	TAMU	Central
PhD in Computer Engineering	UTA	Metroplex
PhD in Computer Engineering	UTD	Metroplex
PhD in Computer Engineering	UH	Gulf Coast

Labor Market Demand

The Bureau of Labor Statistics (BLS) does not have a category specific to computer engineering; however, BLS data for computer and information research scientists, a field that a PhD Computer Engineering graduate is likely to enter, predicts a 22.7% employment growth from 2022-2032.

According to the Texas Workforce Commission report on Texas Growth Occupations, the proposed program would produce graduates seeking occupations within the Professional, Scientific, and Technical Services industry. When focusing on the demand in Texas, the occupations in this industry are equal to or higher than the national demand. The Texas Workforce Commission projects an average 2.4% increase in professional services employment each year between 2020 to 2030. This equates to an increase of 204,135 jobs, or 26.8% growth over the 10-year period. By 2030, Texas employment for this industry is projected to reach 965,920.

Academic Quality/Site Visit Summary

Feedback from the site visit team indicates that the UTSA team submitted a well-crafted proposal that provides strong supporting evidence for the creation of the proposed degree program. In particular, the proposal and the discussion with the UTSA team demonstrates a clear need for the establishment of this program in response to both local demand as well as national need. As a newly recognized Carnegie R1 University with several active research and education centers and institutes, the need for this program is clear. The program is well defined and supported by the administration, faculty, and graduate students.

Projected 5-Year Enrollments, Costs, and Funding

The UT-San Antonio Electrical and Computer Engineering (ECE) Department has administered the current PhD in Electrical Engineering program since 2002. The proposed Computer Engineering PhD program will further strengthen the existing research ties between UT-San Antonio's mechanical engineering, civil engineering, biomedical engineering, environmental science, and engineering and chemical engineering faculty. The proposed program will allow Computer Engineering doctoral students to interact with their counterparts at other departments within the engineering college, offering them a unique multidisciplinary research experience. The department plans to hire two new core faculty in the disciplines of Hardware Security and AI Accelerator and two support faculty in the disciplines of bioinformatics and robotics. UT-San Antonio does not anticipate any immediate needs for additional support staff. The staff who currently support the PhD in Electrical Engineering program with Computer Engineering concentration will also support the new PhD in Computer Engineering program. Recently, UT-San Antonio has made significant progress in improving library collections, facilities, and services. The proposal also noted that the department currently has four National Science Foundation CAREER Award recipients.

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	38	39	40	41	41	199
Estimated Total Costs	\$1,273,568	\$1,068,568	\$1,068,568	\$1,068,568	\$868,568	\$5,347,839
Estimated Total Funding	\$1,300,682	\$2,018,393	\$2,957,513	\$3,012,653	\$3,044,327	\$12,333,568

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available for 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 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	7,484	24.4%	7,381	21.6%	6,865	20.5%
Hispanic	16,232	52.9%	19,693	57.6%	19,733	58.8%
African American	3,108	10.1%	3,325	9.7%	3,153	9.4%
Asian	1,708	5.6%	1,924	5.6%	1,903	5.7%
International	1,034	3.4%	955	2.8%	973	2.9%
Other & Unknown	1,108	3.6%	899	2.6%	930	2.8%
Total	30,674	100.0%	34,177	100.0%	33,557	100.0%
TX First Time Transfers	Number		Number		Number	
	% of UG		% of UG		% of UG	
Two-Year Institutions	2,068	8.0%	2,147	7.4%	1,908	6.7%
Other Institutions	535	2.1%	556	1.9%	515	1.8%

Costs				
Average Annual Total Academic Costs for Resident Undergraduate Student Taking 30 SCH				
Fiscal Year	Texas Rates			
	Institution Average	Percent Increase	Peer Group Average	Percent Increase
2018	\$10,013	.0%	\$10,443	.0%
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%
2022	\$10,966	3.5%	\$11,762	2.7%
2023	\$10,966	.0%	\$11,793	.3%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	49%	\$6,449	41%	\$6,704	38%	\$6,453
2021	45%	\$6,438	38%	\$6,753	35%	\$6,508
Federal, State, Institutional or Other Grants Known by Institutions						
2020	75%	\$7,561	66%	\$8,028	76%	\$8,059
2021	77%	\$7,653	65%	\$8,509	78%	\$8,204
Federal (Pell) Grants						
2020	45%	\$4,439	38%	\$4,753	36%	\$5,017
2021	44%	\$4,463	36%	\$4,726	36%	\$5,083

Student Success						
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates		
		Enter Fall 2016	Enter Fall 2020	Enter Fall 2021	Cohort	Peer Group
Cohort		4,306	4,498	4,430	Fall 2013 4-year	34.4%
Total		88.1%	85.0%	86.7%	Fall 2017 4-year	43.2%
Same		73.6%	77.6%	80.3%	Fall 2018 4-year	42.9%
Other		14.6%	7.4%	6.5%	Fall 2012 5-year	54.6%
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2016 5-year	60.5%	
		Enter Fall 2015	Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	60.7%
Institution Persistence				Fall 2011 6-year	60.8%	
Cohort				Fall 2015 6-year	66.7%	
Total				Fall 2016 6-year	66.6%	
Same				National Comparison (IPEDS Definition)		
Other				Cohort	Institution Rate	OOS Peers Rate
Peer Group Persistence				Fall 2012 4-year	13.0%	27.6%
Cohort				Fall 2016 4-year	25.0%	37.6%
Total				Fall 2017 4-year	28.0%	40.2%
Same				Fall 2011 5-year	28.0%	49.2%
Other				Fall 2015 5-year	41.0%	57.2%
				Fall 2016 5-year	46.0%	58.6%
				Fall 2010 6-year	35.0%	56.8%
				Fall 2014 6-year	46.0%	61.8%
				Fall 2015 6-year	51.0%	63.0%

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 2018	3,698	10.00	135.00	4,194	10.62	138.12
FY 2021	4,868	9.80	132.00	4,850	9.82	134.25
FY 2022	4,522	9.60	130.00	4,700	9.62	132.25

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	320	58.4%
Peer Group	495	56.8%
<i>For Students NOT Needing Dev Ed</i>		
Institution	3,986	75.7%
Peer Group	3,544	76.4%

*Peer Group data is average for peer group.

Funding						
Source	FY 2017 Amount	Pct of Total	FY 2021 Amount	Pct of Total	FY 2022 Amount	Pct of Total
Appropriated Funds	\$149,019,310	32.6%	\$162,176,413	22.3%	\$192,373,707	27.3%
Federal Funds	\$92,265,798	20.2%	\$200,914,830	27.7%	\$197,006,303	28.0%
Tuition & Fees	\$166,834,508	36.5%	\$228,192,154	31.4%	\$225,236,431	32.0%
Institution	\$49,366,776	10.8%	\$134,488,033	18.5%	\$89,054,987	12.7%
Total Revenue	\$457,486,392	100.0%	\$725,771,430	100.0%	\$703,671,428	100.0%

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 2022 Number	Percent
White	6,865	20.5%
Hispanic	19,733	58.8%
African American	3,153	9.4%
Asian	1,903	5.7%
International	973	2.9%
Other & Unknown	930	2.8%
Total	33,557	100.0%
TX First Time Transfers	Number	% of UG
Two-Year Institutions	1,908	6.7%
Other Institutions	515	1.8%

Baccalaureate Success				
Graduation Rate of First-time, Full-time Degree-seeking Students Entering			1-Year Persistence, Fall 2021	
Measure	Fall	Rate	Total	86.7%
4-year Rate Total	2018	38.8%	Same	80.3%
Same Institution		32.2%	Other	6.5%
Other Institutions		6.5%	2-Year Persistence, Fall 2020	
5-year Rate Total	2017	57.8%	Total	75.7%
Same Institution		46.4%	Same	64.1%
Other Institutions		11.4%	Other	11.6%
6-year Rate Total	2016	66.8%	Avg Number SCH for Bachelor's Degree	
Same Institution		53.5%	FY 2022 Average	
Other Institutions		13.4%	Sem	SCH
Grad Rates by Ethnicity			All	9.60 130.00

Degrees Awarded	
Type	FY 2022
Bachelor's	5,843
Master's	1,343
Doctoral	143
Professional	0
Total	7,329

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
Field	FY 2022 Rate
Law	%
Pharmacy	%
Nursing	%
Engineering	70.7%

*Data for FY 2021

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2022		
Test Section	ACT	SAT
Composite	https://nces.ed.gov/	
Math		
English		
Critical Reading		

Application for First-time Undergraduate Admission Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	3,739	87.8%	30.4%
African American	2,478	80.8%	28.7%
Hispanic	14,163	86.9%	27.9%
Asian	1,825	91.9%	24.4%
International	233	95.7%	26.9%
Other	864	88.1%	24.6%
Total	23,302	86.9%	28.0%

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	Type of Cost
2018	\$10,013	.0%	\$10,504	.0%	Total Academic Cost
2019	\$9,978	-.4%	\$10,817	2.9%	On-campus Room & Board
2020	\$9,724	-2.6%	\$11,195	3.4%	Books & Supplies
2021	\$10,600	8.3%	\$11,578	3.3%	Off-Campus Transportation & Personal Expenses
2022	\$10,966	3.3%	\$11,876	2.5%	Total Cost
2023	\$10,966	.0%	\$11,911	.3%	

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

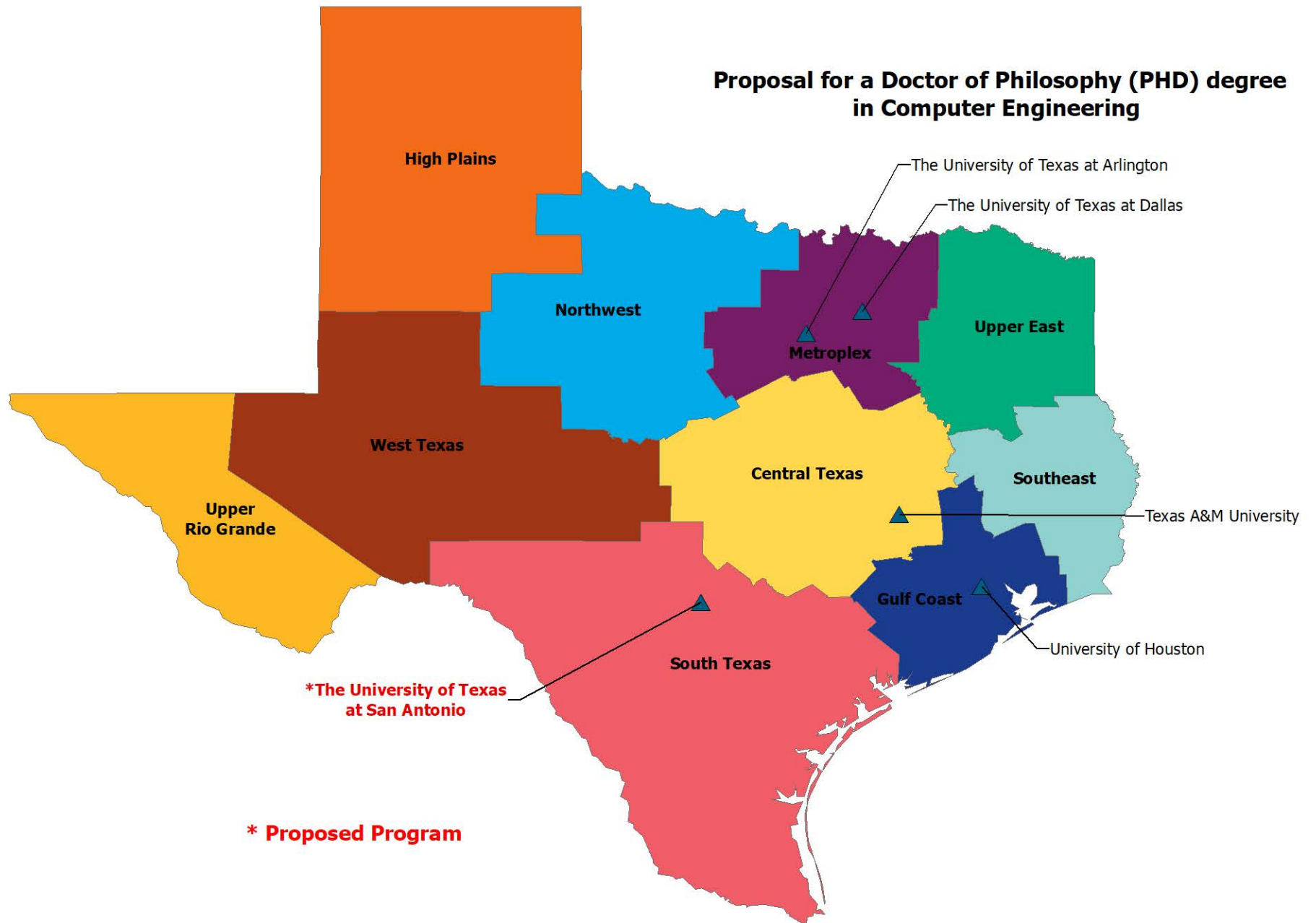
Instruction		
Measure of Excellence	Fall 2022	
Undergraduate Classes with < 20 Students	25.8%	
Undergraduate Classes with > 50 Students	28.4%	
% of Teaching Faculty Tenured/Tenure-track *	56.2%	
Student/Faculty Ratio *	25:1	

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	77%	\$7,653
Federal (Pell) Grants	44%	\$4,463
Federal Student Loans	45%	\$6,438

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$192,373,707	27.3%
Federal Funds	\$197,006,303	28.0%
Tuition & Fees	\$225,236,431	32.0%
Institution	\$89,054,987	12.7%
Total Revenue	\$703,671,428	100.0%

* Fall 2021 Data

Proposal for a Doctor of Philosophy (PHD) degree in Computer Engineering



AGENDA ITEM X-H (5)

Consideration and possible action to approve the request from University of Houston for a Doctor of Global Hospitality Leadership in Global Hospitality Leadership

RECOMMENDATION: Approval, beginning fall 2024

Program Summary:

University of Houston (UH) is seeking approval to offer a Doctor of Global Hospitality Leadership (DGHL) degree program in Global Hospitality Leadership that would begin in fall 2024. The proposed program would be offered completely online. This would be a professional program intended for executives already in the workforce, not a research-based PhD program intended for academics. Candidates would need at least five years of executive work experience for admission. It would be the first such program in Texas, and only the third in the world (the others are at Iowa State University and Hong Kong Polytechnic University).

Program Demand & Student Support

Estimated average annual <i>per student</i> costs*	Resident: \$18,444 Non-resident: \$18,444
Estimated average annual <i>per student</i> institutional financial support**	\$422
Projected state post-graduation first year annual earnings	\$92,072
Number of existing Texas doctoral programs in related fields	3
Minimum SCHs required for completion	54 beyond master's

*Student costs assume full-time enrollment and include tuition, fees, course supplies and other annual expenses identified by the institution. Variable costs such as housing are not included.

**Includes total annual financial support made available by the institution (scholarships, teaching assistantships, research assistantships, etc.) divided by the annual number of enrollments projected. This does not include federal and state financial aid.

Similar Programs

Program Title & Designation	University	Region
Hospitality, Hotel Management, and Tourism	Texas A&M University	Central
Hospitality, Tourism, and Retail Management PhD	Texas Tech University	High Plains
Hospitality Administration PhD	University of Houston	Gulf Coast

Labor Market Demand

Job demand information has limited relevance in this case because students are expected to have at least five years of high-level employment in the industry before the program, remain employed during the part-time program, and remain with their employer after the program. Some graduates may advance to higher positions with new employers, some may branch out into part-time or full-time teaching, and some may work as industry consultants.

The Bureau of Labor Statistics (BLS) projects lodging managers to grow 7% from 2022 to 2032, which is over twice the average for all occupations (3%). The BLS projects an average of 5,400 openings per year. For the BLS category of “top executives,” growth is projected at 5% through 2032 with an average of 311,600 openings per year (including all industries, not just hospitality or lodging).

In Texas, the Texas Workforce Commission (TWC) projects lodging manager positions to grow 19.3% through 2030. The TWC projects an average of 85.4 openings per year, not including replacement positions. For “chief executives” from all industries, the TWC projects a 3.4% increase with an average of 30.9 new openings per year, not including replacement positions.

Academic Quality/Site Visit Summary

External reviewers conducted a virtual site visit on December 14, 2023. They recognized the Conrad N. Hilton College of Global Hospitality Leadership as "one of the leading colleges of its kind in the world," and they congratulated UH for the design of the program and its "innovative contribution to the future of hospitality doctoral education." The reviewers recommended ensuring that students understand the differences between DGHL and PhD degrees and that they are acclimated to online education. UH agreed with the recommendations and responded with specific implementation plans.

Projected 5-Year Enrollments, Costs, and Funding

In accordance with the institution’s proposed hiring schedule, UH will hire two core faculty members, with 100% of the time dedicated to the program, to start in fall 2024.

	Year 1	Year 2	Year 3	Year 4	Year 5	5-Year Total
Projected Cumulative Headcount	12	24	36	39	45	156
Estimated Total Costs	\$377,645	\$392,455	\$456,475	\$594,126	\$622,266	\$2,442,967
Estimated Total Funding	\$346,697	\$526,794	\$1,128,37	\$2,018,90	\$2,110,861	\$6,131,627
Net Funding	\$30,948	\$134,339	\$671,896	\$1,424,778	\$1,488,595	\$3,688,660

Online Resume for Legislators and Other Policymakers

UNIVERSITY OF HOUSTON

Location: Houston, Gulf Coast Region

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

Out-Of-State Peers: University Of Cincinnati-Main Campus, University Of Illinois At Chicago, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus, University Of South Carolina-Columbia

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment						
Race/Ethnicity	Fall 2017		Fall 2021		Fall 2022	
	Number	Percent	Number	Percent	Number	Percent
White	11,629	25.6%	10,171	21.7%	9,326	20.0%
Hispanic	13,873	30.6%	15,638	33.3%	15,493	33.3%
African American	4,884	10.8%	5,590	11.9%	5,588	12.0%
Asian	9,415	20.8%	10,370	22.1%	10,292	22.1%
International	3,865	8.5%	3,619	7.7%	4,387	9.4%
Other & Unknown	1,698	3.7%	1,583	3.4%	1,494	3.2%
Total	45,364	100.0%	46,971	100.0%	46,580	100.0%
TX First Time Transfers	Number	% of UG	Number	% of UG	Number	% of UG
	4,011	11.1%	3,468	9.2%	3,199	8.6%
Two-Year Institutions	777	2.2%	661	1.7%	623	1.7%
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
2018	\$11,078	.0%	\$10,443	.0%
2019	\$10,890	-1.7%	\$10,712	2.6%
2020	\$11,276	3.5%	\$11,011	2.8%
2021	\$11,569	2.6%	\$11,455	4.0%
2022	\$11,870	2.6%	\$11,762	2.7%
2023	\$11,876	.1%	\$11,793	.3%

Financial Aid						
Fiscal Year	Institution		Peer Group		OOS Peer Group	
	Percent	Avg Amt	Percent	Avg Amt	Percent	Avg Amt
Federal Student Loans						
2020	36%	\$6,482	41%	\$6,704	40%	\$6,392
2021	30%	\$6,413	38%	\$6,753	38%	\$6,542
Federal, State, Institutional or Other Grants Known by Institutions						
2020	82%	\$6,544	66%	\$8,028	80%	\$7,696
2021	69%	\$8,290	65%	\$8,509	76%	\$8,373
Federal (Pell) Grants						
2020	41%	\$4,856	38%	\$4,753	29%	\$4,746
2021	40%	\$4,881	36%	\$4,726	29%	\$4,816

Student Success								
One-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Graduation Rates				
Enter Fall 2016		Enter Fall 2020	Enter Fall 2021	Cohort	Institution Rate	Peer Group Rate		
Cohort	4,263	4,715	4,998	Fall 2013 4-year	34.1%	34.4%		
Total	90.9%	90.0%	88.8%	Fall 2017 4-year	45.9%	43.2%		
Same	84.3%	84.4%	83.1%	Fall 2018 4-year	44.5%	42.9%		
Other	6.5%	5.6%	5.7%	Fall 2012 5-year	56.7%	54.6%		
Two-Year Persistence of First-time, Full-time, Degree Seeking Undergraduates				Fall 2016 5-year	61.7%	60.5%		
Enter Fall 2015		Enter Fall 2019	Enter Fall 2020	Fall 2017 5-year	63.3%	60.7%		
Institution Persistence				Fall 2011 6-year	61.4%	60.8%		
Cohort	4,004	5,356	4,699	Fall 2015 6-year	68.9%	66.7%		
Total	83.5%	84.4%	83.6%	Fall 2016 6-year	68.4%	66.6%		
Same	72.5%	76.1%	74.4%	National Comparison (IPEDS Definition)				
Other	11.1%	8.3%	9.2%	Cohort	Institution Rate	OOS Peers Rate		
Peer Group Persistence				Fall 2012 4-year	23.0%	34.4%		
Cohort	4,012	4,707	4,460	Fall 2016 4-year	36.0%	43.8%		
Total	82.5%	81.6%	79.9%	Fall 2017 4-year	38.0%	45.0%		
Same	67.8%	70.6%	68.6%	Fall 2011 5-year	43.0%	56.8%		
Other	14.7%	10.9%	11.2%	Fall 2015 5-year	56.0%	64.2%		
Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree				Fall 2016 5-year	56.0%	64.6%		
Institution Grade	Sam	SCH	Peer Group Average Grade	Sam	SCH	Fall 2010 6-year	51.0%	61.8%
						Fall 2014 6-year	62.0%	68.0%
						Fall 2015 6-year	62.0%	68.2%

Average Number of Fall & Spring Semesters and SCH Attempted for Bachelor's Degree						
Year	Institution			Peer Group Average		
	Grads	Sem	SCH	Grads	Sem	SCH
FY 2018	5,335	11.00	141.00	4,194	10.62	138.12
FY 2021	6,491	10.20	138.00	4,850	9.82	134.25
FY 2022	5,954	10.00	136.00	4,700	9.62	132.25

Six-year Graduation & Persistence Rate, Fall 2016		
Student Group	Cohort	Rate
<i>For Students Needing Dev Ed</i>		
Institution	165	54.5%
Peer Group	495	56.8%
<i>For Students NOT Needing Dev Ed</i>		
Institution	4,098	77.7%
Peer Group	3,544	76.4%

*Peer Group data is average for peer group.

Funding						
Source	FY 2017 Amount	Pct of Total	FY 2021 Amount	Pct of Total	FY 2022 Amount	Pct of Total
Appropriated Funds	\$284,455,030	27.5%	\$303,577,526	23.6%	\$316,084,764	24.1%
Federal Funds	\$126,578,428	12.3%	\$263,368,751	20.4%	\$268,192,086	20.4%
Tuition & Fees	\$351,843,198	34.1%	\$379,222,889	29.4%	\$375,664,423	28.6%
Institution	\$270,239,040	26.2%	\$342,523,259	26.6%	\$352,184,290	26.8%
Total Revenue	\$1,033,115,696	100.0%	\$1,288,692,425	100.0%	\$1,312,125,563	100.0%

Online Resume for Prospective Students, Parents and the Public

UNIVERSITY OF HOUSTON

Location: Houston, Gulf Coast Region

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

Out-Of-State Peers: University Of Cincinnati-Main Campus, University Of Illinois At Chicago, University Of New Mexico-Main Campus, University Of Oklahoma-Norman Campus, University Of South Carolina-Columbia

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

[Institutional Resumes](#)

[Accountability System](#)

[Definitions](#)

[Institution Home Page](#)

Enrollment		
Race/Ethnicity	Fall 2022	
	Number	Percent
White	9,326	20.0%
Hispanic	15,493	33.3%
African American	5,588	12.0%
Asian	10,292	22.1%
International	4,387	9.4%
Other & Unknown	1,494	3.2%
Total	46,580	100.0%
TX First Time Transfers	Number	% of UG
Two-Year Institutions	3,199	8.6%
Other Institutions	623	1.7%

Baccalaureate Success			
Graduation Rate of First-time, Full-time Degree-seeking Students			
Measure	Entering		Rate
	Fall		
4-year Rate Total	2018		44.5%
Same Institution			41.9%
Other Institutions			2.6%
5-year Rate Total	2017		63.3%
Same Institution			59.0%
Other Institutions			4.3%
6-year Rate Total	2016		68.4%
Same Institution			62.0%
Other Institutions			6.4%

[Grad Rates by Ethnicity](#)

1-Year Persistence, Fall 2021	
Total	88.8%
Same	83.1%
Other	5.7%

2-Year Persistence, Fall 2020	
Total	83.6%
Same	74.4%
Other	9.2%

Avg Number SCH for Bachelor's Degree		
FY 2022 Average		
Sem	SCH	
All	10.00	136.00

Degrees Awarded	
Type	FY 2022
Bachelor's	8,017
Master's	1,862
Doctoral	406
Professional	414
Total	10,699

[Degrees by Ethnicity](#)

First-time Licensure or Certification Examination Pass Rate	
FY 2022	
Field	Rate
Law	86.0%
Pharmacy	88.0%
Nursing	%
Engineering	72.0%

*Data for FY 2021

Admissions		
Middle 50% of Test Scores, for First-Time Undergraduates, Fall 2022		
Test Section	ACT	SAT
Composite		
Math		
English		
Critical Reading		

<https://nces.ed.gov/>

Application for First-time Undergraduate Admission Fall 2022			
Race/Ethnicity	Applicants	Accepted	Enrolled
White	4,103	76.6%	25.1%
African American	6,000	52.9%	25.1%
Hispanic	11,580	62.6%	28.4%
Asian	5,151	84.0%	35.3%
International	1,585	76.2%	18.5%
Other	1,022	77.6%	24.3%
Total	29,441	67.6%	28.1%

Costs					
Average Annual Academic Costs for Resident Undergraduate Student Taking 30 SCH					Annual Costs for Resident Undergraduate Student Taking 30 SCH, FY 2023
Fiscal Year	Institution Average	Percent Increase	Peer Group Average	Percent Increase	
2018	\$11,078	.0%	\$10,352	.0%	Type of Cost
2019	\$10,890	-1.7%	\$10,687	3.1%	
2020	\$11,276	3.4%	\$10,974	2.6%	Total Academic Cost
2021	\$11,569	2.5%	\$11,439	4.1%	On-campus Room & Board
2022	\$11,870	2.5%	\$11,747	2.6%	Books & Supplies
2023	\$11,876	.1%	\$11,781	.3%	Off-Campus Transportation & Personal Expenses
					Total Cost

[Rates of Tuition per SCH](#)

[Mandatory Fees](#)

Instruction		
Measure of Excellence	Fall 2022	
Undergraduate Classes with < 20 Students	29.5%	
Undergraduate Classes with > 50 Students	22.7%	
% of Teaching Faculty Tenured/Tenure-track *	59.0%	
Student/Faculty Ratio *	23:1	

* Fall 2021 Data

Financial Aid		
Enrolled in FY 2021		
Type of Aid	% of UGs Receiving	Average Amount
Grants or Scholarships	69%	\$8,290
Federal (Pell) Grants	40%	\$4,881
Federal Student Loans	30%	\$6,413

Funding		
Source	FY 2022 Amount	Pct of Total
Appropriated Funds	\$316,084,764	24.1%
Federal Funds	\$268,192,086	20.4%
Tuition & Fees	\$375,664,423	28.6%
Institution	\$352,184,290	26.8%
Total Revenue	\$1,312,125,563	100.0%

Proposal for a Doctor of Global Hospitality Leadership (DGHL) degree in Global Hospitality Leadership.



AGENDA ITEM X-I (1)

Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 1, Subchapter G, Section 1.128(b), concerning the authority and specific purposes of the ApplyTexas Advisory Committee

RECOMMENDATION: Adoption

Background Information:

The proposed amendment will provide institutions of higher education with a reference to the accurate rule.

The amendments align with the agency's authority under Board Rules, Chapter 1, Subchapter A, General Provisions, Rule 1.15, which provides the authority for the commissioner to approve proposed board rules for publication in the Texas Register.

Laura Brennan, Assistant Commissioner for College and Career Advising, will be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

Summary of comments received: No comments were received regarding this rule.

CHAPTER 1:
AGENCY ADMINISTRATION

SUBCHAPTER G:
APPLY TEXAS ADVISORY COMMITTEE

Section 1.128. Authority and Specific Purposes of the Apply Texas Advisory Committee.

- (a) Authority. Statutory authority for this subchapter is provided in the Texas Education Code, §51.762, and in accordance with the Texas Education Code, §61.0331, regarding requirements for Negotiated Rulemaking. Moreover, the committee is governed in accordance with the Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter A, §1.6 (relating to Advisory Committees ~~[General Provisions]~~).
- (b) Purposes. Apply Texas Advisory Committee is created to provide the Board with advice and recommendation(s) regarding the common admission applications and the Apply Texas System, in accordance with Chapter 4, Subchapter A, §4.10 ~~[§4.11]~~ of this title (relating to Common Admission Application Forms).

AGENDA ITEM X-I (2)

Consideration and possible action to adopt proposed amendments to Board Rules, Chapter 4, Subchapter A, Section 4.10(h)(2)-(4), concerning the Common Admission Application forms

RECOMMENDATION: Adoption

Background Information:

The proposed amendments to this rule allow options for recovering costs related to the common application form, including not recovering costs if appropriate appropriations are identified.

The amendments align rules with House Bill 1, General Appropriations, Article III, Rider 9 (87th Legislature, Regular Session), Cost Recovery for the Common Application Form, which provides the Texas Higher Education Coordinating Board with the authority to recover costs related to the common application form for each general academic institution, each participating public two-year institution, and each participating independent institution.

Laura Brennan, Assistant Commissioner for College and Career Advising, will be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

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 A:
GENERAL PROVISIONS

Section 4.10. Common Admission Application Forms.

(a) – (g). No change.

(h) Costs.

- (1) Participating institutions may charge a reasonable fee for the filing of a common application form.
- (2) Operating costs of the system ~~may~~ ~~[shall]~~ be paid for by all institutions required to use the common application plus independent and health-related institutions that contract to use the electronic application.
- (3) Each participating institution ~~may~~ ~~[shall]~~ pay a portion of the cost based on the percentage of its enrollment compared to the total enrollment of all participating institutions based on the certified enrollment data of the most recent fall semester. The Coordinating Board will monitor the cost of the system and notify the institutions on an annual basis of their share of the cost. Billings for the services for the coming year will be calculated and sent to the institutions by September 1 of each fiscal year and payments must be received no later than December 1 of each fiscal year.
- (4) The Coordinating Board ~~may~~ ~~[shall]~~ send participating institutions reminders of payment amounts and the due date. Institutions failing to pay their share of the cost by the due date may be denied access to in-coming application data until such time that payments are received.

AGENDA ITEM X-I (3)

Consideration and possible action to adopt amendments to Board Rules, Chapter 4, Subchapter B, Sections 4.21-4.23, 4.27, 4.29, 4.31, 4.32, 4.34, and 4.39, concerning transfer of credit, core curriculum, and field of study curricula

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter B, Sections 4.21-4.23, 4.27, 4.29, 4.31, 4.32, 4.34, and 4.39, concerning transfer of credit, core curriculum, and fields of study. Specifically, this amendment will encourage transferability of lower-division course credit among institutions of higher education.

These amendments will encourage the free and appropriate transferability of lower-division course credit among institutions of higher education and provide for the smooth transfer of lower-division credit through core curricula, field of study curricula, and a procedure for the resolution of transfer disputes. The Coordinating Board is authorized to adopt rules and establish policies and procedures for the development, adoption, implementation, funding, and evaluation of Core Curricula, Field of Study Curricula, and a transfer dispute resolution process under Texas Education Code Sections 61.059, 61.0512, 61.0593, 61.821-61.828, and 61.834.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available to answer questions.

Date Published in the *Texas Register*: February 16, 2024.

The 30-day comment period with the *Texas Register* ended on: March 16, 2024.

The Coordinating Board received comments from two public community college institutions/organizations during the 30-day public period.

Comment from South Texas College

Comment: Regarding proposed rule 4.39 which states “A junior college, public state college, or public technical institute shall award a student a "Texas Direct" associate degree and include a notation on the transcript of a student who completes any Board approved field of study curriculum developed by the Board”, there are some challenges when it comes to being able to accomplish this at the community college level. This is stemming from discussions that were held with other community college peers during

the recent TACRAO quarterly meeting that also share the same concern. The group is seeking further clarification on the notation for “Texas Direct” associate degrees since it’s intended to streamline the transfer process from college to university; however, the challenge for the community colleges is not knowing what university the student intends to transfer to as there could be multiple options with varying directed electives. The same can be said about the board-approved field of studies (FOS), especially since some courses are also shared with the core curriculum and community colleges cannot double count credits the way universities can. The FOS structure is not the same as the one we have for Core Curriculum in terms of scheme whereby we can code the courses based on the foundation area they fall under. Below is a snapshot of how core courses are identified on transcripts with a common code, so this would make it easier for the receiving institution to apply the course in the correctly on the declared program. If something similar can be developed for the FOS, the receiving institution would be able to identify the courses easily.

Response: The Coordinating Board thanks the institution for its comment, and recognizes the concerns raised about transcribing the Texas Direct. The community college will need to include on the student transcript the notation for the Texas Direct if the student has completed the components of the field of study including: the discipline-specific core curriculum, discipline foundation courses, as well as the directed electives from any of the general academic teaching Institutions. Additional guidance for institutions will be provided in an FAQ and other mechanisms for communicating with institutions.

Comments Received from San Jacinto College

Comment: §4.27. Resolution of Transfer Disputes for Lower-Division Courses - In 4.27(a)(1) we believe "accept" should be clarified as "accept and apply." That ensures clarity and consistency with subsequent language in 4.27(1)(c), "the receiving institution shall apply the credit toward the core curriculum or the field of study..." Further, we believe it will be beneficial to define all instances of "transfer of credit" throughout Texas Administrative Code Title 19 Part 1 as "the acceptance of credit and the application of that credit to a student's degree plan at the receiving institution." The instances in this statute are examples of the need for that broader change.

Response: Regarding the clarification proposed in 4.27(a)(1) and 4.27(c), the Coordinating Board agrees with the changes proposed and has aligned language in both sections to be “accept and apply”. Regarding the request for a definition of "transfer of credit," while the Coordinating Board agrees that having a standardized definition would be helpful, Coordinating Board staff need to gather more information on what sections of Texas Administrative Code would be affected by a broad definition.

Comment: §4.34.Revision of Approved Fields of Study Curricula.- Regarding 4.34(c), we believe it is important to consider revisions to the “two academic years” limit; the rule should align with and honor a student’s catalog year, e.g., "A student is entitled to apply an institution's approved directed electives specified in the catalog for the year the student began the field of study at the community college." (1) If it is a truly contiguous pathway, this suggested change may be essential. The "two academic years after"

effectively disregards catalog years for transfer students. (2) The "two academic years after" may likely have a disproportionately negative effect on part-time students, at universities and community colleges. By definition, it often will take those students longer than 2 years to complete the FOS/AA. If the FOS revisions - including directed electives - are not tied to catalog years, part-time students may inevitably be caught in a bind when revisions have been made to the FOS in the time since they started the program 2.5 to 3 or more years ago.

Response: The Coordinating Board thanks the institution for its comment. A provision has been included in rule text 4.32(3)(G) that a receiving institution must accept a directed elective upon transfer if it was listed as an active directed elective in the Coordinating Boards field of study directed electives inventory at the time the student completed the course. Additional clarification has been added in 4.34(c) and 4.34(d) that institutions may add directed electives, but if there is a request to delete a directed elective there must be a two-year phase-out period. The Coordinating Board will notate deletion and phase out dates on its inventory to ensure there is a historical record.

Comment: §4.32. Field of Study Curriculum - Regarding 4.32(b), may the Texas Transfer Advisory Committee (TTAC) consider whether (1) Selected Texas Core Curriculum Courses and (2) Discipline Foundation Courses should also include a minimum number of semester credit hours (SCH), similar to the Directed Electives? Without such a minimum, select fields of study do not seem to present a viable lower division transfer pathway. For example, the Political Science Field of Study currently includes no selected core curriculum courses, yet 9 of the 12 SCH in the discipline foundation are commonly core courses, and with 40 of the 52 SCH directed electives also commonly being core courses, the Political Science FOS is effectively the core curriculum and 3 SCH, GOVT 2304. Similarly/alternatively, may the Academic Course Guide Manual (ACGM) Advisory Committee consider the breadth of political science courses available in the ACGM? It may be in the discipline's and students' best interest for there to be more political science courses available in the ACGM such that a more substantive transfer pathway may be defined by the field of study.

Response: The Coordinating Board thanks the institution for its comment. While the field of study curriculum (FOSC) does not list a minimum for Discipline Foundation Courses the total field of study courses must be 18 semester credit hours. Having a maximum but not a minimum requirement ensures that faculty subcommittees can customize the field of study curriculum as much as possible within the framework. The core curriculum courses do not count toward the 18 SCH and are additional core courses the student must take to be FOSC complete. The ACGM Advisory Committee can recommend the development of new courses in the ACGM, at which point THECB staff would convene faculty committees for course development.

The Board is authorized to adopt rules and establish policies and procedures for the development, adoption, implementation, funding, and evaluation of Core Curricula, Field of Study Curricula, and a transfer dispute resolution process under Texas Education Code §§61.059, 61.0512, 61.0593, 61.821-61.828, and 61.834.

CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

SUBCHAPTER B. TRANSFER OF CREDIT, CORE CURRICULUM AND FIELD OF STUDY CURRICULA

4.21. Purpose.

4.22. Authority.

The Board is authorized to adopt rules and establish policies and procedures for the development, adoption, implementation, funding, and evaluation of Core Curricula, Field of Study Curricula, and a transfer dispute resolution process under Texas Education Code §§61.059, 61.0512, 61.0593, ~~61.823~~, 61.821-61.828, and 61.834.

4.23. Definitions.

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

(1) Academic Associate Degree--A type of degree program generally intended to transfer to an upper-level baccalaureate program that will satisfy the lower-division requirements for a baccalaureate degree in a specific discipline. The Academic Associate Degree includes, but is not limited to, the Associate of Arts (A.A.), Associate of Science (A.S.), or Associate of Arts in Teaching (A.A.T.) degrees.

(2) Applied Associate Degree--A type of degree program designed to lead the individual directly to employment in a specific career. The Applied Associate Degree Program includes, but is not limited to, the Associate of Applied Arts (A.A.A.) or Associate of Applied Science (A.A.S.).

(3) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.

(4) Commissioner--The Commissioner of Higher Education.

(5) Core Curriculum or Texas Core Curriculum--the curriculum in the liberal arts, humanities, sciences, and political, social, and cultural history that all undergraduates of an institution of higher education are required to complete before receiving an academic undergraduate degree. Core curriculum provisions apply to all institutions of higher education that offer academic undergraduate degree programs.

(6) Directed Electives--a set of courses within a major course of study, consisting of at least six semester credit hours, specific to each general academic teaching institution and prescribed by the faculty of each general academic teaching institution. Directed Electives form part of the Field of Study Curriculum.

(7) Discipline Foundation Courses (DFC)--a set of courses within a major course of study, consisting of up to twelve (12) semester credit hours. The Discipline Foundation Courses form part of the Field of Study Curriculum.

(8) Discipline-Specific Subcommittee--a subcommittee established under Title 19, Chapter 1, Subchapter V, §1.242 and §1.243. Each subcommittee is comprised of faculty from general academic teaching institutions and public junior colleges in a single discipline.

~~(97)~~ Field of Study Curriculum--Field of Study Curriculum--a set of courses that will satisfy lower-division requirements for an academic major at a general academic teaching institution. The Field of Study Curriculum has three components: (a) selected discipline-relevant Texas Core Curriculum courses, (b) the Discipline Foundation Courses, and (c) the Directed Electives.

~~(108)~~ General academic teaching institution--an institution of higher education defined in Texas Education Code, §61.003(3).

~~(119)~~ Public junior college--an institution of higher education defined in Texas Education Code, §61.003(2).

~~(1210)~~ Texas Common Course Numbering System (TCCNS)--a Board-approved course numbering system for lower-division academic courses that assigns common course numbers in order to facilitate the transfer of lower-division academic courses among institutions of higher education by promoting consistency in course designation and identification.

~~(134)~~ Texas Transfer Advisory Committee--the advisory committee established under Title 19, Chapter 1, Subchapter V. The Texas Transfer Advisory Committee has responsibility for advising the Commissioner and Board on Field of Study Curricula, including their establishment and revision. The Texas Transfer Advisory Committee may request to form a Discipline-Specific Committee to assist in the development of a Field of Study Curriculum.

~~(1412)~~ Institution of Higher Education or Institution--any public technical institute, public junior college, public senior college or university, medical or dental unit, other agency of higher education as defined in Texas Education Code, §61.003.

~~(1513)~~ Lower-Division Academic Course Guide Manual (ACGM)--a Board-approved publication listing academic courses that public two-year colleges may teach and report for contact hour reimbursement from state appropriations without special approval from the Board. Courses (except for developmental courses) listed in the ACGM are freely transferable among all public institutions of higher education in Texas in accordance with the Texas Education Code, §61.822.

~~(1614)~~ Faculty Member--a person employed full-time by an institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration. However, the term does not include a person holding faculty rank who spends a majority of the person's time for the institution engaged in managerial or supervisory activities, including a chancellor, vice chancellor, president, vice president, provost, associate of assistant provost, or dean.

4.24. General Provisions.

No changes.

4.25. Requirements and Limitations.

No changes.

4.26. Penalty for Noncompliance with Transfer Rules.

No changes.

4.27. Resolution of Transfer Disputes.

(a) ~~Each institution~~ Institutions of higher education shall apply the following procedures in the resolution of credit transfer disputes involving lower-division courses:

(1) If an institution of higher education does not accept a course included in the field of study curriculum for the program in which a student is enrolled or a course in the core curriculum ~~course credit~~ earned by a student at another institution of higher education, the receiving institution shall give written notice to the student and to the sending institution that it intends to deny the transfer of the course credit and shall include in that notice the reasons for the proposed denial. The receiving institution must attach the procedures for resolution of transfer disputes ~~for lower-division courses~~ as outlined in this section to the notice. The notice and procedure must include:

(A) clear instructions for appealing the decision to the Commissioner; and

(B) the name and contact information for the designated official at the receiving institution who is authorized to resolve the credit transfer dispute.

(2) A student who receives notice as specified in paragraph (1) of this subsection may dispute the denial of credit by contacting a designated official at either the sending or the receiving institution.

(3) An institution that proposes to deny the credit shall resolve the dispute not later than the 45th day after the date that the student enrolls at the institution. ~~The two institutions and the student shall attempt to resolve the transfer of the course credit in accordance with this section.~~

(4) If the student or the sending institution is not satisfied with the resolution of the credit transfer dispute, the student or the sending institution may notify the Commissioner in writing of the denial of the course credit and the reasons for denial. ~~request for transfer dispute resolution. A receiving institution that denies course credit for transfer shall notify the Commissioner in writing of its denial and the reasons for the denial not later than the 45th day after the date the receiving institution provided the required notice of the transfer credit denial under subsection (a)(1) of this section.~~

(b) Not later than the 20th business day after the date that the commissioner receives the notice of dispute concerning the application of credit for the core curriculum or field of study curriculum. ~~The~~ The Commissioner or the Commissioner's designee shall make the final determination about a credit transfer dispute and give written notice of the determination to the student and each institution. ~~institutions. The decision is not a contested case. The Commissioner's decision is final and may not be appealed.~~

(c) A decision under this section is not a contested case. The Commissioner or the Commissioner's Designee's decision is final and may not be appealed. Each transfer credit dispute resolved by the Commissioner shall be posted on the Board website, including the final determination.

~~(d)~~ Each institution of higher education shall publish in its course catalogs the procedures specified in this section.

~~(e)~~ The Board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the Commissioner or the Commissioner's designee.

~~(f)~~ If a receiving institution has cause to believe that a course being presented by a student for transfer from another institution is not of an acceptable level of quality, it should first contact the sending institution and attempt to resolve the problem. In the event that the two

~~institutions are unable to come to a satisfactory resolution, the receiving institution may notify the Commissioner who may investigate the course. If its quality is found to be unacceptable, the Board may discontinue funding for the course.~~

4.28. Core Curriculum.

No changes.

4.29. Core Curricula Larger than 42 Semester Credit Hours.

(a) No institution may adopt a core curriculum of more than 42 semester credit hours.

(b) An institution may, with Board approval, have a core curriculum of fewer than 42 semester credit hours for an associate degree program if it would facilitate the award of a degree or transfer of credit.

4.30. Institutional Assessment and Reporting.

No changes

4.31. Implementation and Revision of Core Curricula.

No changes

4.32. Field of Study Curriculum.

(a) In accordance with Texas Education Code, §61.823, the Board is authorized to approve Field of Study Curricula for certain fields of study/academic disciplines. The Board delegates to the Commissioner development of Field of Study Curricula with the assistance of the Texas Transfer Advisory Committee, as defined by Title 19, Subchapter V, Chapter 1. The Texas Transfer Advisory Committee is responsible for convening Discipline-Specific Subcommittees. Discipline-Specific Subcommittees shall provide subject-matter expertise to the Texas Transfer Advisory Committee in developing Field of Study Curricula in specific disciplines.

(b) A complete Field of Study Curriculum will consist of the following components:

(1) Selected Texas Core Curriculum courses.

(A) Selected Texas Core Curriculum courses relevant to the discipline may be included in the Field of Study Curriculum for that discipline.

(B) Discipline-Specific Subcommittees are responsible for identifying discipline-relevant courses from a list of all Texas Core Curriculum courses provided by the Board that may be used to satisfy core curriculum requirements. Each Discipline-Specific Subcommittee shall recommend identified Texas Core Curriculum courses to the Texas Transfer Advisory Committee.

(C) The Texas Transfer Advisory Committee shall recommend the Texas Core Curriculum courses selected for inclusion in a Field of Study Curriculum to the Commissioner who may approve or deny the inclusion of the recommended Texas Core Curriculum courses in the Field of Study Curriculum.

(D) Each institution of higher education must publish on its public website in manner easily accessed by students the Texas Core Curriculum courses selected for inclusion in a Field of Study Curriculum with the cross-listed TCCNS course number.

(2) Discipline Foundation Courses (DFC).

(A) Discipline Foundation Courses are a set of courses within a major course of study, consisting of up to twelve (12) semester credit hours, selected for inclusion in a Field of Study Curriculum for that discipline. These courses will apply toward undergraduate degrees within the Field of Study Curriculum at all Texas public institutions that offer a corresponding major or track, except for those institutions approved to require alternative Discipline Foundation Courses under Title 19, Chapter 4, Subchapter B, §4.35 (relating to Petition for Alternative Discipline Foundation Courses).

(B) Each receiving institution must apply the semester credit hours a student has completed in a Discipline Foundation Course upon the student's transfer into a corresponding major or track. The sending institution must indicate Discipline Foundation Courses on the transfer student's transcript.

(C) Discipline-Specific Subcommittees are responsible for identifying discipline-relevant courses for inclusion on the Discipline Foundation Courses list. The Discipline-Specific Subcommittees must select from courses listed in the Lower-Division Academic Course Guide Manual. Each Discipline-Specific Subcommittee shall report this course list to the Texas Transfer Advisory Committee.

(D) The Texas Transfer Advisory Committee shall recommend the Discipline Foundation Courses selected by the Discipline Specific Subcommittees for inclusion in a Field of Study Curriculum to the Commissioner. The Commissioner may approve or deny the Discipline Foundation Courses recommended by the Texas Transfer Advisory Committee for inclusion in a Field of Study Curriculum.

(E) General academic teaching institutions may submit a request for an alternative set of Discipline Foundation Courses for a specific program of study according to the process in Title 19, Chapter 4, Subchapter B, §4.35.

(F) Each institution of higher education must report to the Coordinating Board and publish on its public website in manner easily accessed by students the Discipline Foundation Courses with the cross-listed TCCNS course numbers for each course.

(G) The Commissioner must publish the list of Discipline Foundation Courses for each approved Field of Study Curriculum on the agency website with the cross-listed TCCNS course number for each course.

(3) Directed Electives.

(A) Directed Electives are a set of courses that apply toward a major course of study within a Field of Study Curriculum at a specific general academic teaching institution.

(B) The Directed Electives for each Field of Study Curriculum must consist of at least six (6) semester credit hours. The Directed Electives and Discipline Foundation Courses components combined may not exceed twenty (20) semester credit hours in total.

(C) Faculty from each general academic teaching institution may select a list of Directed Electives for the major course of study corresponding to each Field of Study curriculum. Faculty must select the Directed Electives only from courses listed in the Lower-Division Academic Course Guide Manual.

(D) The Chief Academic Officer of the institution ~~shall~~ must submit the list of Directed Electives for inclusion in a Field of Study Curriculum with the cross-

listed TCCNS course number to the Commissioner not later than 45 days after being sent the request from the Coordinating Board. The Coordinating Board ~~who~~ shall publish the list of each institution's Directed Electives for each approved Field of Study Curriculum on the agency website with the cross-listed TCCNS course numbers for each course.

(E) An institution that does not submit timely its Directed Electives in accordance with subsection (D) shall be required to accept any Directed Elective courses that appear on the Board's list for the Texas Direct Associate Degree for any institution's Field of Study Curriculum. Each institution of higher education must publish on its public website in manner easily accessed by students Directed Electives with the cross-listed TCCNS course number.

(F) Each institution of higher education must publish on its public website in manner easily accessed by students Directed Electives with the cross-listed TCCNS course number.

(G) An institution shall accept and apply directed electives for fields of study upon transfer as long as the directed elective was active on the Coordinating Board's inventory of directed electives at the time the student completed the course at the community college.

- (c) A receiving general academic teaching institution shall determine whether a transfer student is Field of Study Curriculum complete upon the transfer student's enrollment. If a student successfully completes an approved Field of Study Curriculum, a general academic teaching institution must substitute that block of courses for the receiving institution's lower-division requirements for the degree program for the corresponding Field of Study Curriculum into which the student transfers. Upon enrollment, the general academic teaching institution must grant the student full academic credit toward the degree program for the block of courses transferred.
- (d) If a student transfers from one institution of higher education to another without completing the Field of Study Curriculum, the receiving institution must grant academic credit in the Field of Study Curriculum for each of the courses that the student has successfully completed in the Field of Study Curriculum of the sending institution. After granting the student credit for these courses, the institution may require the student to satisfy remaining course requirements in the current Field of Study Curriculum of the receiving general academic teaching institution, or to complete additional requirements in the receiving institution's program, as long as those requirements do not duplicate course content the student previously completed through the Field of Study Curriculum.
- (e) Each institution must note the selected Texas Core Curriculum component and Discipline Foundation Courses components of the Field of Study Curriculum courses on student transcripts as recommended by the Texas Association of Collegiate Registrars and Admissions Officers (TACRAO).
- (f) The Board shall publish on its website the components of each Field of Study Curriculum, including the selected Texas Core Curriculum courses, the Discipline Foundation Courses, and the Directed Electives of each general academic teaching institution.
- (g) Effective Dates.

- (1) Unless repealed or replaced, Field of Study Curricula in effect as of March 1, 2021 will remain in effect until August 31, 2025, upon which date those Field of Study Curricula

expire by operation of law. For Field of Study Curricula that are repealed, replaced, or expire by operation of law, the following transition or "teach out" provisions apply:

(A) A student who has earned credit on or before August 31, 2022, in one or more courses included in a Field of Study Curriculum that exists on March 1, 2021, is entitled to complete that Field of Study Curriculum on or before August 31, 2025.

(B) A student who has not, on or before August 31, 2022, earned any course credit toward a Field of Study Curriculum in effect on March 1, 2021, is not entitled to transfer credit for that Field of Study Curriculum.

(2) After an institution's Spring 2026 enrollment deadline, a receiving institution is not required to transfer a complete Field of Study Curricula that expired prior to that date.

A receiving institution may, at its discretion, choose to accept a complete or partial Field of Study Curricula that has expired.

4.33. Approval of Field of Study Curricula.

No changes.

4.34. Revision of Approved Field of Study Curricula.

(a) The Commissioner may modify or revise a Field of Study Curriculum when a need for such a revision is identified.

(b) Any Chief Academic Officer of an institution that offers a corresponding major or track may request a modification or revision to an approved Field of Study Curriculum. The Texas Transfer Advisory Committee shall evaluate institutions' proposed modifications or revisions to Field of Study Curricula and may refer the proposed revisions to Discipline-Specific Subcommittees prior to making a final recommendation to the Commissioner.

(c) Institutions may request deletion of directed electives not more than once a year in a manner prescribed by the Board. Each directed elective requested for deletion is subject to a two-year phase out period to be noted on the Coordinating Board and institutional websites.

(d) Institutions may add directed electives once every year in a manner and timeline prescribed by the Board. The institution must demonstrate a compelling academic reason for the change in directed electives.

4.35. Petition for Alternative Discipline Foundational Courses.

No changes.

4.36. Evaluation of Field of Study Curricula.

No changes.

4.37. Texas Common Course Numbering System.

No changes.

4.38. Undergraduate Academic Certificate.

No changes

4.39. Texas Direct Associate Degree

A junior college, public state college, or public technical institute shall award a student a “Texas Direct” associate degree and include a notation on the student’s transcript to a student who:

(1) completes any Board approved a field of study curriculum developed by the Board
and:

(2) The college’s core curriculum; or

(3) An abbreviated core curriculum related to a specific approved field of study curriculum transferable to one or more general academic institutions.

AGENDA ITEM X-I (4)

Consideration and possible action to repeal Board Rules, Chapter 4, Subchapter C, Sections 4.51–4.63, and adopt new Board Rules, Chapter 4, Subchapter C, Sections 4.51–4.62 concerning college readiness standards and the Texas Success Initiative (TSI)

RECOMMENDATION: Approval

Background Information:

The repeal of Sections 4.51-4.63 will allow the Texas Higher Education Coordinating Board (Coordinating Board) to adopt new rules relating to college readiness standards and the Texas Success Initiative (TSI).

No comments were received regarding the repeal of these rules.

The Coordinating Board proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter C, Sections 4.51-4.62, concerning college readiness standards and the Texas Success Initiative (TSI). The TSI is a system established in statute for assessing whether students have met requirements to be deemed college-ready, requiring advising and academic assistance supporting students' successful course completions and momentum towards meeting academic and career goals. Specifically, this new section will modernize existing rules related to the TSI to reflect best practices in the delivery of developmental education.

Rule 4.51 provides the purpose and authority for this subchapter. Rules establishing the TSI derive from Texas Education Code (TEC), Chapter 51, Subchapter F-1, and the Coordinating Board's authority to promulgate TSI-related rules is established in TEC, Section 51.344.

Rule 4.52 sets out categories of students to whom TSI and college-readiness requirements do not apply. This rule implements statutory language in TEC, Section 51.332, which carves out certain student categories (like students in military service or students who have already earned an associate or baccalaureate degree) from TSI requirements. This rule clarifies that college-readiness standards do not apply to a high school student who is a non-degree seeking student, and an institution shall not require a non-degree seeking high school student to be assessed for college readiness. This revision aligns the rule to TEC, Section 51.333, which applies to an entering undergraduate student.

Rule 4.53 contains definitions for the subchapter. The Coordinating Board proposes to refine the definitions to match current practices and developmental education and other support models more closely – for example, by changing the advising definition to reflect that students receive college guidance from a wide variety of sources. The rule adds definitions for degree seeking and non-degree seeking students to clarify which students are required to

meet college-readiness standards. These definitions implement TEC, Section 51.9685, and will be applicable across the definitions in Board rules.

Rule 4.54 lists the standards set by the Coordinating Board for institutions to determine whether a student has met requirements for exemption from the TSI. Statute provides for students to qualify for TSI exemption upon achieving certain scores on assessments or upon completion of certain college-level coursework (TEC, Section 51.338). Rule 4.54 complies by establishing benchmarks for commonly administered assessments like the SAT and the ACT, as well as stating how students can qualify for TSI exemptions through demonstrations of success on prior college-level coursework. Revisions to this section align the exemptions to Texas Education Code, Chapter 51, Subchapter F-1, and eliminate obsolete assessment instruments and standards. The section additionally clarifies that students who have successfully earned college credit in math or English via dual credit are deemed exempt from TSI assessment because the student has demonstrated they are ready to perform college-level course work through course completion. Additionally, a student who has earned the Texas First Diploma is exempt from TSI assessment because a student must meet standards that demonstrate early readiness from college pursuant to TEC, Section 28.0253, in order to earn the diploma.

Rule 4.55 outlines steps for institutions to assess and place students on an individualized basis, including delivering pre-assessment information to students and describing relevant factors to place students in appropriate coursework or interventions. This rule carries out statutory provisions, including TEC, Section 51.333(b).

Rule 4.56 establishes the Texas Success Initiative Assessment Instrument (TSIA and TSIA2) in rule, which is the Coordinating Board-approved assessment instrument required by TEC, Section 51.334. Test results are valid for a five-year period, and institutions must follow Coordinating Board and vendor requirements to administer the assessment.

Rule 4.57 sets out the benchmarks required on the TSIA for a student to demonstrate college readiness as required by TEC, Section 51.334(c). The Coordinating Board designates benchmarks with the objective of ensuring appropriate placement of students to achieve success in coursework.

Rule 4.58 requires institutions to develop advising and academic success plans for non-exempt students who do not meet college readiness assessment benchmarks. These plans must be individualized to the student and created in partnership with the student, a best practice required by law (TEC, Section 51.335). The Coordinating Board encourages institutions to adopt Non-Course-Based models where possible, to address needs in a targeted manner intended to keep students engaged and enrolled in their programs.

Rule 4.59 states how institutions may determine whether to enroll students in college-level coursework.

Rule 4.60 complies with a statutory requirement that the Coordinating Board periodically evaluate effectiveness of the TSI program by setting out required reporting necessary to conduct the evaluation (TEC, Section 51.343).

Rule 4.61 describes the required components of a developmental education program, in keeping with statutory requirements in TEC, Section 51.336(e). The revised rule gives institutions greater flexibility to design and offer different models of developmental education to students.

Rule 4.62 pertains to the privacy of student information. This provision ensures compliance with federal law and state law on data privacy (TEC, Section 51.344(c)).

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will present this item and be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

Summary of comments received:

Comment 1 from South Texas College:

Starr EOC Math Exemption is not included in the proposed changes under TSI exemptions, pg. 333 Section 4.54 – Exemption. Clarification is needed if STARR EOC Math exemption is to be included or will be excluded under the new recommended proposal. They are only referencing reading and writing.

Response 1:

The omission of Algebra II EOC with a score of 4000 as a demonstration of college readiness for mathematics was not intentional. The Algebra II STAAR End-of-Course test with a minimum score of 4000 should be added to Section 4.54(E).

Comment 2 from San Jacinto College:

Regarding TAC, Title 19, Sections 4.51-4.62

There is a massive body of national research that supports the efficacy of having students on focused pathways with defined goals and exit points along the pathway. Research clearly shows that students are retained, complete, and pursue further education (transfer) at a significantly higher rate if students have well-defined pathways and clear objectives relative to completion, both in technical pathways and transfer pathways. To promote dual credit through a non-degree seeking entrance into dual credit is diametrically opposed to ensuring that students have goals and clear paths to credentials that lead to jobs, transfer, and enhanced quality of life.

To promote dual credit through the non-degree seeking status also circumvents the requirement that students are “college ready,” meaning that no TSIA or other qualifying test or

course is required to be placed into dual credit college courses. This will limit what courses can be offered to students, and courses will likely not meet requirements for associate degrees and will not transfer if the student wishes to transfer to a four-year institution. Even if the courses are accepted in transfer, it is extremely unlikely that they will count for anything other than electives.

Regarding Section 4.52 Applicability(b)(4) and 4.53 Definitions(19)

If nearly all of dual credit students are now non-degree seeking, can the funded 15 credit hours be courses that are not included in degree requirements? Currently, we are not funded for courses that fall outside of degree requirements. Thus, we have eliminated EDUC 1300, BCIS 1305, and physical education from dual credit offerings because these are not degree requirements for San Jacinto College and not funded for contact hours. With the change to funding for 15 non-specific hours, can that be courses that are not in our degree requirements?

Regarding Section 4.52 Applicability(b)(4) and Section 4.54 Exemption(d)

In addition, once the dual credit student has completed the 15 hours that do not require college readiness and now chooses a degree pathway and is "degree seeking," does the TSIA or other qualifying test come into play? If so, then community colleges' developmental education programs will grow substantially because none of these students will be college ready and cannot take courses that have reading, writing, and mathematics competency requirements. This again is diametrically opposed to what has been the community college goal, and that is the reduction of developmental education in the pursuit to ensure that students graduating high school are college ready and can enroll in gateway courses. Or is it expected that the high school program and faculty deliver the college readiness portions of a College Connect or similar course which would also facilitate the separation of the college credit from the high school credit described in the College Connect rules?

Regarding Section 4.52 Applicability(b)(4)

How does the non-degree seeking status align with the high school endorsements that students must choose at eighth grade? What is the point of that if the student is not going to enter a pathway that is based on the chosen endorsement? Since it is unlikely that the courses that can be taken by non-college ready non-degree seeking students will align with any transfer pathway, these 15 hours will be wasted in terms of applying toward an associate degree or a transfer degree. If a student is on a technical pathway at the certificate level, it may be that courses count. But even technical pathways that are degrees (not certificates) require students to be college ready for gateway math and English. So are we unintentionally steering all students into technical certificates, even if that is not the student's intent?

Response 2:

The Coordinating Board appreciates these comments and provides the following responses.

1) The term "degree seeking student" is defined in Section 4.83(9) as a student who has filed a degree plan with an institution of higher education or is required to do so pursuant to Education Code Section 51.9685. A non-degree seeking student is one who has not filed a degree plan or is not required to do so. This designation has no impact on advising students and providing information about well-defined pathways and clear objectives relative to completion, both in technical and transfer pathways, as noted in the comment.

2) Institutions may still require students to meet the institution's regular prerequisite requirements designated for that course (4.85(b)(3)) or may impose additional requirements that do not conflict with this subchapter (4.85(b)(4)). A dual credit course must be in the approved undergraduate course inventory of the institution and must meet the definition as outlined in 4.83(10). Courses are fundable, must count towards a degree plan, and must be transferable.

3) See previous response.

4) Successful completion of a college-level course that is reading/writing or mathematics-intensive is demonstration of college readiness by applicable subject area. Students who successfully complete such courses are TSI-met/complete (4.54(2)(b)).

Comment 3 from CHILDREN AT RISK:

Recommendations Summary:

We recommend that the committee reconsiders maintaining the exemption criteria for Algebra II End of Course (EOC) exams as is in the present Texas Administration Code. (Subchapter C, 4.54)

SUBCHAPTER C TEXAS SUCCESS INITIATIVE

Section 4.54 Exemptions, Exceptions, and Waivers

Rule 4.54 lists the standards set by the Coordinating Board for institutions to determine whether a student has met requirements for exemption from the TSI. Part (b) states that a student who achieves the passing standard on an assessment as set out in this subsection shall be deemed exempt from the requirements of the Texas Success Initiative.

(E) STAAR End of Course Test. A student who achieves a minimum score of 4000 on STAAR English III EOC shall be exempt for both reading and writing.

We recommend that the committee reconsiders maintaining the exemption criteria for Algebra II End of Course (EOC) exams as is in the present Texas Administration Code.

Per current the Texas Administration Code, the exemption related to STAAR testing included a minimum Level 2 score of 4000 on the Algebra II EOC for exemption from the mathematics section.

Data from the 2022-23 Texas Education Agency Performance Report reveals that only 19.9% of the 2021-22 graduates in the state completed advanced/dual-credit courses in mathematics. Comparing this to the 2017-18 school year, where 32% of students mastered the Algebra I EOC, it's evident that there has been a decline in students accessing advanced math coursework over time.

The proposal mentions that the proposed rule seeks to “eliminate obsolete assessment instruments and standards” though it's essential to recognize that districts retain the autonomy to request the Texas Education Agency (TEA) to administer an Algebra II End-of-Course (EOC) exam. This autonomy is crucial because it ensures that districts can tailor their educational offerings to meet the diverse needs of their students. By preserving this flexibility, we uphold the principle of providing equitable access to opportunities for all students, irrespective of their geographical location or educational background. Stripping away the

language and opportunity for districts to make such requests could inadvertently limit students' access to vital educational resources and pathways for academic advancement. It is imperative to maintain language in the proposal that safeguards districts' ability to facilitate students' access to these opportunities.

This decline in access to advanced math coursework directly impacts students' pathways to postsecondary success. Research consistently demonstrates the importance of advanced math education for college and career readiness. Mastery of Algebra II and beyond is crucial for developing critical thinking skills, problem-solving abilities, and analytical reasoning—all of which are essential for success in higher education and the workforce.

- “Students who study math through Algebra II are more than twice as likely to earn a four-year degree than those who do not” Achieve.
- “The highest level of mathematics reached in high school continues to be a key marker in precollegiate momentum, with the tipping point of momentum toward a bachelor’s degree now firmly above Algebra II” Anneberg Institute for School Reform.
- “After controlling for demographic factors, 73% of students who took calculus during high school later earned a bachelor’s degree, while just 3% of those who took “vocational” math (e.g. courses labeled vocational, general, basic, or consumer math) did” Public Policy Institute of California.

The primary focus is on the potential consequences of removing the exemption and the need to carefully consider the broader impact on student access to higher education opportunities include:

1. Concerns regarding the impact on students who struggle to meet TSI math passing standards, especially considering that only 18.7% of students in the state currently meet these standards.
2. Some students may experience TSI burnout after multiple failed attempts, affecting their psychological well-being and readiness for college-level math.
3. The removal of exemptions could limit access to dual credit classes requiring math readiness and potentially hinder college access and success for affected students.
4. The importance of ensuring equitable access to college readiness programs and support for students of all backgrounds.

Eliminating the exemption related to the mathematics section of the TSI not only restricts students' access to higher education but also narrows their pathways to associate degrees and workforce opportunities. With the TSI serving as a prerequisite for enrollment in Dual Credit courses, removing this exemption directly impedes students' access to classes that require college readiness in mathematics.

Maintaining an exemption pathway for students who demonstrate proficiency in Algebra II coursework is essential for promoting equitable access to post-secondary education and fostering students' long-term success in their academic and professional endeavors.

Response 3:

The Coordinating Board appreciates these comments and provides the following responses.

The omission of Algebra II EOC with a score of 4000 as a demonstration of college readiness for mathematics was not intentional. The Algebra II STAAR End-of-Course test with a minimum score of 4000 should be added to Section 4.54(E).

CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN
TEXAS

SUBCHAPTER C. TEXAS SUCCESS INITIATIVE

~~§4.51. through §4.63.~~

§4.51.Purpose and Authority.

(a) The purpose of this subchapter is to establish the college readiness standards and assessment instruments for students, including implementing the Texas Success Initiative for Texas public institutions of higher education. It is the intent of the Texas Higher Education Coordinating Board that Texas public institutions of higher education use the flexibility and responsibility granted under these rules to improve individualized programs to ensure the success of students in higher education.

(b) Under Texas Education Code, §51.344, the Board is authorized to adopt rules to implement the provisions of Texas Education Code, chapter 51, subchapter F-1, Texas Success Initiative.

§4.52.Applicability.

(a) Except as set out in subsection (b) of this section, this subchapter applies to each entering undergraduate student not otherwise exempt under §4.54 of this subchapter (relating to Exemption).

(b) This subchapter does not apply to the following students, and an institution shall not require these students to demonstrate college readiness pursuant to this subchapter. The following figure contains the full list of student categories to whom this subchapter does not apply.

[Figure: 19 TAC §4.52\(b\) \(.pdf\)](#)

(1) A student who has earned an associate or baccalaureate degree from an institution of higher education;

(2) A student who transfers to an institution of higher education from a private or independent institution of higher education or an accredited out-of-state institution of higher education and who has satisfactorily completed college-level coursework in the corresponding subject area, as transcribed or otherwise determined by the receiving institution;

(3) A student who is enrolled in a certificate program of one year or less at a public junior college, a public technical institute, or a public state college;

(4) A student enrolled in high school who is a non-degree-seeking student as defined in §4.53(8) of this subchapter (relating to Definitions);

(5) A student who is serving on active duty as a member of the armed forces of the United States, the Texas National Guard, or as a member of a reserve component of the armed forces of the United States; or

(6) A student who on or after August 1, 1990, was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard or service as a member of a reserve component of the armed forces of the United States.

§4.53.Definitions.

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

(1) Acceleration--The reorganization of instruction and curricula in ways that expedite the completion of coursework or credentials based on an assessment of students' strengths and needs. It involves a departure from a traditional multi-course sequence in favor of a more streamlined approach to academic support, resulting in students' achievement of college readiness in one year or less. Some examples include, but are not limited to, non-course-based options (NCBOs), emporium models, co-requisites, course-pairing, and computer-assisted instruction.

(2) Advising--The ongoing and intentional process by which students receive guidance in selecting and navigating their choice of courses or majors, accessing campus and community services, and developing career goals and short/long-term plans. Advising may be provided by faculty, staff members, peer mentors, interactive technology-based resources, or other means.

(3) Assessment--The use of a Board-approved instrument to determine the academic skills of an undergraduate student and evaluate the likelihood that a student is ready to enroll and succeed in entry-level academic coursework, with or without academic support.

(4) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.

(5) Compressed or Intensive Course--A course that addresses the same learning outcomes as a traditional course but meets in a shortened overall time period and generally has the same number of contact hours as a traditional course (e.g., four weeks at twelve contact hours per week or eight weeks at six contact hours per week instead of sixteen weeks at three contact hours per week), thus allowing for multiple courses to be completed in the same time period as one traditional course.

(6) Contextualized Coursework--Strategies that accelerate learning for learners whereby contextualized coursework integrates career subject matter with pre-college skills development in reading, writing, and mathematics.

(7) Co-requisite (also known as corequisite, mainstreaming, or course pairing)--An instructional strategy whereby an undergraduate student as defined in paragraph (23) of this section is co-

enrolled or concurrently enrolled in a developmental education course or in NCBO academic support as defined in paragraph (18) of this section and the entry-level academic course of the same subject matter within the same semester. The developmental education component should provide support aligned directly with the learning outcomes, instruction, and assessment of the entry-level academic course, and make necessary adjustments as needed to advance the student's success in the entry-level course. Participation in and completion of the entry-level academic course may not be contingent upon a student's performance in the developmental education course or NCBO.

(8) Non-Degree-Seeking Student--A student who has not filed a degree plan with an institution of higher education and is not required to do so pursuant to Texas Education Code, §51.9685.

(9) Developmental Education Course or Developmental Course--A non-credit course designed to address a student's skills, strengths and needs in the areas of reading, writing, integrated reading and writing (IRW), mathematics, and student success, to help that student be ready to succeed in entry-level academic coursework.

(10) Developmental Education--Non-credit Developmental Education Courses or Non-Course-Based Developmental Education Interventions such as co-requisites, tutorials, laboratories, interactive modules, and other means of assistance that may be included in a student's academic plan to help the student succeed in entry-level academic coursework.

(11) Differentiated Instruction--Different instructional processes used to engage a student based on their individual strengths, skills, motivational attitudes, and learning needs and preferences.

(12) Differentiated Placement--Advising and placement of students based on individual strengths and needs.

(13) Entry-level academic course (sometimes referred to as an entry-level freshman course or freshman-level academic coursework)--Any college level course for academic credit in which a first-time in college student might typically enroll. An entry-level course may not have prerequisite college courses. These courses (or their local equivalents based on the Texas Common Core Numbering System) may include, but are not limited to, ENGL 1301, HIST 1301, PSYC 2301, GOVT 2305/2306, MATH 1314/1414/1324/1332/1342, SOCI 1301, PHIL 1301, SPCH 1311/1315, COSC 1301, HUMA 1301, ARTS 1301, and BIOL 1306/1406.

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

(15) Mathematics Pathway Models--Developmental and basic academic skills coursework and interventions designed to prepare students for academic and workforce training programs and careers with mathematics content relevant for their programs.

(16) Measurable Learning Outcomes--Knowledge, skills, and abilities students should be able to demonstrate upon completion of a course or intervention.

(17) Minimum Passing Standards--A score that must be attained by a student in reading, writing, and mathematics on an assessment instrument designated for use by institutions of higher education by the board that indicates the student's readiness to enroll in entry-level academic courses as defined in paragraph (13) of this section. These scores are set forth in §4.57 of this subchapter (relating to Texas Success Initiative Assessment College Readiness Standards).

(18) Non-Course-Based Developmental Education Interventions (also known as NCBO or Non-Semester-Length Interventions)--Interventions that are selected or designed to address a student's specific identified academic skills, strengths, and learning needs, to effectively and efficiently prepare the student to succeed in college-level work. These interventions must be overseen by an instructor of record and are beyond academic advising or learning support activities provided generally to all students in a course, program, or institution; interventions may include, but are not limited to, individual or group tutoring, supplemental instruction, interactive online resources, emporium models, or labs.

(19) Non-Degree Credit Course--A specific course which may not be counted toward a degree or certificate. The term includes developmental education, pre-collegiate, and general continuing education courses.

(20) Professional Development--The provision of ongoing and systematic learning opportunities for educators and support staff to support the use of research-based strategies, methodologies, and effective instructional practices to support the design and delivery of programs, coursework, and interventions advancing the cognitive and non-cognitive skills of students pursuing post-secondary courses and credentials including certificates and degrees.

(21) Program Evaluation--Systematic methods of collecting, analyzing, and using information to examine and assess the costs, efficiency, and effectiveness of courses, interventions, and policies.

(22) TSI Assessment--A Board-approved assessment instrument designated in §4.56 of this subchapter (relating to Texas Success Initiative Assessment Instrument) pursuant to Texas Education Code, §51.334, for use by institutions of higher education to assess a student's readiness to enroll in an entry-level academic course.

(23) Undergraduate Student--A student, other than a high school student enrolled in college-level coursework for dual credit, who enrolls at a Texas public institution of higher education in a course or program of study leading to a certificate, degree, or other undergraduate credential.

§4.54.Exemption.

(a) For the purpose of demonstrating exemption under subsection (b) of this section, the Board shall ensure that the passing standard on each approved assessment meets the college readiness standard under §4.57(a) of this subchapter (relating to Texas Success Initiative Assessment College Readiness Standards).

(b) A student who achieves the passing standard on an assessment as set out in this subsection shall be deemed exempt from the requirements of the Texas Success Initiative. An institution shall not require an exempt student to provide any additional demonstration of college readiness and shall allow an exempt student to enroll in an entry-level academic course as defined in §4.53(13) of this title (relating to Definitions). The following figure contains the full list of assessments, minimum required scores, and eligible exemptions.

[Figure: 19 TAC §4.54\(b\) \(.pdf\)](#)

(1) For a period of five (5) years from the date of testing, a student who is tested and performs at or above the following standards that cannot be raised by institutions:

(A) ACT. A student who has achieved the applicable standard under this subsection shall be deemed exempt under this subchapter.

(i) ACT administered prior to February 15, 2023: composite score of 23 with a minimum of 19 on the English test shall be exempt for both the reading and writing sections of the TSI Assessment, and/or 19 on the mathematics test shall be exempt for the mathematics section of the TSI Assessment.

(ii) ACT administered on or after February 15, 2023: a combined score of 40 on the English and Reading (E+R) tests shall be exempt for both reading and writing or ELAR sections of the TSI Assessment. A score of 22 on the mathematics test shall be exempt for the mathematics section of the TSI Assessment. There is no composite score.

(iii) The use of scores from both the ACT administered prior to February 15, 2023, and the ACT administered after February 15, 2023, is allowable, as long as the benchmarks set forth in clause (ii) of this subparagraph are met.

(B) SAT. A student who has achieved the applicable standard under this subsection shall be deemed exempt under this subchapter.

(i) SAT administered on or after March 5, 2016: a minimum score of 480 on the Evidenced-Based Reading and Writing (EBRW) test shall be exempt for both reading and writing sections of the TSI Assessment. A minimum score of 530 on the mathematics test shall be exempt for the mathematics section of the TSI Assessment. There is no minimum combined EBRW and mathematics score.

(ii) Mixing or combining scores from the SAT administered prior to March 5, 2016, and the SAT administered on or after March 5, 2016, is not allowable.

(C) GED: minimum score of 165 on the Mathematical Reasoning subject test shall be exempt for the mathematics section of the TSI Assessment. A minimum score of 165 on the Reasoning Through Language Arts (RLA) subject test shall be exempt for the English Language Arts Reading (ELAR) section of the TSI Assessment.

(D) HiSET: minimum score of 15 on the Mathematics subtest shall be used to determine exemption on the mathematics section of the TSI Assessment. A minimum score of 15 on the Reading subtest and a minimum score of 15 on the Writing subtest, including a minimum score of 4 on the essay, shall be exempt for the English Language Arts Reading (ELAR) section of the TSI Assessment.

(E) STAAR End of Course Test. A student who achieves a minimum score of 4000 on STAAR English III EOC shall be exempt for both reading and writing. A student who achieves a minimum score of 4000 on STAAR Algebra II EOC shall be exempt from mathematics.

(c) A student who has met one of the following criteria shall be exempt from the requirements of the Texas Success Initiative for the respective content area in which they have demonstrated college readiness. The following chart contains the full list of course and program completions and eligible exemptions.

[Figure: 19 TAC §4.54\(c\) \(.pdf\)](#)

(1) A student who successfully completes a college preparatory course under Texas Education Code, §28.014, is exempt for a period of twenty-four (24) months from the date of high school graduation with respect to the content area of the course, under the following conditions:

(A) The student enrolls in the student's first college-level course in the exempted content area in the student's first year of enrollment in an institution of higher education; and

(B) The student enrolls at the institution of higher education:

(i) that partnered with the school district in which the student is enrolled to provide the course, or

(ii) with an institution that deems the student TSI-met based on the completion of a course that meets the requirements of subsection (c)(1) of this section.

(2) A student who has previously enrolled in any public, private, or independent institution of higher education or an accredited out-of-state institution of higher education and:

(A) has met college readiness standards in mathematics, reading, or writing as determined by the receiving institution, or

(B) who has satisfactorily completed college-level coursework in mathematics, reading, or writing with a grade of 'C' or better, including a high school student who has earned college credit for a dual credit course or a course offered under §4.86 of this chapter (relating to

Optional Dual Credit or Dual Enrollment Program: College Connect Courses), with a grade of 'C' or better.

(3) A student who has earned the Texas First Diploma under chapter 21, subchapter D of this title (relating to Texas First Early High School Completion Program).

(d) An institution may exempt a non-degree-seeking or non-certificate-seeking student not otherwise exempt under this section.

(e) In accordance with the requirements of this subchapter, an institution shall not require a student who is exempt in mathematics, reading, and/or writing or to whom this subchapter is inapplicable under §4.52 of this subchapter (relating to Applicability) to be assessed under this subchapter or to enroll in developmental coursework or interventions in the corresponding area of exemption. This limitation does not restrict an institution from advising a student to complete additional coursework or interventions to increase the likelihood of the student's success in completing the courses and program in which the student enrolls.

(f) ESOL Waiver--An institution may grant a temporary waiver from the assessment required under this title for students with demonstrated limited English proficiency in order to provide appropriate ESOL/ESL coursework and interventions. The waiver must be removed after the student attempts 15 credit hours of developmental ESOL coursework at a public junior college, public technical institute, or public state college; nine (9) credit hours of developmental ESOL coursework at a general academic teaching institution; or prior to enrolling in entry-level academic coursework, whichever comes first, at which time the student would be assessed by the institution with a Board-approved instrument as defined by §4.56 of this subchapter (relating to Texas Success Initiative Assessment Instrument). Funding limits as defined in Texas Education Code, §51.340, for developmental education still apply.

§4.55.Assessment and Placement.

(a) An institution shall assess, by an instrument approved in §4.56 of this subchapter (relating to Texas Success Initiative Assessment Instrument), the academic skills of each entering, non-exempt undergraduate student as defined in §4.53(23) of this subchapter (relating to Definitions) prior to enrollment of the student.

(b) For each student, including a student who is exempt as provided by §4.54 of this subchapter (relating to Exemption) or who has been determined by an institution to be ready to enroll in entry-level academic courses as provided by §4.54, institutions are strongly encouraged to provide the student with advising, appropriate course and program placement, and support based on the individual student's skills, strengths, and needs, to increase the likelihood of the student's success in completing the courses and program in which the student enrolls.

(c) Under exceptional circumstances, an institution may permit a student to enroll in entry-level academic coursework without assessment but shall require the student to be assessed not later than the end of the first semester of enrollment in entry-level academic coursework.

(d) Prior to the administration of an approved instrument in §4.56, a test administrator shall provide to the student a pre-assessment activity or activities that address at a minimum the following components in an effective and efficient manner, such as through workshops, orientations, and/or online modules:

(1) Importance of assessment for identifying a student's academic skills, strengths, and needs;

(2) Assessment process and components, including practice with feedback of sample test questions in all disciplinary areas;

(3) Developmental education options offered by the institution including Non-Course-Based Options; and/or

(4) Institutional and/or community student resources (e.g., supplemental instruction, tutoring, transportation, childcare, basic needs support, or emergency financial aid).

(e) For placement of a non-exempt undergraduate student not meeting standards as defined in §4.57(a) of this subchapter (relating to Texas Success Initiative Assessment College Readiness Standards), institutions shall use for determination of appropriate courses, interventions, and other support the student's TSI Assessment results and accompanying Diagnostic Profile, along with other relevant information such as:

(1) High school Grade Point Average/class ranking;

(2) Prior academic coursework or work experience;

(3) Demonstrated personal achievement (e.g., leadership, motivation, self-efficacy); and

(4) Family-life issues (e.g., job, childcare, transportation, finances).

(f) An institution offering collegiate-level credit to students via a Multi-Institution Teaching Center (MITC) or a university system center, or to in-state students by distance learning delivery systems shall ensure that students are assessed as required by this section.

(g) An institution may not use the assessment or the results of the Board-approved assessment instrument as provided by §4.56 as a condition of admission to the institution.

§4.56. Texas Success Initiative Assessment Instrument.

(a) Effective fall 2013, the Texas Success Initiative Assessment (TSIA) is the only Board-approved assessment instrument used under this title.

(b) Effective January 11, 2021, the TSIA, Version 2.0 (TSIA2) replaced the TSIA as the only Board-approved TSI assessment instrument offered under this title.

(c) A student is entitled to use a TSIA or TSIA2 test result for a period of no more than five years after the date of testing to meet the requirements of this subchapter.

(d) Each administrator of the TSI Assessment must follow the requirements and processes for test administration as set forth by the Coordinating Board and the test vendor.

§4.57.Texas Success Initiative Assessment College Readiness Standards.

(a) For the purpose of this section and §4.54(b)(1) of this subchapter (relating to Exemption), the Board shall approve a passing standard ("cut score") on an assessment that corresponds to a 70-75% likelihood of a student earning an 'A', 'B', or 'C' in a college level course for which the assessment instrument is used to establish college readiness.

(b) Effective the institution's first class day of fall 2017, for a student who is not otherwise exempt under this subchapter, the institution shall use the following minimum college readiness standards (also known as "cut scores") for reading, mathematics, and writing on the TSI Assessment (TSIA) to determine a student's readiness to enroll in entry-level freshman coursework:

(1) Reading 351;

(2) Mathematics 350; and

(3) Writing;

(A) a placement score of at least 340, and an essay score of at least 4; or

(B) a placement score of less than 340 and an ABE Diagnostic level of at least 4 and an essay score of at least 5.

(c) Effective January 11, 2021, for a student who is not otherwise exempt under this subchapter, an institution shall use the following minimum college readiness standards (also known as "cut scores") for English Language Arts Reading (ELAR) and mathematics on the TSI Assessment, Version 2.0 (TSIA2) to determine a student's readiness to enroll in entry-level academic coursework:

(1) Mathematics (for college-level coursework with mathematics-intensive designation by the offering institution):

(A) a College Readiness Classification (CRC) score of at least 950; or

(B) a CRC score below 950 and a Diagnostic level of 6.

(2) ELAR (for college-level coursework with reading, writing, or reading and writing-intensive designation by the offering institution):

(A) a College Readiness Classification (CRC) score of at least 945 and an essay score of at least 5; or

(B) a CRC score below 945 and a Diagnostic level of 5 or 6 and an essay score of at least 5.

(d) An institution shall use the TSI Assessment (TSIA or TSIA2) diagnostic results, along with other holistic factors, in their consideration of courses and/or interventions addressing the educational and training needs of undergraduate students not meeting the college readiness standards as defined in subsections (a) - (c) of this section.

(e) An institution shall not require higher or lower college readiness standards on any or all portions of the TSI Assessment (TSIA or TSIA2) to determine a student's readiness to enroll in entry-level academic coursework.

(f) For a student with an existing plan for academic success as required in §4.58 of this title (relating to Advisement and Plan for Academic Success), the institution shall revise the plan as needed to align with the college readiness standards as defined in subsections (a) - (c), as applicable, of this section.

§4.58. Advisement and Plan for Academic Success.

(a) For each undergraduate student as defined in §4.53(23) of this subchapter (relating to Definitions) who fails to meet the minimum passing standards described in §4.57 of this subchapter (relating to Texas Success Initiative Assessment College Readiness Standards), an institution shall:

(1) Establish a program to advise the student regarding developmental education support necessary to ensure the readiness of that student in performing freshman-level academic coursework.

(2) Determine a plan, working with the student, for the student's academic success, which shall include developmental education and may include provisions for enrollment in appropriate non-developmental coursework. Institutions must ensure developmental education courses and interventions meet at minimum the criteria set forth in the Lower Division Academic Course Guide Manual (ACGM).

(b) Each plan for academic success shall:

(1) Be designed on an individual basis to provide the best opportunity for each student to succeed in obtaining his or her career and/or academic goals. At a minimum, the individual plan shall address:

(A) Career advising;

(B) Recommended Developmental Education options;

(C) Campus and/or community student support services/resources;

(D) Degree plan or plan of study;

(E) Regular interactions between student and designated points of contact (e.g., advisor, faculty member, peer or community mentor, etc.);

(F) Registration for next semester/next steps; and

(G) Differentiated placement.

(2) Promote the most efficient and cost-effective developmental education options to increase the likelihood of the student's success in college level courses and programs; institutions are strongly encouraged to assign students to Non-Course-Based options where feasible.

(3) Provide to the student a description of the developmental education options and other resources and interventions recommended to increase the likelihood the student will succeed in entry-level and subsequent academic coursework and complete their selected program.

(4) Provide to the student an appropriate measure for determining readiness to perform freshman-level academic coursework, as described in §4.59 of this subchapter (relating to Determination of Readiness to Enroll and Succeed in Entry-Level Academic Coursework).

(c) Each institution shall apply all state and federal laws pertaining to individuals with disabilities when assessing and advising such students.

(d) An institution must advise any student who is exempt from the TSI assessment as outlined in §4.54 of this subchapter (relating to Exemption) who earns less than a 'C' in the student's first college-level course in the exempted content area of Developmental Education Interventions available to the student to increase the likelihood that the student will succeed in subsequent college courses and complete their selected program, especially through Non-Course-Based options.

(e) For undergraduate students enrolled in a corequisite model as defined in §4.53(7) who fail to satisfactorily complete the freshman-level course, the institution of higher education must:

(1) review the plan developed for the student under this section and, if necessary, work with the student to revise the plan; and

(2) offer to the student a range of resources including Non-Course Based Options to assist the student in becoming ready to perform freshman-level academic coursework in the applicable subject area(s).

§4.59.Determination of Readiness to Enroll and Succeed in Entry-Level Academic Coursework.

(a) An institution shall determine when a student is ready to enroll and succeed in entry-level academic coursework using:

(1) Student performance on one or more assessments as provided by §4.57 of this subchapter (relating to Texas Success Initiative Assessment College Readiness Standards), including scores resulting from a student's retaking of a board approved assessment instrument; and

(2) Developmental Courses or Non-Course-Based Developmental Education Interventions.

(b) An institution may enroll a non-exempt, undergraduate student who has not met the readiness standard on the TSI Assessment in an entry-level academic course if the student is co-enrolled in developmental education, as defined in §4.53(7) of this subchapter (relating to Definitions). Successful completion of the entry-level academic course with a grade of 'C' or better shall be demonstration of the student's college readiness for the corresponding subject area, as provided in §4.54(c)(3) of this subchapter (relating to Exemption), independent of the student's performance in Developmental Courses or Non-Course-Based Developmental Education Interventions.

(c) A student may retake a Board-approved assessment instrument at any time, subject to availability, to determine the student's readiness to perform entry-level freshman coursework.

(d) An institution shall, as soon as practicable and feasible, indicate a student's readiness in reading, mathematics, and writing on the transcript of each student. Student readiness in mathematics shall be indicated as either:

(1) ready for entry-level mathematics coursework; or

(2) ready only for non-Algebra intensive courses, including MATH 1332/1342/1442 (or their local equivalent).

§4.60.Evaluation and Reporting.

(a) The Coordinating Board shall evaluate the effectiveness of the Texas Success Initiative on a statewide basis and with respect to each institution, assessment, and strategy used to assess and support student success in entry-level academic courses and completion of programs. This evaluation shall be based primarily on students' success in subsequent courses and progress towards completion in their academic programs. To inform this evaluation, each institution shall analyze and report to the Coordinating Board on the annual Developmental Education Program Survey (DEPS) the fiscal and/or instructional impacts of the following on student outcomes, along with other success-related topics as requested:

(1) Technological delivery of developmental education courses that allows students to complete course work;

(2) Diagnostic assessments to determine a student's specific educational needs to allow for appropriate developmental instruction;

(3) Modular developmental education course materials;

(4) Use of tutors and instructional aides to supplement developmental education course instruction as needed for particular students;

(5) Internal monitoring mechanisms used to identify a student's area(s) of academic difficulty; and

(6) Periodic updates of developmental education course materials.

(b) At the end of each semester, each institution shall report to the Coordinating Board the following information for each undergraduate student: Social Security Number (SSN), semester credit hours (SCH), grade points earned, ethnicity, gender, date of birth, Texas Success Initiative status, initial assessment instrument, score on initial assessment, type of developmental education received for each area (reading, mathematics, writing), and grade in first related non-developmental course.

§4.61.Required Components of Developmental Education Programs.

(a) Each institution of higher education shall develop and administer a developmental education program using research-based practices that include all the following components:

(1) assessment;

(2) differentiated placement and instruction based on an individual student's skills, strengths, and needs;

(3) faculty development;

(4) student support services;

(5) program evaluation;

(6) integration of technology; and

(7) Non-Course-Based Options.

(b) Each institution of higher education shall develop and implement corequisite model(s) of developmental education as defined in §4.53(7) of this subchapter (relating to Definitions) for developmental mathematics and integrated reading/writing (IRW) courses and interventions for all the institution's non-exempt students, except as provided under subsection (c) of this section.

(c) An institution may enroll the following students in a developmental education course as necessary to address deficiencies in the students' readiness to perform freshman-level academic coursework:

(1) a student assessed at Diagnostic levels 1-4 on the Board-approved assessment instrument as provided by §4.56 of this subchapter (relating to Texas Success Initiative Assessment Instrument);

(2) a student enrolled in adult education; or

(3) a student enrolled in a degree plan not requiring an entry-level academic mathematics course.

(d) An institution must inform a student enrolled in a mathematics pathway model (e.g., New Mathways Project, modular/Emporium models, etc.) that successful completion of this model will result in meeting the mathematics college readiness standard only for specific college credit courses. The institution must also inform the student that changing degree plans may require the student to complete additional developmental education support or Non-Course-Based Developmental Education Interventions.

(e) As part of subsection (a)(7) of this section, each institution shall offer at least one section of each entry-level academic course per developmental education subject area that incorporates non-course-based interventions (NCBO).

§4.62.Privacy of Student Information.

Each institution of higher education must ensure that the Texas Success Initiative and the collection and release of any related data is administered in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.), the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information.

Figure: 19 TAC §4.52(b) (.pdf)

APPLICABILITY CATEGORIES			
Category	Student	Subject Area	Time Period
Prior or Current Academic Coursework	Student has earned an associate or baccalaureate degree from an institution of higher education	All	No expiration
	Student transfers from a private or independent institution of higher education or an accredited out-of-state institution of higher education and has satisfactorily completed college-level coursework	The subject area in which the student has satisfactorily completed college-level coursework	No expiration
	Student is enrolled in a certificate program of one year or less at a public junior college, public technical institute, or public state college	All	Applicable while the student is enrolled in the certificate program of one year or less
	Student is enrolled in high school who is not a degree-seeking student as defined in 19 Texas Administrative Code §4.58(8) and 4.83(10)	All	Applicable while the student is enrolled in high school and classified as a non-degree-seeking student
Military Service	Student is serving on active duty as a member of the armed forces of the United States, the Texas National Guard, or as a member of a reserve component of the armed forces of the United States	All	Applicable while the student is serving on active duty
	Student was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard or service as a member of a reserve component of the armed forces of the United States	All	No expiration

Figure: 19 TAC §4.54(b) (.pdf)

ASSESSMENT EXEMPTIONS					
Assessment Type	Assessment Version	Minimum Score	Combined?	TSI Exemption?	Exemption Expiration
ACT					
ACT Composite + English	Prior to 2/15/23	Composite 23 and English 19	May combine with scores on test administered after 2/15/23	English Language Arts and Reading (ELAR) Section	5 years from date of test
ACT Composite + Math	Prior to 2/15/23	Composite 23 and Math 19	N/A	Mathematics Section	5 years from date of test
ACT Math	After 2/15/23	Score of 22; No Composite	N/A	Mathematics Section	5 years from date of test
ACT English + Reading	After 2/15/23	Combined score of 40; No Composite	May combine with scores on test administered prior to 2/15/23	ELAR Section	5 years from date of test
SAT					
SAT Evidence-Based Reading & Writing (EBRW)	After 3/5/16	EBRW 480	Not allowable	ELAR Section	5 years from date of test
SAT Mathematics	After 3/5/16	Math 530	Not allowable	Mathematics Section	5 years from date of test
GED					
GED Mathematical Reasoning		Mathematical Reasoning 165	N/A	Mathematics Section	5 years from date of test
GED Reasoning Through Language Arts (RLA)		RLA 165	N/A	ELAR Section	5 years from date of test
HiSET					

HiSET Mathematics Subtest		Math Subtest minimum of 15	N/A	Mathematics Section	5 years from date of test
HiSET Reading Subtest, Writing Subtest, and Essay		Reading minimum of 15, Writing minimum of 15, and Essay minimum of 4.	N/A	ELAR Section	5 years from date of test
STAAR EOC					
STAAR EOC - English III		English III EOC 4000	N/A	ELAR Section	5 years from date of test
STAAR EOC - Algebra II		Algebra II EOC 4000	N/A	Mathematics Section	5 years from date of test

Figure: 19 TAC §4.54(c) (.pdf)

COURSE AND PROGRAM COMPLETION EXEMPTIONS				
Student Category	Institution Where Course or Program Completed	Applicability	Exemption	Exemption Expiration
High School Student who successfully completes College Prep Course (TEC 28.014)	School district partners with any public, private, independent institution of higher education	Applies at the institution of higher education that partners with the school district in which the student is enrolled to provide course(s), or at an institution that accepts the student as TSI-met based on course completion	Corresponding English Language Arts and Reading (ELAR) and/or Mathematics sections	24 months from date of high school graduation & student must enroll in college-level course in exempted content within first year of enrollment at institution
Student enrolled and met readiness standards in mathematics and/or ELAR by institution	Any Texas public, private, independent institution of higher education or accredited out-of-state institution	Student has met college readiness standards in mathematics, reading, or writing as determined by receiving institution	Corresponding ELAR and/or Mathematics sections	No Expiration
Student completed college level coursework with C or better	Any Texas public, private, independent institution of higher education or accredited	A student with a transcribed grade of 'C' or better is not subject to TSI in	Corresponding ELAR and/or Mathematics sections	No Expiration

	out-of-state institution	accordance with Rule 4.52(b).		
College level coursework in a dual credit course as defined by Rule 4.83(11), including a College Connect dual credit course offered under Rule 4.86, with C or better.	Any Texas public institution of higher education	A student with a transcribed grade of 'C' or better is not subject to TSI in accordance with Rule 4.54(c)(2)(b).	Corresponding ELAR and/or Mathematics sections	No Expiration
Student earned Texas First Diploma	Any Texas public institution of higher education	A student who has earned the Texas First Diploma is TSI-exempt under Rule 4.54(c)(3).	ELAR and Mathematics sections	No Expiration

AGENDA ITEM X-I (5)

Consideration and possible action to repeal and adopt new Board Rules, Chapter 4, Subchapter D, Sections 4.81–4.87, concerning dual credit partnerships between secondary schools and Texas public colleges

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes adoption of Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, Sections 4.81-4.87, concerning dual credit. These new rules are designed to replace the existing rules in Sections 4.81-4.86, which will be submitted for repeal.

Before the 88th Legislative Session, Texas Education Code 61.059(p) defined how the state can fund dual credit courses. With the Legislature's addition of the Financial Aid for Swift Transfer (FAST) Program in Texas Education Code 28.0095, the Coordinating Board is replacing its dual credit rules to ensure alignment of the Coordinating Board's rules and to clarify which dual credit courses the agency can fund in the Base and Performance Tiers under Texas Education Code, Title 3, Chapter 130A. The new rules clarify reporting and funding requirements for institutions and make the definitions uniform across the Coordinating Board's rules. The definitions for dual credit will be used across all Coordinating Board rules and will streamline the institutions' compliance and reporting obligations.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

The Coordinating Board received comments from two Texas institutions of higher education and one nonprofit organization during the public comment period for the proposed new dual credit rules, including comments regarding the proposed rules for College Connect Courses. The following comments and the Coordinating Board response to comments cover a variety of topics relating to the new dual credit rules.

Comments Received by McLennan Community College

Comment: Regarding the definition of Career and Technical Education Course in 4.83(3)

- What about courses that are not workforce on the IHE side but are CTE on the K12

side? These include rubrics such as ENGR, BUSI, AGRI. Would like those included in this definition.

Response: The Coordinating Board thanks the institution for the comment. These courses are not fundable courses for an institution of higher education as Career and Technical Education Courses so therefore they are not included as part of the definition. Approved Career and Technical Education Courses for institutions of higher education are listed in the Workforce Education Course Manual (WECM).

Comment: Regarding “Dual Credit Course or Dual Enrollment Course” in 4.83(10) - The current rule 4.85(b)(3) includes in the workforce section “a program leading to a credential of less than a Level 1 certificate.” This version does not include that, which could exclude OSAs. Would like that language included in this version of 4.85.

Response: The Coordinating Board thanks the institution for the comment. The definition for a Dual Credit Course includes a Career and Technical Education Course as defined in 4.83(3) that leads to a credential, which includes Occupational Skills Award certificates.

Comment: Regarding “Dual Credit Course or Dual Enrollment Course in 4.83(10) - If the course is not Career or Technical Education and is not in the core curriculum of the institution, it must be a requirement in an approved Field of Study Curriculum (FOSC). There is no option for a Dual Credit course outside of the core that is needed for an Associate of Arts(AA)/Associate of Science(AS) if the AA/AS unless it is in an approved FOSC. Currently there are only eight approved FOSC. Would like the FOSC restriction changed to an AA/AS degree plan, FOS preferred, until additional ones are approved.

Response: The Coordinating Board thanks the institution for the comment. Texas Education Code §§ 130.008 and 29.908 limit the dual credit courses that the Coordinating Board may fund to those in the Texas Core Curriculum, foreign language, or a Field of Study. The proposed definition of a dual credit course includes these types of courses in 4.83(11)(ii).

Comment: Regarding 4.85 “Dual Credit Requirements” under (a) Eligible Courses - Request clarification. This appears to read that Early College High School (ECHS) students can only take the same academic courses as any other Dual Credit student, which would restrict academic choices outside of the core to an approved FOSC. Is this correct? If yes, the earlier comment about the limited options for a FOSC apply to this area as well. Further, the restriction appears to apply only to an ECHS but not a PTECH since PTECHS aren’t specifically mentioned when they are mentioned separately in other areas of Texas Administrative Code and Texas Education Code.

Response: The Coordinating Board thanks the institution for the comment. The proposed rule 4.85(a)(3) exempts ECHS students from the more limited definition of dual credit by referencing 130.008 (a-2). An ECHS student may be enrolled in a program that meets the requirements in 29.908.

Comments received from Children at Risk

Comment: Strongly advise the committee to maintain separate definitions for Dual Credit and Dual Enrollment. It is imperative to recognize the distinct differences between these two educational pathways and carefully deliberate the potential consequences for both the high schools and the colleges and universities. (Subchapter D, 4.83)

Response: The Coordinating Board thanks the entity for the comment. The term dual enrollment does not appear in the Texas Education Code therefore will not be utilized in the rules as a separate category. The definition of dual credit includes courses for which a student only earns college credit, including dual enrollment courses.

Comment: We recommend considering expanding access to College Connect Courses as early as 10th grade.

Response: The Coordinating Board thanks the entity for this comment. The rules do not limit a student's ability to access dual credit courses, including College Connect Courses, at any grade level.

Comments received from Tyler Junior College

Comment: Does the success course need to be offered in the same semester as the core course?

Response: The Coordinating Board thanks the institution for the comment. It is unclear to which course, "the success course" is referring. To clarify, the dual credit College Connect Course option is a college-level, dual credit course. In order to impact the student's performance in the college-level course, college readiness content must be delivered within the same semester and in the same subject matter as the college-level course. College readiness content should be integrated into the college-level course, to increase student success in the course. In response to comment, the Board will revise proposed Rule 4.86(d)(2) to specify that: The supplemental college readiness content shall be related to and integrated with the subject matter of the course.

This amendment should clarify that the intent of the College Connect Courses is to provide additional support to a student who has not yet demonstrated college readiness by integrating subject matter related content into the College Connect Course experience.

Comment: Is a co-requisite model an option for College Connect students? If so, could the co-requisite be offered in a different semester than the core course? Would that detrimentally impact co-requisite funding?

Response: The Coordinating Board thanks the institution for the comment. The institution has full discretion over the mode of delivery for supplemental college readiness content that is provided for a student enrolled in a College Connect Course who has not yet met the TSIA/TSIA2 college readiness benchmark(s), provided that the

college readiness content is integrated with and related to the course content. Because the College Connect Course is a college-level dual credit course, it is eligible for formula and FAST funding. The supplemental/embedded college readiness content, if delivered as a separate, supplemental corequisite course, is not itself eligible for FAST funding. The Education Code limits funding for courses provided to high school students to those that meet the definition in new Rule 2.83(10).

Comment: Does the success course need to be in the subject matter of the core course? In other words, could we pair an EDUC 1300 Learning Framework with another core course, or does the success course need to be directly related to the core class being offered? As previously noted, for the student who is not exempt or has not yet met the college readiness benchmark(s) on the TSIA/TSIA2.

Response: The Coordinating Board thanks the institution for this comment. In response to the comment, the Board will revise proposed Rule 4.86(d)(2) to specify that: The supplemental college readiness content shall be related to and integrated with the subject matter of the course.

An institution must provide an integrated curriculum in the subject matter of the college-level course to ensure underprepared students achieve successful mastery of the college-level content. The college-level course content should adhere, at minimum, to the learning outcomes and contact hours outlined in the *Lower-Division Academic Course Guide Manual*. The college readiness content must be related to the specific content areas where a student needs additional support to be successful in the college-level course, rather than a paired EDUC 1300 course, as specified in the revised rule text.

Comment: Do you have examples of what other colleges are currently doing?

Response: The Coordinating Board's Division of Digital Learning is currently developing openly licensed course material that includes integrated college readiness skills, in partnership with Texas institutions of higher education. That course material may be of assistance to institutions seeking to offer College Connect Courses and will be available on OERTX.

Other rule amendments made at adoption:

Section 4.86(d)(2) is revised to clarify college readiness content must be related to the subject matter of the course:

(2) An institution must also incorporate supplemental college readiness content to support students who have not yet demonstrated college readiness, as defined in §4.57, within these courses. The supplemental college readiness content shall be related to and integrated with the subject matter of the course. An institution may deliver this supplemental instruction through a method at their discretion, including through embedded course content, supplemental coursework, or other methods.

Section §4.85(g)(2) is revised to provide more flexibility in student support services without limiting them only to what is outlined in the institutional agreement. The proposed revision aligns with the Southern Association of Colleges and Schools Commission on Colleges guidance:

(2) Each student in a dual credit course must be eligible to utilize the ~~same or comparable~~ support services that are ~~afforded college students on the main campus~~ appropriate for dual credit students. The institution is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling), to learning materials (e.g., library resources), and to other benefits for which the student may be eligible.

Section 4.87 is revised to delete subsection (d) to eliminate confusion about the eligibility for funding for a dual credit course delivered by an institution of higher education to a student enrolled in an Early College High School Program. Nothing in these rules modifies or eliminates the funding available for an institution that delivers a dual credit course to a high school student as authorized under Texas Education Code §§ 29.908 and 130.008. The subsequent subsections are renumbered accordingly.

CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN
TEXAS

SUBCHAPTER D. DUAL CREDIT PARTNERSHIPS BETWEEN SECONDARY SCHOOLS AND
PUBLIC COLLEGES

§4.81. Purpose.

This subchapter provides rules and regulations for public institutions of higher education to engage in dual credit partnerships with secondary schools, including partnerships for participation in the FAST Program pursuant to chapter 13, subchapter Q of this title (relating to Financial Aid for Swift Transfer (FAST) Program).

§4.82. Authority.

Texas Education Code, §§28.009(b), 28.0095, 61.059(p), 130.001(b)(3) - (4) and 130.008, provide the Board with the authority to regulate dual credit partnerships between public institutions of higher education and secondary schools with regard to lower division courses, and provide funding for dual credit courses, including courses offered under the FAST program.

§4.83. Definitions.

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

(1) Avocational Course--A course of study in a subject or activity that is usually engaged in by a person in addition to the person's regular work or profession for recreation or in relation to a hobby, including a community interest course, as defined in Texas Education Code, §130.351(2).

(2) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.

(3) Career and Technical Education Course--A workforce or continuing education college course offered by an institution of higher education for which a high school student may earn credit toward satisfaction of a requirement necessary to obtain an industry-recognized credential, certificate, or associate degree.

(A) A career and technical education course is listed in the Workforce Education Course Manual (WECM).

(B) For the purpose of this subchapter, this definition excludes:

(i) an avocational course;

(ii) a continuing education course that is ineligible for conversion as articulated college credit; and

(iii) a continuing education course that does not meet the institution's program or instructor accreditation standards.

(4) Certificate--A Certificate Program as defined in Texas Education Code, §61.003(12).

(5) College Board Advanced Placement (also referred to as Advanced Placement or AP)--College-level courses and exams available to secondary students under the auspices of an approved College Board program.

(6) Commissioner--The Commissioner of Higher Education.

(7) Coordinating Board--The agency known as the Texas Higher Education Coordinating Board, including the agency staff.

(8) Credit--College credit earned through the successful completion of a college career and technical education or academic course that fulfills specific requirements necessary to obtain an industry-recognized credential, certificate, associate degree, or other academic degree.

(9) Degree-Seeking Student--A student who has filed a degree plan with an institution of higher education or is required to do so pursuant to Texas Education Code §51.9685.

(10) Dual Credit Course or Dual Enrollment Course--A course that meets the following requirements:

(A) The course is offered pursuant to an agreement under §4.84 of this subchapter (relating to Institutional Agreements).

(B) A course for which the student may earn one or more of the following types of credit:

(i) joint high school and junior college credit under Texas Education Code, §130.008, or

(ii) another course offered by an institution of higher education, for which a high school student may earn semester credit hours or equivalent of semester credit hours toward satisfaction of:

(I) a course defined in paragraph (4) of this section that satisfies a requirement necessary to obtain an industry-recognized credential, certificate, or an associate degree;

(II) a foreign language requirement at an institution of higher education;

(III) a requirement in the core curriculum, as that term is defined by Texas Education Code, §61.821, at an institution of higher education; or

(IV) a requirement in a field of study curriculum developed by the Coordinating Board under Texas Education Code, §61.823.

(C) Dual credit includes a course for which a high school student may earn credit only at an institution of higher education (previously referred to as a dual enrollment course) if the course meets the requirements of this section.

(D) A student may earn a single grade toward both the college course and the high school credit or may earn two separate grades where the high school grade only reflects a student's mastery of secondary content.

(E) Dual credit and dual enrollment are synonymous in Title 19, Part 1 of these rules unless otherwise expressly provided by rule.

(F) Each dual credit course must meet the requirements of this subchapter.

(11) Equivalent of a Semester Credit Hour--A unit of measurement for a continuing education course, determined as a ratio of one continuing education unit to 10 contact hours of instruction, which may be expressed as a decimal. 1.6 continuing education units of instruction equals one semester credit hour of instruction. In a continuing education course, not fewer than 16 contact hours are equivalent to one semester credit hour.

(12) Field of Study Curriculum (FOSC)--A Board-approved set of courses authorized under subchapter B of this chapter (relating to Transfer of Credit, Core Curriculum and Field of Study Curricula) that satisfies lower-division requirements for a baccalaureate degree in a specific academic area at a general academic teaching institution. A field of study curriculum is designed to facilitate transfer of courses toward designated academic degree programs at public junior colleges, public technical institutes, or universities.

(13) Institution of Higher Education or Institution--A public institution of higher education as defined in Texas Education Code, §61.003(8).

(14) International Baccalaureate Diploma Program (also referred to as IB)--The curriculum and examinations leading to an International Baccalaureate diploma awarded by the International Baccalaureate Organization.

(15) Locally Articulated College Credit--Credit earned through a high school course that fulfills specific requirements identified by a college for a career and technical education course and provides a pathway for high school students to earn credit toward a technical certificate or technical degree at a partnering institution of higher education upon high school graduation.

(16) Program of Study Curriculum (POSC)--A block of courses which is designed to progress in content specificity for an industry or career cluster while also incorporating rigorous college and career readiness standards, authorized under Texas Education Code §61.8235. A POSC generally incorporates multiple entry and exit points for participating students with portable demonstrations of technical or career competency, including credit transfer agreements or industry-recognized credentials.

(17) Public Two-Year College--Any public junior college, public technical institute, or public state college as defined in Texas Education Code, §61.003.

(18) School District--Under this subchapter, school district includes a charter school or district operating under Texas Education Code, chapter 12, unless otherwise specified.

(19) Semester Credit Hour--A unit of measure of instruction, represented in intended learning outcomes and verified by evidence of student achievement, that reasonably approximates one hour of classroom instruction or direct faculty instruction and a minimum of two hours out of class student work for each week over a 15-week period in a semester system or the equivalent amount of work over a different amount of time. An institution is responsible for determining the appropriate number of semester credit hours awarded for its programs in accordance with Federal definitions, requirements of the institution's accreditor, and commonly accepted practices in higher education.

§4.84. Institutional Agreements.

(a) Need for Institutional Agreements. For any dual credit partnership between a school district or private school and an institution, an agreement must be approved by the governing boards or designated authorities (e.g., superintendent or chief academic officer) of both the public school district or private secondary school, as applicable, and the institution prior to the offering of such courses. Each institution shall report to the Coordinating Board a list of school districts and private schools with which it has agreements under this section, and the URL where these agreements are posted on the institution's Internet website.

(b) Elements of Institutional Agreements. An Institutional Agreement entered into or renewed between an institution and a school district or private school, including a memorandum of understanding or articulation agreement, shall include 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, including 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, instructional materials, or textbooks for students participating in the program, including for students eligible to take dual credit courses at no cost to the student under the FAST program, under Texas Administrative Code Chapter 13 Subchapter Q.

(10) All requirements for joint implementation of the FAST program under Texas Education Code, §28.0095, including ensuring the accurate and timely exchange of information necessary for an eligible student to enroll at no cost in a dual credit course, for eligible public schools and students participating in the FAST program, under Texas Administrative Code Chapter 13 Subchapter Q.

(11) Defined sequences of courses that apply to academic or career and technical education program requirements at the institution or industry-recognized credentials, where applicable;

(12) Specific program goals aligned with the statewide goals developed under Texas Education Code, §§28.009(b-1), 130A.004, and 130A.101(c)(3);

(13) Coordinated advising strategies and terminology related to dual credit and college readiness, including strategies to assist students in selecting courses that will satisfy applicable high school and college requirements for the student's intended program;

(14) Provision for the alignment of endorsements described by Texas Education Code, §28.025(c1), offered by the school district and dual credit courses offered under the agreement that apply toward those endorsements with postsecondary pathways and credentials at the institution and industry-recognized credentials;

(15) Identification of tools, including online resources developed by the Texas Education Agency, Coordinating Board, or the Texas Workforce Commission, to assist counselors, students, and families in selecting endorsements offered by the school district and college courses offered by the institution under the agreement;

(16) A procedure for establishing the course credits that may be earned under the agreement, including developing a course equivalency crosswalk or other method of identifying the number of high school and college credits that may be earned for each course completed through the program;

(17) A description of the academic supports and, if applicable, other support that will be provided to students participating in the program (e.g., transportation to and from a college campus);

(18) The respective roles and responsibilities of the institution of higher education and the school district or private school in providing the program and ensuring the quality of instruction and instructional rigor of the program;

(19) A requirement that the school district and the institution consider the use of free or low-cost open educational resources in courses offered under the program; and

(20) Designation of at least one employee of the school district or private school, or the 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.

(c) Each Agreement must be posted each year on the institution of higher education's and the school district's respective Internet websites.

§4.85. Dual Credit Requirements.

(a) Eligible Courses.

(1) An institution may offer any dual credit course as defined in §4.83(11) of this subchapter (relating to Definitions).

(2) A dual credit course offered by an institution must be in the approved undergraduate course inventory of the institution.

(3) An Early College High School may offer any dual credit course as defined in §4.83(11) or Texas Education Code, §28.009 and §130.008, subject to the provisions of subchapter G of this chapter (relating to Early College High Schools).

(4) An institution may not offer a remedial or developmental education course for dual credit. This limitation does not prohibit an institution from offering a dual credit course that incorporates Non-Course-Based College Readiness content or other academic support designed to increase the likelihood of student success in the college course, including any course offered under §4.86 of this subchapter (relating to Optional Dual Credit Program: College Connect Courses).

(b) Student Eligibility.

(1) A high school student is eligible to enroll in dual credit courses if the student:

(A) is not a degree-seeking student as defined in §4.83(10) of this subchapter (relating to Definitions);

(B) demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth in §4.54 of this chapter (relating to Exemption);

(C) demonstrates college readiness by achieving the minimum passing standards under the provisions of the Texas Success Initiative as set forth in §4.57 of this chapter (relating to Texas Success Initiative Assessment College Readiness Standards) on relevant section(s) of an assessment instrument approved by the Board as set forth in §4.56 of this chapter (relating to Assessment Instrument); or

(D) Meets the eligibility requirements for a Texas First Diploma under §21.52 of this title (relating to Eligibility for Texas First Diploma).

(2) A student who is enrolled in private or non-accredited secondary schools or who is home-schooled must satisfy paragraph (b)(1) of this subsection.

(3) An institution may require a student who seeks to enroll in a dual credit course to meet all the institution's regular prerequisite requirements designated for that course (e.g., a minimum score on a specified placement test, minimum grade in a specified previous course, etc.).

(4) An institution may impose additional requirements for enrollment in specific dual credit courses that do not conflict with this subchapter.

(5) An institution is not required, under the provisions of this section, to offer dual credit courses for high school students.

(c) Location of Class. An institution may teach dual credit courses on the college campus or on the high school campus. For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught via distance education, the institution shall comply with chapter 2, subchapter J of this title (relating to Approval of Distance Education for Public Institutions).

(d) Composition of Class. A dual credit course may be composed of dual credit students only or of a mixture of dual credit and college students. Notwithstanding the requirements of subsection (e) of this section, exceptions for a mixed class that combines dual credit students and high school credit-only students may be allowed when the creation of a high school credit-only class is not financially viable for the high school and only under one of the following conditions:

(1) If the course involved is required for completion under the State Board of Education High School Program graduation requirements;

(2) If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students; or

(3) If the course is a career and technical education course and the high school credit-only students are eligible to earn articulated college credit.

(e) Faculty Selection, Supervision, and Evaluation. Each institution shall apply the standards for selection, supervision, and evaluation for instructors of dual credit courses as required by the institution's accreditor. A high school teacher may only teach a high school course offered through a dual credit agreement if the teacher is approved by the institution offering the dual credit course.

(f) Course Curriculum, Instruction, and Grading. The institution shall ensure that a dual credit course offered at a high school is at least equivalent in quality to the corresponding course offered at the main campus of the institution with respect to academic rigor, curriculum, materials, instruction, and methods of student evaluation. These standards must be upheld regardless of the student composition of the class, location, and mode of delivery.

(g) Academic Policies and Student Support Services.

(1) Regular academic policies applicable to courses taught at an institution's main campus must also apply to dual credit courses. These policies may include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, etc. Additionally, each institution is strongly encouraged to provide maximum flexibility to high school students in dual credit courses, consistent with the institution's academic policies, especially with regard to drop policies, to encourage students to attempt rigorous courses without potential long-term adverse impacts on students' academic records.

(2) Each student in a dual credit course must be eligible to utilize support services that are appropriate for dual credit students. The institution is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling), to learning materials (e.g., library resources), and to other benefits for which the student may be eligible.

(3) A student enrolled in a dual credit course at an institution shall file a degree plan with the institution as prescribed by Texas Education Code, §51.9685.

(h) Transcribing of Credit. Each institution or high school shall immediately transcript the credit earned by a student upon a student's completion of the performance required in the course.

§4.86. Optional Dual Credit or Dual Enrollment Program: College Connect Courses.

(a) Authority. These rules are authorized by Texas Education Code, §§28.009(b), 28.0095, 130.001(b)(3) – (4), and 130.008.

(b) Purpose. The purpose of this rule is to encourage and authorize public institutions of higher education to deliver innovatively designed dual credit courses that integrate both college-level content in the core curriculum of the institution alongside college-readiness content and skills instruction. These innovatively designed courses will allow students the maximum flexibility to obtain college credit and provide integrated college readiness skills to students who are on the continuum of college readiness and will benefit from exposure to college-level content.

(c) Student eligibility. An eligible student must be enrolled in a public school district or open-enrollment charter as defined in Texas Education Code, §5.001(6), and meet the requirements of §4.85(b) of this subchapter (relating to Dual Credit Requirements). Notwithstanding

§4.85(b), an institution may enroll a high school student who is not exempt or college ready under the requirements of §4.54 or §4.57 of this chapter (relating to Exemptions, Exceptions, and Waivers and College Ready Standards, respectively) in a math or communications College Connect Course offered by the institution.

(d) Course content. The following standards apply to delivery of College Connect Courses offered under this rule:

(1) An institution may only offer College Connect Courses within the institution's core curriculum in accordance with §4.28 of this chapter (relating to Core Curriculum).

(2) An institution shall also incorporate supplemental college readiness content to support students who have not yet demonstrated college readiness, as defined in §4.57, within these courses. The supplemental college readiness content shall be related to and integrated with the subject matter of the course. An institution may deliver this supplemental instruction through a method at their discretion, including through embedded course content, supplemental coursework, or other methods

(e) The Coordinating Board may provide technical assistance to an institution of higher education or school district in developing and providing these courses.

(f) Additional Academic Policies.

(1) College Connect Courses offered through dual credit must confer both a college-level grade and a secondary-level grade upon a student's successful completion of the course. A grade conferred for the college-level course may be different from the secondary-level grade, to reflect whether a student has appropriately demonstrated college-level knowledge and skills as well as secondary-level knowledge and skills. An institution may determine how a student enrolled in this course may earn college credit, whether through college-level course completion or successful completion of a recognized college-level assessment that the institution would otherwise use to award college credit.

(2) An institution must enter into an institutional agreement with the secondary school according to §4.84 of this subchapter (relating to Institutional Agreements) to offer College Connect Courses.

(3) An institution is strongly encouraged to provide the maximum latitude possible for a student to withdraw from the college-level course component beyond the census date, while still giving the student an opportunity to earn credit toward high school graduation requirements, in accordance with §4.85(g) of this subchapter (relating to Dual Credit Requirements).

(4) Hours earned through this program before the student graduates from high school that are used to satisfy high school graduation requirements do not count against the limitation on formula funding for excess semester credit hours under §13.104 of this title (relating to Exemptions for Excess Hours).

(g) Funding and Tuition. The Coordinating Board shall fund College Connect Courses in accordance with §4.87 of this subchapter (relating to Funding).

§4.87. Funding.

(a) A public junior college may submit for funding any course that meets the requirements of this subchapter as provided in chapter 13, subchapter S of this title (relating to Community College Finance Program), or chapter 13, subchapter P of this title (relating to Community College Finance Program for Fiscal Year 2024).

(b) A public junior college may report a course for funding for which a high school student may earn college credit that does not otherwise meet the requirements of this subchapter for the purpose of calculating base tier funding according to the provisions of chapter 13, subchapter S or subchapter P of this title. Such a course is not considered a dual credit or dual enrollment course under Title 19, Part 1.

(c) An institution may submit a dual credit course for funding under the FAST program of chapter 13, subchapter Q of this title (relating to Financial Aid for Swift Transfer (FAST) Program) only if the course meets all requirements of that subchapter.

(d) Nothing in this subchapter shall be construed to prohibit an Early College High School under Texas Education Code, §28.908, from participating in or receiving funding under the FAST program of chapter 13, subchapter Q of this title

(e) An institution may waive all or part of tuition and fees for a Texas high school student enrolled in a course for which the student may receive dual course credit.

CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

SUBCHAPTER D. DUAL CREDIT PARTNERSHIPS BETWEEN SECONDARY SCHOOLS AND PUBLIC COLLEGES

~~§4.81. Purpose.~~

~~This subchapter provides rules and regulations for public institutions of higher education to engage in dual credit partnerships with secondary schools. (See Chapter 9, Subchapter H of this title (relating to Partnerships Between Secondary Schools and Public Two-Year Associate Degree-Granting Institutions) for high school credit only partnerships, and remedial or developmental instruction for high school graduation partnerships.)~~

~~§4.82. Authority.~~

~~Texas Education Code, §28.009(b), §130.001(b)(3)–(4) and 130.008 provide the Board with the authority to regulate dual credit partnerships between public institutions of higher education and secondary schools with regard to lower division courses~~

~~§4.83. Definitions.~~

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

- ~~–(1) Articulated College Credit—Credit earned through a high school-level course that fulfills specific requirements of an identified college-level course and provides a pathway for high school students to earn credit toward a technical certificate or technical degree at a partnering institution of higher education.~~
- ~~–(2) Board or Coordinating Board—The Texas Higher Education Coordinating Board.~~
- ~~–(3) Career and Technical Education Course—A college-level course awarding semester credit hours and contained in the Workforce Education Course Manual (WECM) or a specified course contained in the Lower-Division Academic Course Guide manual that may be reported for state funding by institutions of higher education as a dual credit career and technical education course in the Coordinating Board Management (CBM) Reporting and Procedures Manual for Texas Community, Technical, and State Colleges.~~
- ~~–(4) College—Public institution of higher education as defined in TEC 61.003(8).~~
- ~~–(5) College Board Advanced Placement—College-Level courses and exams available to secondary students under the auspices of an approved College Board program.~~
- ~~–(6) Commissioner—The Commissioner of Higher Education.~~
- ~~–(7) Dual credit—A system under which an eligible high school student enrolls in college course(s) and receives credit for the course(s) from both the college and the high school. While dual credit courses are often taught on the secondary school campus to high school students only, applicable sections of these rules, §4.84(a) and §4.85(a), (b), (g), (h), (i) of this title (relating to Dual Credit Partnerships), apply irrespective of location or mode of delivery. Dual credit is also referred to as concurrent course credit; the terms are equivalent.~~
- ~~–(8) Dual enrollment (previously referred to as dual or concurrent enrollment)—Refers to a system under which a student is enrolled in more than one educational institution (including a high school and a public institution of higher education). When a student in a dual enrollment~~

~~system enrolls in courses that student earns appropriate course credit from each distinct educational institution that offered the course. Dual enrollment is not equivalent to dual credit.~~

~~–(9) Early College Education Program—A program as defined in TEC 29.908.~~

~~–(10) Early College Program—A program developed via an institutional agreement in partnership between a public institution of higher education and high schools or school districts in which a student enrolls in courses that are part of a defined sequence of courses leading to a Board-approved certificate, AA, AS, or AAS degree program as defined in Title 19, Part 1, Chapter 9, Rule 9.1—Definitions of Texas Administrative Code.~~

~~–(11) Field of Study Curriculum (FOSC)—A set of courses that satisfies the lower-division requirements for a baccalaureate degree in a specific academic area at a general academic teaching institution. A field of study curriculum affects academic degree programs at public junior colleges, public technical institutes, or universities as designated within the particular field of study curriculum.~~

~~–(12) International Baccalaureate Diploma Program—The curriculum and examinations leading to an International Baccalaureate diploma awarded by the International Baccalaureate Organization.~~

~~–(13) Program of Study Curriculum (POSC)—The block of courses which progress in content specificity by beginning with all aspects of an industry or career cluster and incorporate rigorous college and career readiness standards, including career and technical education standards that address both academic and technical content which incorporate multiple entry and exit points with portable demonstrations of technical or career competency, which may include credit transfer agreements or industry-recognized certifications.~~

~~–(14) Public two-year associate degree-granting institution—A community college, a technical college, or a state college.~~

~~§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, 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;~~
- ~~–(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) be posted each year on the institution of higher education's and the school district's respective Internet websites~~

~~§4.85. Dual Credit Requirements.~~

~~(a) Eligible Courses:~~

- ~~–(1) Courses offered for dual credit by public two-year associate degree-granting institutions must be identified as college-level academic courses in the current edition of the Lower Division Academic Course Guide Manual adopted by the Board or as college-level workforce education courses in the current edition of the Workforce Education Course Manual adopted by the Board.~~
- ~~–(2) Courses offered for dual credit by public universities must be in the approved undergraduate course inventory of the university.~~
- ~~–(3) A college course offered for dual credit must be:~~
 - ~~–(A) in the core curriculum of the public institution of higher education providing the credit;~~
 - ~~–(B) a career and technical education course; or~~
 - ~~–(C) a foreign language course.~~

~~—(i) This provision does not apply to a college course for dual credit offered as part of an approved early college education program established under TEC §29.908 or an early college program as defined in this subchapter.~~

~~—(ii) Any college course for dual credit offered as part of an early college program as defined in this subchapter must be a core curriculum course of the public institution of higher education providing the credit, a career and technical education course, a foreign language course, or a course that satisfies specific degree plan requirements leading to the completion of a Board approved certificate, AA, AS, AAS degree program, FOSC, or POSC.~~

~~—(4) Public colleges may not offer remedial and developmental courses for dual credit.~~

~~(b) Student Eligibility.~~

~~—(1) A high school student is eligible to enroll in academic dual credit courses if the student:~~

~~—(A) demonstrates college readiness by achieving the minimum passing standards under the provisions of the Texas Success Initiative as set forth in §4.57 of this title (relating to College Ready Standards) on relevant section(s) of an assessment instrument approved by the Board as set forth in §4.56 of this title (relating to Assessment Instrument); or~~

~~—(B) demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth in §4.54 of this title (relating to Exemptions, Exceptions, and Waivers).~~

~~—(2) A high school student is also eligible to enroll in academic dual credit courses that require demonstration of TSI college readiness in reading, writing, and/or mathematics under the following conditions:~~

~~—(A) Courses that require demonstration of TSI college readiness in reading and/or writing:~~

~~—(i) if the student achieves a minimum score of 4000 on the English II State of Texas Assessment of Academic Readiness End of Course (STAAR EOC); or~~

~~—(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):~~

~~—(I) a combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or~~

~~—(II) a score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or~~

~~—(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT Aspire.~~

~~—(B) Courses that require demonstration of TSI college readiness in mathematics:~~

~~—(i) if the student achieves a minimum score of 4000 on the Algebra I STAAR EOC and passing grade in the Algebra II course; or~~

~~—(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):~~

~~—(I) a combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or~~

~~—(II) a score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or~~

~~—(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT Aspire.~~

~~—(3) A high school student is eligible to enroll in workforce education dual credit courses contained in a postsecondary Level 1 certificate program, or a program leading to a credential~~

~~of less than a Level 1 certificate, at a public junior college or public technical institute and shall not be required to provide demonstration of college readiness or dual credit enrollment eligibility.~~

~~—(4) A high school student is eligible to enroll in workforce education dual credit courses contained in a postsecondary Level 2 certificate or applied associate degree program under the following conditions:~~

~~—(A) Courses that require demonstration of TSI college readiness in reading and/or writing:~~

~~—(i) if the student achieves a minimum score of 4000 on the English II STAAR EOC; or~~

~~—(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):~~

~~—(I) a combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or~~

~~—(II) a score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or~~

~~—(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT Aspire.~~

~~—(B) Courses that require demonstration of TSI college readiness in mathematics:~~

~~—(i) if the student achieves a minimum score of 4000 on the Algebra I STAAR EOC and passing grade in the Algebra II course; or~~

~~—(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):~~

~~—(I) a combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or~~

~~—(II) a score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or~~

~~—(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT Aspire.~~

~~—(C) A student who is exempt from taking STAAR EOC assessments may be otherwise evaluated by an institution to determine eligibility for enrolling in workforce education dual credit courses.~~

~~—(5) Students who are enrolled in private or non-accredited secondary schools or who are home schooled must satisfy paragraphs (1) — (4) of this subsection.~~

~~—(6) To be eligible for enrollment in a dual credit course offered by a public college, students must meet all the college's regular prerequisite requirements designated for that course (e.g., minimum score on a specified placement test, minimum grade in a specified previous course, etc.).~~

~~—(7) An institution may impose additional requirements for enrollment in courses for dual credit that do not conflict with this section.~~

~~—(8) An institution is not required, under the provisions of this section, to offer dual credit courses for high school students.~~

~~(c) Location of Class. Dual credit courses may be taught on the college campus or on the high school campus. For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught electronically, public colleges shall comply with applicable rules and procedures for offering courses at a distance in Subchapters P and Q~~

~~of this chapter (relating to Approval of Distance Education Courses and Programs for Public Institutions and Approval of Off-Campus and Self-Supporting Courses and Programs for Public Institutions). In addition, dual credit courses taught electronically shall comply with the Board's adopted Principles of Good Practice for Courses Offered Electronically.~~

~~(d) Composition of Class. Dual credit courses may be composed of dual credit students only or of dual and college credit students. Notwithstanding the requirements of subsection (e) of this section, exceptions for a mixed class that combines college credit and high school credit only students may be allowed only when the creation of a high school credit only class is not financially viable for the high school and only under one of the following conditions:~~

~~–(1) If the course involved is required for completion under the State Board of Education High School Program graduation requirements, and the high school involved is otherwise unable to offer such a course;~~

~~–(2) If the high school credit only students are College Board Advanced Placement or International Baccalaureate students;~~

~~–(3) If the course is a career and technical/college workforce education course and the high school credit only students are eligible to earn articulated college credit.~~

~~(e) Faculty Selection, Supervision, and Evaluation.~~

~~–(1) The college shall select instructors of dual credit courses. These instructors must meet the same standards (including minimal requirements of the Southern Association of Colleges and Schools Commission on Colleges) and approval procedures used by the college to select faculty responsible for teaching the same courses at the main campus of the college;~~

~~–(2) The college shall supervise and evaluate instructors of dual credit courses using the same or comparable procedures used for faculty at the main campus of the college.~~

~~(f) Course Curriculum, Instruction, and Grading. The college shall ensure that a dual credit course and the corresponding course offered at the main campus of the college are equivalent with respect to the curriculum, materials, instruction, and method/rigor of student evaluation. These standards must be upheld regardless of the student composition of the class.~~

~~(g) Academic Policies and Student Support Services.~~

~~–(1) Regular academic policies applicable to courses taught at the college's main campus must also apply to dual credit courses. These policies could include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, etc.~~

~~–(2) Students in dual credit courses must be eligible to utilize the same or comparable support services that are afforded college students on the main campus. The college is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling); to learning materials (e.g., library resources), and to other benefits for which the student may be eligible.~~

~~–(3) A student enrolled in dual credit courses at an institution of higher education shall file a degree plan with the institution as prescribed by §4.344 of this chapter (relating to Degree Plans for a Student Enrolled in Dual Credit Courses).~~

~~(h) Transcribing of Credit. For dual credit courses, high school as well as college credit should be transcribed immediately upon a student's completion of the performance required in the course.~~

~~(i) Funding.~~

~~—(1) The state funding for dual credit courses will be available to both public school districts and colleges based on the current funding rules of the State Board of Education (TEC 42.005 (g)) and the Board (TEC 61.059 (p) and (q)).~~

~~—(2) The college may only claim funding for students earning college credit in core curriculum, field of study curriculum, program of study curriculum, career and technical education, and foreign language dual credit courses.~~

~~—(3) This provision does not apply to students enrolled in approved early college education programs under TEC 29.908.~~

~~—(4) All public colleges, universities, and health-related institutions may waive all or part of tuition and fees for a Texas high school student enrolled in a course for which the student may receive dual course credit.~~

§4.86. Optional Dual Credit or Dual Enrollment Program: College Connect Courses.

~~(a) Authority. These rules are authorized by Texas Education Code §§28.009(b), 130.001(b)(3) —(4), and 130.008.~~

~~(b) Purpose. The purpose of this rule is to encourage and authorize public institutions of higher education to deliver innovatively designed dual credit or dual enrollment courses that integrate both college-level content in the core curriculum of the institution alongside college-readiness content and skills instruction. These innovatively designed courses will allow students the maximum flexibility to obtain college credit and provide integrated college-readiness skills to students who are on the continuum of college-readiness and will benefit from exposure to college-level content.~~

~~(c) Student eligibility. An eligible student must be enrolled in a public school district or open-enrollment charter as defined in Texas Education Code §5.001(6). An institution of higher education may offer College Connect Courses to:~~

~~—(1) A student who has met the college-readiness standards set forth in subchapter C, §4.57 of this chapter (relating to College Ready Standards); or~~

~~—(2) A student who has not yet demonstrated college-readiness by achieving minimum passing standards set forth in §4.57 of this chapter, if the student is:~~

~~—(A) a non-degree-seeking or non-certificate-seeking student under Texas Education Code §51.338(a); and~~

~~—(B) has earned not more than 14 semester credit hours of college credits at an institution of higher education; or~~

~~—(C) a student who is otherwise exempt from the Texas Success Initiative, as set forth in subchapter C, §4.54 of this chapter (relating to Exemptions, Exceptions, and Waivers).~~

~~(d) An institution may add eligibility requirements for students qualifying under subsection (c)(2)(A) and (B) of this section.~~

~~(e) Course content. The following standards apply to delivery of College Connect Courses offered under this rule:~~

~~—(1) An institution of higher education may offer College Connect Courses within the institution's core curriculum in accordance with subchapter B, §4.28 of this chapter (relating to Core Curriculum).~~

~~—(2) An institution of higher education must also incorporate supplemental college-readiness content to support students who have not yet demonstrated college-readiness as defined in §4.57 of this chapter within these courses. An institution may deliver this supplemental~~

~~instruction through a method at their discretion, including through embedded course content, supplemental corequisite coursework, or other method.~~

~~(f) Coordinating Board staff may provide technical assistance to public institutions of higher education and secondary schools and districts in developing and providing these courses.~~

~~(g) Additional Academic Policies:~~

~~–(1) College Connect Courses offered through dual credit or dual enrollment must confer both a college-level grade and a secondary-level grade upon a student's successful completion of the course. A grade conferred for the college-level course may be different from the secondary-level grade, to reflect whether a student has appropriately demonstrated college-level knowledge and skills as well as secondary-level knowledge and skills. An institution may determine how a student enrolled in this course may earn college credit, whether through college-level course completion or successful completion of a recognized college-level assessment.~~

~~–(2) An institution of higher education must enter into an institutional agreement with the secondary school according to §4.84 of this chapter (relating to Institutional Agreements) to offer College Connect Courses.~~

~~–(3) An institution of higher education is strongly encouraged to provide the maximum latitude possible for a student to withdraw from the college-level course component beyond the census date, while still giving the student an opportunity to earn credit toward high school graduation requirements.~~

~~–(4) Hours earned through this program before the student graduates from high school that are used to satisfy high school graduation requirements do not count against the limitation on formula funding for excess semester credit hours under chapter 13, subchapter F, §13.104 of this title (relating to Exemptions for Excess Hours).~~

~~(h) Funding and Tuition. For College Connect Courses offered through dual credit under this option:~~

~~–(1) An institution of higher education may receive formula funding for College Connect Course semester credit hours in accordance with Texas Education Code §61.059 and chapter 130, subchapter A, and any Coordinating Board rules that authorize funding for courses offered under this section.~~

~~–(2) An institution of higher education may waive a student's tuition for College Connect Courses in accordance with Texas Education Code §§54.216 and 28.0095.~~

AGENDA ITEM X-I (6)

Consideration and possible action to adopt new Board Rules, Chapter 4, Subchapter V, Sections 4.350–4.353, concerning compliance with non-discrimination in intercollegiate athletic competition

RECOMMENDATION: Approval

Background Information:

Senate Bill 15, 88th Texas Legislature, Regular Session, requires students of public institutions of higher education who compete in intercollegiate athletic competitions to compete based on their biological sex. The legislation requires athletes to join the college sports teams that align with their sex assigned at birth, regardless of their gender identity.

The bill also provides whistleblower protections for people who report violations at a university athletics program and allows people to file civil lawsuits against a college or university if they believe the institution has violated the law. The proposed new rules also address compliance with state and federal law regarding the confidentiality of student medical information.

Jerel Booker, Assistant Deputy Commissioner for Academic Affairs and Innovation, will present this item and be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the Texas Register ended on: February 26, 2024.

Summary of comments received: No comments were received regarding these rules.

CHAPTER 4:
AGENCY ADMINISTRATION

SUBCHAPTER V:
NON-DISCRIMINATION IN INTERCOLLEGIATE ATHLETICS

§ 4.350. Authority.

Authority for this subchapter is provided in Texas Education Code, chapter 51, subchapter Z, §51.980, Intercollegiate Athletic Competition Based on Biological Sex.

§ 4.351. Definitions.

In addition to the words and terms defined in §4.3 of this chapter (relating to Definitions), the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. In the event of conflict, the definitions in this subchapter shall control.

(1) Biological Sex--Has the meaning assigned under Texas Education Code, §51.980(d).

(2) Athletic Competition--Has the meaning assigned under Texas Education Code, §51.980(a)(1).

§ 4.352. Participation in Athletic Competition Based on Biological Sex.

Each institution of higher education shall ensure compliance with Texas Education Code, §51.980.

§ 4.353. Confidentiality and Privacy.

Nothing in this subchapter limits or waives the protection of confidential student information, including but not limited to student educational records or student medical information under state or federal law, including Chapter 181, Health and Safety Code, the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.), Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), or birth certificate records under state law.

AGENDA ITEM X-I (7)

Consideration and possible action to adopt new Board Rules, Chapter 4, Subchapter X, Sections 4.370–4.376, concerning parenting and pregnant students

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter X, Sections 4.370–4.376, concerning the establishment of rules pertaining to parenting and pregnant students. Specifically, this new subchapter provides information necessary for the implementation and administration of the statute.

Texas Education Code (TEC), Chapter 51, Subchapter Z, Section 51.9357 and Sections 51.982–51.983, requires the Coordinating Board to adopt rules relating to the protection of pregnant and parenting students, resources for such students, and reporting requirements. The new rules provide clarity and guidance to students, institutions of higher education, and Coordinating Board staff for the implementation of the program.

Specifically, these new sections will outline the authority and purpose, definitions, parenting student early registration, the liaison officer, protections for pregnant and parenting students, and reporting requirements.

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

Summary of comments received:

Comment 1 from Austin Community College:

1. What is the date by which colleges will need to have early registration implemented for parenting students?
2. Will THECB provide a data template for the reporting requirements? When can we expect guidance about the specifications of the required report in advance of the May 2024 due date?

3. Under §4.375. Protections for Pregnant and Parenting Students, will individual instructors have to detail each of these protections in their syllabi or will it be enough to post these protections on the college's website?? Specifically - excusing absences related to a student's pregnancy or childbirth without a doctor's certification and giving a pregnant or parenting student reasonable time to make up or complete any assignments or assessments missed due to such an absence.
4. Will 'reasonable time' be determined by college policy or by individual instructors or their departments?? Is 'reasonable time' flexible or consistent across all instructional departments of the institution??

Response 1:

The Coordinating Board appreciates these comments and provides the following responses.

1. Pursuant to TEC, Sec. 51.983, Early Registration for Parenting Students was effective September 1, 2023.
2. Yes, THECB will provide a template with the required data for reporting purposes. THECB anticipates guidance to be shared simultaneously with institutions by the end of March 2024.
3. Pursuant to TEC, Sec. 51.982(f), institutions are required to adopt a policy that must be posted on the institution's website. Additionally, the institution is encouraged to explore effective methods of sharing and communicating this information to students, faculty, staff, and employees.
4. The determination of reasonable time and its flexibility should align with the college's policy.

Comment 2 from The University of Texas System:

Thank you for your hard work drafting the proposed rules relating to parenting and pregnant students. The undersigned public systems of higher education make this joint comment seeking additional clarification before the Texas Higher Education Coordinating Board implements a final rule.

1. 4.375(b)

Language in Proposed Rule:

(b) An institution shall excuse absences related to a student's pregnancy or childbirth without a doctor's certification that such absence is necessary for no more than five consecutive school days or ten days in any thirty-day period.

- (1) An institution shall allow a student a reasonable time to make up or complete any assignments or assessments missed due to such an absence.
- (2) An institution shall provide a student with access to all course materials that are made available to any other student with an excused absence. This may include instructional materials, laboratory access, and recordings of class lectures.

Comment:

Our institutions look forward to continuing to work with pregnant students and those with related medical conditions to achieve academic success. There is some concern that students in certain academic programs, such as short courses that last only five or ten days or medical residences—with multiple brief rotations—may not be able to miss “five consecutive school days or ten days in a thirty-day period” and “make up or complete any assignments” without fundamentally altering the academic program. Further, accreditation issues may arise in certain academic programs if a student misses this much class, especially if the student misses ten days multiple times during the course. Moreover, the term “reasonable time” in subsection (b)(1) could be clarified to ensure that “reasonable time” is not a period that would fundamentally alter an academic program. Accordingly, we ask that the Coordinating Board clarify this language and allow for the flexibility needed based on the circumstances of the student’s academic program while also providing important support for pregnant students and those with related conditions.

2. 4.375(c)

Language in the Proposed Rule:

(c) An institution shall permit but not require a parenting or pregnant student to take a leave of absence related to a student's pregnancy or parenting status for a minimum of one semester without a showing of medical need.

- (1) An institution shall make every reasonable effort to accommodate pregnant and parenting students within their degree program's curriculum and accreditation requirements. A student taking a leave of absence under this section may be taken with the advanced approval of the student's department.*
- (2) The institution shall implement policies and procedures to ensure that a student meets with the institution's scholarships and financial aid office prior to beginning a leave of absence to receive information on financial impacts due to the leave of absence under this section.*

Comment:

Our institutions will continue to attempt to meet with students before they take a leave of absence so that students understand the impact a leave of absence decision may have on their finances and future educational pursuits. Sometimes students take a leave of absence because of an emergency and cannot meet with financial aid officials before they make the decision to take leave. Ensuring that the institution approves any leave of absence may help to ensure the student speaks with institutional representatives before taking leave. To that end, we would suggest stating that “a leave of absence under this section ‘must’ be taken with the advanced approval” of institutional officials. Further, the institution can attempt to meet with students, but cannot ensure that students meet with financial aid because institutions cannot control whether students choose to do so. The Coordinating Board may wish to clarify the language to account for this.

3. 4.375(d)

Language in the Proposed Rule:

(d) An institution shall ensure that a student in good academic standing at the time a leave of absence commences may return to their degree or certificate program in good academic standing, not be required to reapply for admission, and may complete their degree or certificate program by fulfilling the requirements in effect at the time the leave of absence commenced.

Comment:

The majority of students who take a brief leave of absence for pregnancy, childbirth, or related medical conditions should be able to return and complete the same degree program in which they were enrolled when the absence commenced. Some students, however, may take a longer leave of absence. We request additional clarification to account for the fact that certain academic programs at the institution may no longer exist when a student returns (perhaps many years later), or the program that existed at the time may no longer be sufficient to meet accreditation standards. Degree programs generally have an established matriculation-to-graduation time limit. For example, many undergraduate degree programs generally have a six-year time limit from matriculation to graduation for a student to complete their degree program before that academic program curriculum expires. Graduate and doctoral programs have varying time limits as well. Degree programs with accelerated technological advancements may have shorter time limits due to rapidly evolving technological changes that require the program's curriculum to be revised more often; otherwise, these types of degree programs become obsolete. For example, a degree in Biomedical Informatics has a five-year curriculum expiration at some institutions. If a program is no longer accredited, the institution cannot provide that obsolete education, nor would doing so benefit the student. Accordingly, the Coordinating Board may wish to clarify 4.375(d) to account for these issues.

4. Conclusion

As the largest public systems of higher education in this great state, we are committed to providing equitable and important support for pregnant students and those with pregnancy-related conditions. We thank you for your hard work in drafting these rules and for your consideration of this joint comment. We look forward to continuing to partner with the Coordinating Board going forward to advance educational opportunities for Texans.

Response 2:

The Coordinating Board appreciates these comments and provides the following responses.

1. Comments one through three in relation to Rule 4.375 have been updated to consider the flexibility needed based on the circumstances of the student's academic program, leave of absence, and return to the program, as long as the program still exists and meets accreditation standards.

Comment 3 from Texas Woman's University:

I. 4.375. Protections for Pregnant and Parenting Students – Section (c)(2)

Rule 4.375, Section (c)(2) requires universities to “implement policies and procedures to ensure that a student meets with the institution's scholarships and financial aid office prior to beginning a leave of absence to receive information on financial impacts due to the leave of absence under this section.”

TWU agrees that it is important for students considering a leave of absence to be fully informed of the potential financial impact of this important decision. However, TWU is concerned that the requirement for staff to meet with students prior to beginning their leave of absence will strain the limited staff resources the university has to support this obligation. As such, TWU respectfully urge the Board to modify Rule. 4375, Section 3, to allow for universities to provide information on financial impacts prior to a student going on a leave of absence, but allow for the meetings to be at the student’s request.

II. 4.375. Protections for Pregnant and Parenting Students – Section (d)

Rule 4.375, Section (d) states that “a student in good academic standing at the time a leave of absence commences may return to their degree or certificate program in good academic standing, not be required to reapply for admission, and may complete their degree or certificate program by fulfilling the requirements in effect at the time the leave of absence commenced.” (Emphasis added.)

One of TWU’s primary educational goals is to prepare our students with the knowledge and skills needed to achieve successful careers in their chosen fields. As such, TWU offers several 75 programs with over 91 undergraduate or graduate degrees. A significant percentage of those programs are certification, professional, or graduate degree programs whose requirements are based on state or nationally-recognized professional certification or licensure standards. The proposed Rule 4.375, Section (d) as written would restrict the ability of universities to ensure that their graduates are sufficiently prepared for their chosen careers; it would allow for scenarios where students returning from a leave of absence could complete their degree based on outdated certification or licensure requirements. Such outcomes would diminish the integrity and value of TWU’s programs, and also be a grave disservice to the students taking leave. To address this concern, TWU respectfully recommends that Rule 4.375, Section (d) be modified to state that that a pregnant and parenting student who takes a leave of absence “may complete their degree or certificate program by fulfilling the requirements in effect at the time of the student’s return.”

Response 3:

The Coordinating Board appreciates these comments and provides the following responses.

1. Rule 4.375 (c2), now Rule 4.375 (c3), has been updated in consideration of the following: An institution shall implement policies and procedures to ensure that the student is informed of possible impacts to their financial aid or scholarships. These institutional policies and procedures should encourage students to meet with the financial aid office before the student takes a leave of absence, where possible.
2. Rule 4.375 (d), now Rule 4.375 (4), has been updated in consideration of the following: An institution shall ensure that a student in good academic standing at the time a leave of absence commences may return to their degree or certificate program in good

academic standing, not be required to reapply for admission so long as the program still exists at the institution and the program would still meet accreditation standards. The institution may require that the student fulfills revised requirements of the program if the program is in effect when the student returns has changed.

CHAPTER 4. RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN
TEXAS

SUBCHAPTER X. PARENTING AND PREGNANT STUDENTS

§4.370. Purpose.

The purpose of this subchapter is to establish rules to require public institutions of higher education to provide protections for pregnant and parenting students, provide access to resources through the designation of a liaison officer, and allow access to early registration.

§4.371. Authority.

The authority for this subchapter is found in Texas Education Code, chapter 51, subchapter z §51.9357 and §§51.982 - 51.983, which authorizes the Coordinating Board to adopt rules relating to the protection of pregnant and parenting students, resources for such students, and reporting requirements.

§4.372. Definitions.

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

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

(2) Parenting Student--A student enrolled in an institution of higher education who is the parent or legal guardian of a child under 18 years of age.

§4.373. Parenting Student Early Registration.

If an institution provides early registration or pre-registration for courses or programs to any group of students, then the institution shall:

(1) Provide a parenting student who meets said definition at the start of the semester registration period with equal access to early registration or pre-registration; and

(2) Provide a parenting student information on their eligibility for early registration or pre-registration.

§4.374. Liaison Officer.

(a) An institution is required to designate a minimum of one employee to serve as a liaison officer for current or incoming students at the institution who are the parent or guardian of a child younger than 18 years of age.

(b) The liaison officer or officers shall provide a parenting student information on and access to resources designed to assist in their successful and timely degree or certificate completion. Such resources include:

(1) Medical and behavioral health coverage and services;

(2) Public health benefit programs, including programs related to food security, affordable housing, and housing subsidies;

(3) Parenting and child-care resources;

(4) Employment assistance;

(5) Transportation assistance;

(6) Academic success services; and

(7) Other resources provided by the institution.

(c) An institution shall not condition student access to the liaison officer or officers or any resources on the student being required to consent to the release of their personally identifiable information. Any such consent must be voluntary.

(d) The institution shall post contact information for the liaison officer or officers and maintain that information on the institution's website in a manner that is readily available to current or incoming students at the institution who are the parent or guardian of a child younger than 18 years of age.

§4.375. Protections for Pregnant and Parenting Students.

(a) In addition to the discrimination protections provided to pregnant or parenting students pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., institutions shall provide pregnant or parenting students the additional protections as set forth in this section. To the extent a student is afforded protections by both federal law and these rules, a student shall be entitled to the most liberal benefit available by these rules and federal law.

(b) Absences related to a student's pregnancy, childbirth, or resulting medical status or condition.

(1) An institution shall excuse absences related to a student's pregnancy or childbirth without a doctor's certification that such absence is necessary for the greater of three school days in a term or semester or the maximum number of excused absences that the institution would grant to another student enrolled in the same course for any reason.

(2) Notwithstanding subsection (1), an institution may ensure the total number of excused absences does not result in a fundamental alteration to an essential program requirement or conflict with federal law or accreditation standards.

(3) An institution shall allow a student a reasonable time to make up or complete any assignments or assessments missed due to such an excused absence consistent with the institution's policy regarding excused absences and make up work.

(4) An institution shall provide a student with access to all course materials that are made available to a student with a temporary medical condition. This may include instructional materials, laboratory access, and recordings of class lectures, depending on the circumstances.

(5) An institution shall provide any other reasonable accommodations to a pregnant student, including accommodations that:

(A) would be provided to a student with a temporary medical condition; or

(B) are related to the health and safety of the student and the student's unborn child

(c) Leave of Absence for Pregnant or Parenting Students.

(1) An institution shall permit but not require a parenting or pregnant student to take a leave of absence related to a student's pregnancy or parenting status for a minimum of one semester without a showing of medical need.

(2) An institution shall make every reasonable effort to facilitate leave for pregnant and parenting students within their degree program's curriculum and accreditation requirements. A student taking a leave of absence under this section may be taken with the advanced approval of the student's department or the designated office(s) by the institution.

(3) An institution shall implement policies and procedures to ensure that the student is informed of possible impacts to their financial aid or scholarships. These institutional

policies and procedures should encourage that students meet with the financial aid office before the student takes a leave of absence, where possible. -

(4) An institution shall ensure that a student in good academic standing at the time a leave of absence commences may return to their degree or certificate program in good academic standing, not be required to reapply for admission so long as the program still exists at the institution and the program would still meet accreditation standards. The institution may require that the student fulfills revised requirements of the program if the program in effect when the student returns has changed.

§4.376. Reporting.

(a) An institution must report the information required by section 51.9357(c) of the Texas Education Code no later than May 1st of each year in the manner required by the Coordinating Board.

AGENDA ITEM X-I (8)

Consideration and possible action to adopt amendments to Board Rules, Chapter 7, Subchapter A, Section 7.8, concerning revising fees for Certificate of Authority applications, amendments, and renewals pursuant to Texas Education Code, Sections 61.305, 61.307, and 61.308

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (THECB) is authorized by Texas Education Code, Section 61.306 to issue Certificates of Authority to approve private postsecondary institutions with operations in the state of Texas, to confer degrees or courses applicable to degrees, or to solicit students for enrollment in institutions that confer degrees or courses applicable to degrees, while seeking THECB-recognized institutional accreditation. An institution may apply for and receive Certificates of Authority in two-year increments, for eight years in total, while it works toward THECB-recognized accreditation.

The THECB is authorized to set and collect fees regarding Certificates of Authority:

- Texas Education Code, Section 61.305: set an initial fee for a Certificate of Authority in an amount not to exceed the average cost of reviewing the application, including the cost of necessary consultants.
- Texas Education Code, Section 61.307: set a fee to cover the cost of program evaluation for an amendment to a Certificate of Authority.
- Texas Education Code, Section 61.308: set a renewal fee in an amount not to exceed the average cost of reviewing the application, including the cost of necessary consultants.

Since October 2016, fees associated with Certificates of Authority for institutions in the process of seeking THECB-recognized accreditation have been:

- Certificate of Authority application fee: \$5,000 plus travel expenses incurred.
- Certificate of Authority renewal fee: \$5,000 plus travel expenses incurred.
- Certificate of Authority amendment fee: \$ 500 plus travel expenses incurred.

Prior to a site visit, considerable staff and consultant time is expended in reviewing each initial and renewal application. Consultants receive a stipend for their time in reviewing the application and participating in the site review. Amendments to an existing Certificate of Authority require considerable staff time and may require review by a consultant if the amendment is extensive.

Coordinating Board staff has been advised to include average travel expenses as part of the application, renewal, or amendment fees. During the most recent years, 2022 and 2023, consultant fees were \$3,500 for each Certificate of Authority application and travel fees

AGENDA ITEM X-I (8)

Page 2

averaged \$3,550, for an average total of \$7,050. This amount does not account for considerable Coordinating Board staff time expended in communication with applicants to ensure a complete application is received and the site visit coordinated between applicant and site team. To cover the increased travel expenses and account for a portion of staff time needed to work with applicants and site team members, staff recommends the following fee increases for the Certificate of Authority process:

Certificate of Authority application fee	\$8,000
Certificate of Authority renewal fee	\$8,000
Certificate of Authority amendment fee	\$800

No comments were received regarding these rules.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, will present this item and be available to answer questions.

CHAPTER 7. DEGREE GRANTING COLLEGES AND UNIVERSITIES OTHER THAN TEXAS PUBLIC INSTITUTIONS

SUBCHAPTER A. GENERAL PROVISIONS

§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) - (3) (No change.)

(4) 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.

(D) The current Board-approved Certificate of Authority fees are as follows:

(i) Certificate of Authority application fee: \$8,000.

(ii) Certificate of Authority renewal fee: \$8,000.

(iii) Certificate of Authority amendment fee: \$800.

(5) - (10) (No change.)

AGENDA ITEM X-I (9)

Consideration and possible action to adopt new Board Rules, Chapter 10, Subchapter RR, Sections 10.870–10.878, concerning the Texas Innovative Adult Career Education (ACE) Grant Program

RECOMMENDATION: Approval

Background Information:

House Bill 8, 88th Texas Legislature, Regular Session, transfers administration of the Texas Innovative Adult Career Education (ACE) Grant Program from Austin Community College to the Texas Higher Education Coordinating Board (THECB). Texas Education Code (TEC), Chapter 136, Section 136.001 and Sections 136.005-136.007, requires the Texas Higher Education Coordinating Board (Coordinating Board) to adopt rules for the administration of the program, including rules providing for application and evaluation process.

The Coordinating Board proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 10, Subchapter RR, Sections 10.870-10.878, concerning the Texas Innovative Adult Career Education (ACE) Grant Program. Specifically, this new subchapter provides information necessary for the implementation and administration of the program to develop, support, or expand programs of eligible nonprofit workforce intermediary and job training organizations and of eligible nonprofit organizations providing job training to veterans and low-income students to prepare to enter high-demand and higher earning occupations. Negotiated rulemaking was used in the development of these proposed rules. Reports of negotiated rulemaking committees are public information and are available upon request from the Coordinating Board.

Specifically, these new sections will outline the authority, purpose, definitions, eligibility, application process, evaluation, grant awards, reporting requirements, and additional requirements that are necessary to administer the Texas Innovative Adult Career Education Grant Program.

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

No comments were received regarding the adoption of these rules.

CHAPTER 10. GRANT PROGRAMS

SUBCHAPTER RR. TEXAS INNOVATIVE ADULT CAREER EDUCATION (ACE) GRANT PROGRAM

§10.870.Purpose.

The purpose of this subchapter is to administer the Texas Innovative Adult Career Education (ACE) Grant Program to provide grants to eligible entities to develop, support, or expand workforce intermediary and job training programs for veterans and low-income students to enter careers in high-demand and/or higher earning occupations.

§10.871.Authority.

The authority for this subchapter is found in Texas Education Code, chapter 136, §136.001 and §§136.005 -136.007. Texas Innovative Adult Career Education (ACE) Grant Program, which provides the Board with the authority to adopt rules to administer the ACE Grant Program.

§10.872.Definitions.

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

(1) Board or THECB--The Texas Higher Education Coordinating Board.

(2) Low-Income Student--A student whose household income is at or below a certain percentage of the Department of Health and Human Service's federal poverty guidelines. The percentage shall be set forth in the RFA.

(3) Nonprofit Organization--An organization exempt from federal income taxation under §501(a), Internal Revenue Code of 1986, as an organization described by §501(c)(3) of that Code.

(4) Nonprofit Workforce Intermediary and Job Training Organization--A nonprofit organization that engages in comprehensive long-term job training in partnership with a public junior college, public state college, or public technical institute and provides labor market intermediary services to participating students.

(5) Program--Texas Innovative Adult Career Education (ACE) Grant Program established under Texas Education Code, chapter 136.

(6) Public Junior College, Public State College, and Public Technical Institute--An institution as defined by Texas Education Code, §61.003.

(7) Request for Applications (RFA)--The written announcement requesting the submission of applications for available grant funding. The RFA sets forth the terms and conditions of the Program.

(8) Veteran--A person who:

(A) has served in:

(i) the Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States;

(ii) the state military forces as defined by §431.001, Government Code, other than the Texas State Guard; or

(iii) an auxiliary service of one of those branches of the armed forces; and

(B) received an honorable or general discharge from the branch of service in which the person served.

§10.873.Eligibility.

To be eligible to apply for and receive funding under the Program an entity must:

(1) Be a Nonprofit Organization;

(2) Be a Workforce Intermediary and Job Training Organization;

(3) Have a governance structure that is led by or includes recognized leaders of broad-based community organizations and executive-level or managerial-level members of the local business community;

(4) Have executed partnership agreements with one or more public junior colleges, public state colleges, or public technical institutes that meet the criteria set forth in §10.875(b)(1) - (4) of this subchapter (relating to Evaluation);

(5) Provide job training and evidence-based coordinated services that assist students with applying for jobs through employment to:

(A) Low-income students; or

(B) Veterans; and

(6) Any other eligibility criteria set forth in the RFA.

§10.874.Application Process.

(a) Unless otherwise specified in the RFA, eligible entities may submit a maximum of one application.

(b) To qualify for funding consideration, an eligible applicant must submit an application to THECB. Each application must:

(1) Be submitted electronically in a format specified in the RFA;

(2) Adhere to the grant program requirements contained in the RFA; and

(3) Be submitted with proper authorization on or before the day and time specified by the RFA.

§10.875.Evaluation.

(a) THECB shall competitively select applicants for funding based on requirements and award criteria provided in the RFA.

(b) Award criteria will include whether the applicant at a minimum has met or will meet the following factors:

(1) Student completion of developmental education at the partnering public junior college(s), public state college(s), or public technical institute(s) at a rate that meets or exceeds that set forth in the RFA;

(2) Student persistence rates at the partnering public junior college(s), public state college(s), or public technical institute(s) at a rate that meets or exceeds that set forth in the RFA;

(3) Certificate or degree completion rates at the partnering public junior college(s), public state college(s), or public technical institute(s) at a rate greater than demographically comparable institutions within a three-year period; and

(4) Student entry into careers requiring credentials that result in higher earnings prior to enrollment in the program.

(c) If the applicant is providing services to veterans, the award criteria will include whether the applicant at a minimum has met or will meet the following factors:

(1) The factors set forth in subsection (b)(1) - (4); and

(2) Certificate or degree completion rates at the partnering public junior college(s), public state college(s), or public technical institute(s) result in the student's rapid attainment of civilian workforce credentials as defined by the RFA.

(d) THECB will evaluate applicants, in part, on the development, support or expansion of evidenced based services to low-income students or veterans to successfully gain employment in high demand and higher-earning occupations. Such services may include:

(1) Outreach activities that inform students of the programming available;

(2) Assessment activities that create a pathway based on the student's interest and assessing the readiness and performance based on test scores, grade point averages, or any other instruments adopted/approved by the Board;

(3) Case management activities;

(4) Support services provided to students to aid in student completion of job attainment;

(5) Developmental education;

(6) Job training instruction; and

(7) Career placement services.

(e) THECB will evaluate applicants on whether they are able to meet the matching funds criteria set forth in the RFA, if any. For purposes of this section, matching funds may be obtained from any source available to the organization including in-kind contributions, administrative costs, community or foundation grants, individual contributions or donations, and local governmental agency operating funds.

§10.876.Grant Awards.

(a) The amount of funding available to the program is dependent on the legislative appropriation for the program for each biennial state budget. THECB will provide award levels and estimated number of awards in the RFA.

(b) ACE Grant Program awards shall be subject to THECB approval pursuant to §1.16 of this title (relating to Contracts, Including Grants, for Materials and/or Services).

(c) The Commissioner of Higher Education may adjust the size of a grantee award to best fulfill the purpose of the RFA.

(d) THECB may advance grant awards to a grantee through periodic installments. If the RFA requires matching contributions, the grantee must demonstrate through financial reporting that the grantee has complied with the matching funds requirement before THECB will issue the next periodic installment.

(e) Determination of the allowability of administrative costs, including indirect, will be set forth in the RFA.

(f) Grant awards will be based on the criteria set forth in the RFA and may be used to cover Program tuition, fees, instructional resources, and services allowed in the grantee application as defined in §10.875(d) of this subchapter (relating to Evaluation).

§10.877.Reporting Requirements.

Interim and Final Reporting for the ACE Grant Program. Grantees must submit program and expenditure reports and student reports, if applicable, to THECB in the format required by THECB during the grant period and at its conclusion as required by the RFA. Grantees shall provide information that includes, but is not limited to, the following:

(1) Status of the grant project activities;

(2) Budget expenditures by budget category;

(3) Student enrollment and demographic data as applicable;

(4) Job placement and salary data as applicable;

(5) Matching contributions, if applicable; and

(6) Any other information required by the RFA.

§10.878.Additional Requirements.

(a) Cancellation or Suspension of Grant Solicitations. The THECB has the right to reject all applications and cancel a grant solicitation at any point.

(b) Notice of Grant Award (NOGA). Before release of funds, the successful applicants must sign a NOGA issued by THECB staff.

AGENDA ITEM X-I (10)

Consideration and possible action to adopt new Board Rules, Chapter 12, Subchapter A, Sections 12.1–12.9, concerning the Opportunity High School Diploma Program

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the adoption of new rules in Texas Administrative Code, Title 19, Part 1, Chapter 12, Subchapter A, Sections 12.1–12.9, concerning the Opportunity High School Diploma Program. This new section clarifies and ensures institutions' ability to offer the Opportunity High School Diploma Program as provided in the new Texas Education Code, Chapter 130, Subchapter A.

Specifically, the proposed new rules establish a framework to provide Opportunity High School Diploma Program as an alternative competency-based high school diploma program offered to an adult student without a high school diploma who is also enrolled in a career and technical education program at a public junior college. Upon completion, a student will earn a high school diploma and a career and technical education certificate conferred by the public junior college. The new rules provide clarity and guidance to public junior colleges and Coordinating Board staff for the implementation of the program.

Rule 12.1 states the purpose of this new rule, which is to implement the Opportunity High School Diploma Program to provide an adult student who has dropped or stopped out of high school the opportunity to earn a high school diploma equivalent to one awarded under Texas Education Code, Section 28.025, via concurrent enrollment in a career and technical education program and a competency-based education program at a public junior college.

Rule 12.2 authorizes the Coordinating Board to adopt rules as necessary to implement Texas Education Code, Chapter 130, Subchapter O, Opportunity High School Diploma Program, as promulgated under Texas Education Code, Section 130.458.

Rule 12.3 provides definitions for words and terms within Opportunity High School Diploma rules. The definitions provide clarity for words and terms that are key to the understanding and administration of the program.

Rule 12.4 states that the Commissioner of Higher Education must consult with the Texas Education Agency and Texas Workforce Commission to determine program elements and competencies. Additionally, it provides that a public junior college must

submit an application to the Coordinating Board to receive approval to offer this program. This section is proposed based on Texas Education Code, Section 130.458, which directs the board of the Texas Higher Education Coordinating Board (Board) to adopt rules as necessary to implement the Opportunity High School Diploma Program.

Rule 12.5 outlines the general and curricular requirements necessary to ensure that the Opportunity High School Diploma Program offered by a public junior college adequately prepares students for postsecondary education or additional career and technical education. This section establishes the five core program competencies a public junior college must include, and measure with Board-approved assessments, in a program and allows latitude in the addition of curricular elements designed to meet regional employers' or specific workforce needs. This section also establishes the criteria for competency assessment and transcription, location of program delivery, and awarding of a high school diploma for successful completion of the program. This section implements Texas Education Code, Section 130.458, which directs the Board to adopt rules as necessary to implement the Opportunity High School Diploma Program.

Rule 12.6 specifies eligibility for public junior colleges and/or consortiums applying to offer, and students seeking to participate in, the Opportunity High School Program. This section lists the permissible types of entities that a public junior college can enter into a consortium with to expand access for students. The section also details student eligibility requirements that make the program available to a wide range of adult students.

Rule 12.7 lists the required elements in an eligible public college's application including compliance with Section 12.5 of this subchapter, consultation with local workforce and employer, and any pertinent consortia agreements. The section also outlines the process for approval that the Coordinating Board and the Commissioner of Higher Education will follow after applications are submitted as well as the notification of approved programs to the public. This section is proposed based on Texas Education Code, Section 130.458, which directs the Coordinating Board to adopt rules as necessary to implement the Opportunity High School Diploma Program.

Rule 12.8 details the required reporting a public junior college with an approved program will have to submit to the Coordinating Board to measure program effectiveness. The rules require each public junior college to submit data through the Education Data System and to comply with its reporting standards. The Coordinating Board will use this data to prepare and submit a progress report to the Legislature no later than December 1, 2026.

Rule 12.9 establishes that the Coordinating Board shall consult with the Texas Workforce Commission on the identification of available funding for the program. This section is proposed based on Texas Education Code, Section 130.458, which directs the Coordinating Board to adopt rules as necessary to implement the Opportunity High School Diploma Program.

Lee Rector, Associate Commissioner for Workforce Education, will present this item and be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 25, 2024.

Summary of comments received: No comments were received regarding this rule.

CHAPTER 12 – OPPORTUNITY HIGH SCHOOL DIPLOMA PROGRAM

SUBCHAPTER A – OPPORTUNITY HIGH SCHOOL DIPLOMA PROGRAM

12.1. Purpose.

The purpose of this subchapter is to implement the Opportunity High School Diploma Program. The Opportunity High School Diploma Program is intended to provide an alternative means by which an adult student enrolled in a career and technical education program at a public junior college may earn a high school diploma at a college through concurrent enrollment in a competency-based education program.

12.2. Authority.

Texas Education Code, §130.458, authorizes the Board to adopt rules as necessary to implement Texas Education Code, Chapter 130, Subchapter O: Opportunity High School Diploma Program.

12.3. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings:

(1) Board--the governing body of the agency known as the Texas Higher Education Coordinating Board.

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

(3) Coordinating Board--The agency known as the Texas Higher Education Coordinating Board, including agency staff.

(4) General Academic Teaching Institution or General Academic Institution--Any college, university, or institution so classified in Texas Education Code, §61.003(3), or created and so classified by law.

(5) Nonprofit Organization--Nonprofit means the entity, usually a corporation, is organized for a nonprofit purpose and designated as a 501(c)(3). This designation means a nonprofit organization that has been recognized by the Internal Revenue Service as being tax-exempt by virtue of its charitable programs.

(6) Opportunity High School Diploma Program, Opportunity Diploma Program, or Program--Unless context indicates otherwise, means the Opportunity High School Diploma Program established under this subchapter.

(7) Public Junior College--A public institution of higher education as defined in Texas Education Code, §61.003(2).

(8) Public School District--A public school district is a geographical unit for the local administration of elementary or secondary schools. It is a special-purpose government entity that can be administered independently or be dependent on the local government, such as a city or county.

12.4. Program Design and Administration.

(a) The Coordinating Board shall administer this program in consultation with the Texas Education Agency and the Texas Workforce Commission. A public junior college shall submit an application for approval to the Coordinating Board to offer this program.

(b) The Commissioner will consult with the Texas Workforce Commission Chairman's Tri- Agency Workforce Council in determining program elements and competencies.

12.5. Program Requirements.

(a) General Requirements. The Opportunity High School Diploma Program is an alternative competency-based high school diploma program to be offered for concurrent enrollment to an adult student without a high school diploma who is enrolled in a career and technical education program at a public junior college. The program may include any combination of instruction, curriculum, internships, or other means by which a student may attain the knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education.

(b) Curricular Requirements. An approved public junior college shall embed the following baseline student learning outcomes in the program. A public junior college may also add curricular elements designed to meet regional employers' needs or specific workforce needs. Core program competencies shall include:

(1) Quantitative Reasoning, including the application of mathematics to the analysis and interpretation of theoretical and real-world problems to draw relevant conclusions or solutions.

(2) Communication Skills, including reading, writing, listening, speaking, and non-verbal communication.

(3) Civics, including the structure of government, processes to make laws and policies, constitutional principles of checks and balances, separation of powers, federalism, and rights and responsibilities of a citizen.

(4) Scientific Reasoning, including problem-solving that involves forming a hypothesis, testing the hypothesis, determining and analyzing evidence, and interpreting results.

(5) Workplace Success Skills, including dependability, adaptability, working with others, initiative, resilience, accountability, critical thinking, time management, organizing, planning, problem-solving, conflict resolution, and self-awareness.

(c) Prior Learning and Program Completions. A public junior college approved to offer this program must determine each student's competence in each of the five core program competencies set out in subsection (b) of this section prior to enrolling the student in the program of instruction and upon the student's completion of the program of instruction.

(1) The program of instruction assigned to each student will be based on the student's prior learning and assessments of the student's competencies for each of the five core program competencies. A student may be determined to have satisfied required learning outcomes for one or more core program competencies based on the student's prior learning.

(2) Documentation of a student's prior learning in the five core program competencies may include the following: transcribed high school grades; transcribed college credit; achievement on a national standardized test such as the SAT or ACT; credit earned through military service as recommended by the American Council on Education; or demonstrated success on pre-program assessments.

(3) The Commissioner shall identify, consider, and approve assessments, in consultation with the Texas Workforce Commission, to be used by a public junior college to determine a student's successful achievement of the five core program competencies and completion of the program.

(4) The Coordinating Board will publish a list of the approved assessments on the agency's website.

(5) A public junior college that is approved to offer the program must use an approved assessment to evaluate each student's competence in the five core program competencies as required under subsection (b) of this section.

(d) Location of Program. Subject to approval under this subchapter, a public junior college may enter into agreement with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations to offer this program. The public junior college may offer this program at any campus of an entity subject to an agreement to offer this program.

(e) Award of High School Diploma. A public junior college participating in the program shall award a high school diploma to a student enrolled in this program if the student satisfactorily completes an approved assessment that provides evidence of competence in the five core program requirements as required under this rule. A high school diploma awarded under this program is equivalent to a high school diploma awarded under Texas Education Code, §28.025.

12.6. Eligible Institutions and Students.

(a) Eligible Institutions.

(1) A public junior college may submit an application to the Coordinating Board for approval to offer an Opportunity High School Diploma Program.

(2) Subject to approval under this subchapter, an eligible public junior college may enter into agreement to offer the program in consortium with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations. A public junior college's application shall describe the role of each member of the consortium in delivering the program elements.

(b) Eligible Students. An institution may admit an adult student without a high school diploma to the Opportunity High School Diploma Program. Adult student means a student aged 18 or older on the date of first enrollment in the program. An institution shall concurrently enroll each eligible student in a career and technical education program.

12.7. Program Approval Process.

(a) Required Elements of Program Approval Application. An eligible public junior college must submit the following elements in a complete application for approval to offer this program:

(1) A description of the program's design demonstrating compliance with program requirements listed under §12.5 of this subchapter (relating to Program Requirements), including the assessment to be used under §12.5(c)(3).

(2) Documentation of consultation with local employers and Workforce Development Boards in development of the program's curriculum.

(3) For public junior colleges proposing to offer the program in consortium with one or more partners under §12.6(a)(2) of this subchapter (relating to Eligible Institutions and Students):

(A) a memorandum of agreement with each member of the consortium; and

(B) a description of the role that each member of the consortium will play in delivery of the Program.

(b) Process for Approval.

(1) An eligible public junior college may submit an application to participate in the Opportunity High School Diploma Program to the Coordinating Board. The Coordinating Board will review submitted applications for completeness of the elements required under §12.5.

(2) The Commissioner shall review the staff recommendation and any input by other entities and make the determination whether to approve the program.

(3) The Coordinating Board shall notify the public junior college of program approval and post a list of approved programs on the Coordinating Board website.

12.8. Required Reporting.

(a) Each participating public junior college approved to offer this program shall report student enrollments and completions to the Coordinating Board through the Education Data System, in compliance with the data reporting standards established for that system.

(b) The Board shall submit to the Legislature a progress report on the effectiveness of this program and recommendations for legislative or other action no later than December 1, 2026.

12.9. Funding.

(a) An Opportunity High School Diploma is a Fundable Outcome as defined in §13.556 of this title (relating to Performance Tier: Fundable Outcomes).

(b) The Commissioner shall confer with the Texas Workforce Commission to identify additional funding to implement this subchapter.

AGENDA ITEM X-I (11)

Consideration and possible action to adopt amendments to Board Rules, Chapter 13, Subchapter N, Section 13.406(b)(4), concerning the Texas Reskilling and Upskilling through Education (TRUE) Grant Program

RECOMMENDATION: Adopt

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes an amendment to Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter N, Rule 13.406 (b)(4), concerning the review process for the Texas Reskilling and Upskilling through Education (TRUE) Grant Program. This amendment adds employers to the list of workforce stakeholders that can partner with eligible institutions to both analyze job postings and identify employers who may hire individuals that complete the education and training programs funded by TRUE.

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

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

Summary of comments received: No comments were received regarding the rule.

CHAPTER 13 FINANCIAL PLANNING

SUBCHAPTER N TEXAS RESKILLING AND UPSKILLING THROUGH EDUCATION
(TRUE) GRANT PROGRAM

§13.406 Review Criteria

§13.406. Review Criteria.

(a) No Change.

(b) Projects may be given preference that:

(1) - (3) No Change.

(4) Partner with employers, local chambers of commerce, trade associations, economic development corporations, and local workforce boards to analyze job postings and identify employers hiring roles with the skills developed by the training programs.

§13.407 – 13.408. No Change.

AGENDA ITEM X-I (12)

Consideration and possible action to adopt new Board Rules, Chapter 22, Subchapter O, Sections 22.300–22.313, concerning the Texas Leadership Research Scholars Program

RECOMMENDATION: Approval

Background Information:

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter O, Sections 22.300-22.313, concerning the establishment of the Texas Leadership Research Scholars Program, a research scholarship and leadership opportunity program for high-achieving graduate students with financial need. Specifically, this new subchapter provides information necessary for the implementation and administration of the program.

Texas Education Code (TEC), Chapter 61, Subchapter T-3, requires the Coordinating Board to adopt rules for the administration of the program, including rules providing for the amount and permissible uses of a scholarship awarded under the program. The legislation only specified student eligibility, conditions for continued participation, and authorization for institutional agreements. The new rules provide clarity and guidance to students, participating institutions, and Coordinating Board staff for the program's implementation.

Specifically, these new sections will outline the authority and purpose, definitions, institutional eligibility requirements, student eligibility requirements, satisfactory academic progress, scholarship selection criteria, academic achievement support, leadership development opportunities, hardship provisions, scholarship amounts, and allocation and disbursement of funds, which are necessary to administer the Texas Leadership Research Scholars Program.

Dr. Jennielle Strother, Assistant Commissioner for Student Success, will be available to answer questions.

Date Published in the *Texas Register*: January 26, 2024.

The 30-day comment period with the *Texas Register* ended on: February 26, 2024.

Summary of comments received:

Comment 1 from University of North Texas:

We would like to recommend changing the following rules:

§22.303. Eligible Students.

- (2) Demonstrate that the student has either:
 - (A) Graduated from a Texas public high school, including an open-enrollment charter school, during the ten years preceding the date of the student's application to the program; or
 - (B) Graduated from a Texas public, private or independent institution of higher education as defined by sections 61.003(8) or (15) of the Texas Education Code.

Since (A) has a timeframe attached to it, 10 years, should (B) have a timeframe attached to it? Within 5 years of graduation from an institution of higher education?

- (C) having received a Leadership Scholarship as an undergraduate student.

Is this any Leadership Scholarship or specific to the Texas Leadership Scholars Program?

§22.306. Academic Achievement Support.

- (a) Each participating Eligible Institution shall ensure that each Research Scholar's experience includes, at a minimum, the following academic programmatic elements:
- (1) Program cohort learning communities;
- (2) Mentoring, research, and internship opportunities;
- (3) Networking with state government, business, and civic leaders; and
- (4) Statewide cohort learning institutes or seminars.

§22.307. Leadership Development.

- (a) Each participating Eligible Institution must ensure that a Research Scholar's experience includes, at a minimum, the following leadership development elements:
- (1) Leadership development programming; and
- (2) Scholar summer programming which may be met through participating in a leadership conference, study abroad, or internship opportunities.
- We would recommend omitting programmatic elements or leadership development because:
 - doctoral students do not typically operate in a cohort
 - all work with a committee chair to help move through their program in accordance with their institution's guidelines.
 - • Once a doctoral student begins dissertation, they are no longer part of the community
 - • Full-time doctoral students are typically serving in TA or RA roles, and adding additional components could add undue stress for the student.

§22.308.Discontinuation of Eligibility or Non-Eligibility.

(1) ~~Four~~ Seven years from the start of the semester in which the student enrolls in the research doctoral degree program at the eligible institution

It is unlikely a Ph.D. student, particularly in a STEM field will complete their degree in 4 years and we worry we could impact completion if an award as sizeable as the TLS award is removed from the student's account. According to the NCSE, below are the averages based on 2020 data.

- Physical and Earth Sciences: 6.3
- Engineering: 6.8 years
- Life sciences: 6.9 years
- Mathematics and computer science: 7 years
- Psychology and Social Sciences: 7.9 years
- Humanities and arts: 9.6 years
- Education: 12 years

Response 1:

The Coordinating Board appreciates these comments and provides the following responses.

(1) 22.303(B): No, a timeframe should not be attached for a research scholar who graduated from a Texas public, private or independent institution. This Rule considers any in-state and out-of-state research scholars that attended a postsecondary education in the state at any given time.

(2) Rule 22.303(C) uses the term "Leadership Scholarship" which is defined in 22.301(3) as the scholarship awarded to an undergraduate student in the program under subchapter N of this chapter (relating to Texas Leadership Scholars Grant Program).

(3) Rules 22.306 and 22.307, outline the appropriate application of the Academic Achievement Support and Leadership Development programming, authorized by TEC, Sec 61.985. Upon entering the doctoral program, each student joins a specific cohort. The institution should actively facilitate opportunities for scholars within their cohort to engage with each other and to receive support, for example, by participating in university-sponsored programs to develop and enhance their skills as teachers or researchers. In addition, collaborating with committee chairs and faculty scholars in roles such as Teaching Assistants or Research Assistants could be used to provide academic support. These kinds of supportive programmatic elements can be integrated throughout the scholar's journey until program completion.

(4) Rule 22.308: Although many students take longer to complete their doctoral studies, state funding is limited and only allows up to four years for each research scholar, according to TEC, Sec. 61.897(a)(2).

CHAPTER 22. STUDENT FINANCIAL AID PROGRAMS
SUBCHAPTER O. TEXAS LEADERSHIP RESEARCH SCHOLARS PROGRAM

§22.300.Authority and Purpose.

(a) Authority for this subchapter is provided in Texas Education Code, chapter 61, subchapter T-3, §§61.891 - 61.897, Texas Leadership Scholars Program.

(b) The purpose of this program is to provide research scholarships coupled with academic achievement support and leadership development to assist eligible graduate students to enroll in and graduate from public institutions of higher education in this state.

§22.301.Definitions.

In addition to the words and terms defined in §22.1 of this chapter (relating to Definitions) the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. In the event of conflict, the definitions in this subchapter shall control.

(1) Administrator--The institution of higher education contracted by the Coordinating Board to administer the Program.

(2) Eligible Institution--A general academic teaching institution as defined by section 61.003(3) of the Texas Education Code and designated as either a public research university or public emerging research university under the Coordinating Board's accountability system.

(3) Leadership Scholarship--The scholarship awarded to an undergraduate student in the program under subchapter N of this chapter (relating to Texas Leadership Scholars Grant Program).

(4) Program--The Texas Leadership Research Scholars Grant Program.

(5) Research Doctoral Degree--In this subchapter, Research Doctoral Degree means a research doctoral degree that is included on the list of research doctoral degrees published annually by Coordinating Board staff on March 1 of each fiscal year. The list of research doctoral degrees shall be annually updated by Coordinating Board staff to reflect all degree titles included in the most recently published National Science Foundation Survey of Earned Doctorates and any additional degree titles identified by the Commissioner.

(6) Research Scholar--An eligible graduate student who was nominated and selected to participate in the Texas Leadership Research Scholars Grant Program.

(7) Research Scholarship--The scholarship awarded to a graduate student in the Program.

§22.302.Eligible Institutions.

(a) Responsibilities. A participating eligible institution is required to:

(1) Abide by the General Provisions outlined in subchapter A of this chapter (relating to General Provisions);

(2) Have and comply with policies that prohibit discrimination against or deny participation in or the benefits of the Program described in this subchapter on the basis of race, color, national origin, gender, religion, age, or disability;

(3) Comply with the Civil Rights Act of 1964, Title VI (Public Law 88-353) in avoiding discrimination in admissions or employment; and

(4) Provide all reports regarding the program to the Coordinating Board or Administrator.

(b) Approval.

(1) Agreement. Each eligible institution must enter into an agreement with the Coordinating Board, the terms of which shall be prescribed by the Commissioner, prior to receiving a disbursement of funds through the Program.

(2) Approval Deadline.

(A) Each eligible institution must indicate an intent to participate in the Program by emailing the Administrator by June 15 and enter into an agreement with the Coordinating Board by August 31 for qualified students enrolled in that institution to be eligible to receive scholarships in the following fiscal year.

(B) Notwithstanding paragraph (2)(A) of this subsection, for the 2024-25 academic year, an eligible institution may indicate intent to participate in the program by the administrative deadline established by the Commissioner.

§22.303.Eligible Students.

(a) To receive an initial award through the Program, a student must:

(1) Be enrolled in a research doctoral degree program at a participating institution;

(2) Demonstrate that the student has either:

(A) Graduated from a Texas public high school, including an open-enrollment charter school, during the ten years preceding the date of the student's application to the program; or

(B) Graduated from a Texas public, private or independent institution of higher education as defined by sections 61.003(8) or (15) of the Texas Education Code.

(3) Be enrolled full-time in a doctorate degree program at a participating institution;

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

(5) Be economically disadvantaged by either:

(A) having received a Pell Grant while enrolled as an undergraduate student; or

(B) having received a TEXAS grant or Tuition Equalization Grant (TEG) as an undergraduate student; or

(C) having received a Leadership Scholarship as an undergraduate student.

(6) Be nominated by the institution of higher education where the student is enrolled on the basis of merit and leadership potential.

(b) To receive a continuation award through the Program, a Research Scholar must:

(1) Have previously received an initial year award through this Program;

(2) Be enrolled in a research doctoral degree program where the Research Scholar received initial award;

(3) Make satisfactory academic progress toward the research doctoral degree at the eligible institution, as defined in §22.304 of this subchapter (relating to Satisfactory Academic Progress) unless the Research Scholar is granted a hardship extension in accordance with §22.309 of this subchapter (relating to Hardship Provision); and

(4) Have completed or is on target to complete programmatic requirements set forth in §22.306 and §22.307 of this subchapter (relating to Academic Achievement Support and Leadership Development, respectively) as reported by participating institution.

§22.304.Satisfactory Academic Progress.

To qualify for a Scholarship, each recipient of the Scholarship shall meet the satisfactory academic progress requirements as utilized by the financial aid office of the Eligible Institution to determine eligibility for federal financial aid programs.

§22.305.Scholarship Selection Criteria.

The Coordinating Board or Administrator will receive nominations from Eligible Institutions and will approve the nominations based on eligibility criteria set forth in §22.303 of this subchapter (relating to Eligible Students) and on the availability of funds set forth in §22.310(c) of this subchapter (relating to Scholarship Amounts and Allocation of Funds).

§22.306.Academic Achievement Support.

(a) Each participating Eligible Institution shall ensure that each Research Scholar's experience includes, at a minimum, the following academic programmatic elements:

(1) Program cohort learning communities;

(2) Mentoring, research, and internship opportunities;

(3) Networking with state government, business, and civic leaders; and

(4) Statewide cohort learning institutes or seminars.

(b) The Coordinating Board may enter into agreements with participating eligible institutions to provide research-based support for scholars to make satisfactory academic progress and graduate on time at participating institutions.

§22.307.Leadership Development.

(a) Each participating Eligible Institution must ensure that a Research Scholar's experience includes, at a minimum, the following leadership development elements:

(1) Leadership development programming; and

(2) Scholar summer programming which may be met through participating in a leadership conference, study abroad, or internship opportunities.

(b) The Coordinating Board may enter into agreements with participating eligible institutions to provide leadership development opportunities for scholars.

§22.308.Discontinuation of Eligibility or Non-Eligibility.

(a) A student who has already earned a research doctoral degree at any public or private post-secondary institution is ineligible to participate in the Program.

(b) Unless granted a hardship postponement in accordance with §22.309 of this subchapter (relating to Hardship Provisions), a student's eligibility for a grant ends:

(1) Four years from the start of the semester in which the student enrolls in the research doctoral degree program at the eligible institution; or

(2) If a Research Scholar transfers to another institution.

§22.309.Hardship Provisions.

(a) In the event of a hardship or for other good cause as determined by the Eligible Institution, the Program Officer at the institution may allow an otherwise eligible Research Scholar to receive a Scholarship:

(1) while enrolled in fewer semester credit hours than required in §22.303 of this subchapter (related to Eligible Students);

(2) If the Scholar fails to meet the satisfactory academic progress requirements of §22.303 of this subchapter; or

(3) If the Scholar requires an extension of the limits found in §22.308(b) of this subchapter (relating to Discontinuation of Eligibility or Non-Eligibility) to complete his or her degree, provided that the total number of years the Scholar receives a scholarship under the program does not exceed four years.

(b) Hardship conditions may include, but are not limited to:

(1) Documentation of a serious health condition that makes the Research Scholar unable to attend school or complete academic study;

(2) Documentation that the Research Scholar is responsible for the care of a child, spouse, or parent who has a serious health condition, sick, injured, or and that the scholar's provision of care may affect his or her academic performance; or

(3) The birth of a child or placement of a child with the student for adoption or foster care.

(c) A hardship under this section may extend for a period of no longer than one year.

(d) An institution must keep documentation of the hardship circumstances approved for a Research Scholar in the Research Scholar's files. An Eligible Institution must report each hardship extension it grants to a Research Scholar to the Coordinating Board, so the board may appropriately monitor each Research Scholar's period of eligibility.

(e) Eligible institutions shall adopt a hardship policy under this section, share such policy with Research Scholars and have the policy available in the financial aid office for public review upon request.

§22.310.Scholarship Amounts and Allocation of Funds.

(a) Funding. The Coordinating Board may not award through this Program an amount that exceeds the amount of state appropriations and other funds that are available for this use.

(b) Scholarship Amounts.

(1) The Commissioner shall establish the amount of each Research Scholarship in an academic year that is 150% of the average of the amount of the Leadership Scholarships awarded across public research and public emerging research institutions under subchapter N of this chapter (relating to Texas Leadership Scholars Grant Program), based on available appropriations for the Program. The Scholarship may be applied toward housing, food, or other costs of

attendance allowed under the Program, at the participating eligible institution as approved by the Coordinating Board.

(2) An Eligible institution may not reduce the amount of a scholarship by any gift aid for which the Research Scholar receiving the scholarship is eligible unless the total amount of a Research Scholar's scholarship plus any gift aid received exceeds the Research Scholar's cost of attendance.

(3) An Eligible institution shall ensure each Research Scholar receives the scholarship awarded under the program for four (4) years so long as the scholar maintains eligibility set forth in §22.303(b) of this subchapter (relating to Eligible Students).

(c) Allocation of Funds.

(1) The Commissioner shall determine and announce the number of initial scholarships available to each participating eligible institution by January 31 of the prior fiscal year set forth in §22.303(a) of this subchapter, based on the following criteria:

(A) 50% of available initial Scholarships will be allocated among public research universities based on the institution's share of the number of research doctoral degrees awarded by public research universities in the prior academic year, as determined by the commissioner; and

(B) 50% of available initial Scholarships will be allocated among emerging research universities based on each institution's share of the number of research doctoral degrees awarded by public emerging research universities in the prior academic year, as determined by the commissioner.

(2) The number of Scholarships allocated to each participating eligible institution for returning Research Scholars will be the number of Scholars eligible to receive the Scholarship set forth in §22.303(b) of this subchapter.

(3) Each participating eligible institution will receive an annual allocation equal to the number of Scholarships allocated to the institution times the amount established in subsection (b) of this section.

§22.311.Availability of Funds.

Funding under this subchapter is subject to legislative appropriation. The Coordinating Board may reduce or modify the amount of funds available under this Program subject to the availability of General Revenue appropriated to the Program.

§22.312.Disbursement of Funds.

(a) Each Eligible Institution shall certify compliance with statute and this subchapter and enter into a biennial Participation Agreement in order to receive funds under this Program.

(b) Upon request by an Eligible Institution throughout the academic year, the Coordinating Board shall forward to each participating eligible institution a portion of its allocation of funds for timely disbursement to Research Scholars. Each participating eligible institution shall have until the close of business on August 1, or the first working day thereafter if it falls on a weekend or holiday, to encumber Program funds from their allocation. After that date, an institution may lose any funds in the current fiscal year not yet drawn down from the Coordinating Board for timely disbursement to Scholars. Funds released in this manner are deemed returned to the Coordinating Board.

§22.313.Reporting, Audit, and Recoupment.

(a) The Coordinating Board may require an institution to submit reports documenting compliance with the provisions of statute, this subchapter, and the Program Participation Agreement.

(b) An institution shall be subject to compliance monitoring as a condition of receiving funds under this subchapter.

(c) An institution shall be subject to recoupment of funds allocated under the Program in the event of over-allocation or misappropriation.

AGENDA ITEM XI-A

Committee chair's overview

Ms. Emma Schwartz, Chair of the Agency Operations Committee, will provide the Board an overview of the items on the agenda.

AGENDA ITEM XI-B

Report on grants and contracts

RECOMMENDATION: No action required

Background Information:

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 of Higher Education, to whom the board of the Texas Higher Education Coordinating Board (Board), 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,” agency staff also provides the Board a quarterly report highlighting and listing all grants and contracts exceeding \$1 million.

Anthony Infantini, Chief Financial Officer, is available to answer questions.



Contracts Executed by the Agency Over \$1 Million

January 4, 2024 - March 7, 2024

Dept	Department	THECB No.	Supplier Name	Description	PO Approval Date	PO Total Amt
4020	Funding and Resource Planning	00027	BAYLOR COLLEGE OF MEDICINE	SVC_BCM Undergrad Medical Edu	1/12/2024	\$ 24,270,605.51



Contracts Executed by the Agency in Accordance with Board Rule 1.1

January 4, 2024 - March 7, 2024

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Dept	Department	THECB No.	Supplier Name	Description	PO Approval Date	PO Total Amt
1001	Commissioners Office	00107	UNIVERSITY OF TEXAS AT AUSTIN	PRQ_2160_UT_CopyServices_folde	2/5/2024	\$ 1,176.43
1001	Commissioners Office	00447	DOCUMENT SOLUTIONS UT AUSTIN	PRQ_2481_UT_LAW_CLE_Higher_Edu	2/22/2024	\$ 625.00
1010	Internal Audit and Compliance	00339	STATE AUDITOR'S OFFICE	PRQ_2411_SAO_training Lorraine	1/11/2024	\$ 119.00
1010	Internal Audit and Compliance	00396	TEXAS ASSN OF COLLEGE & UNIV AUDITORS	PRQ_2460_TACUA_2024_Annual	1/24/2024	\$ 4,000.00
1010	Internal Audit and Compliance	00408	LEGISLATIVE BUDGET BOARD	PRQ_2464_TFOA_Arby_Gonzales	1/26/2024	\$ 300.00
1010	Internal Audit and Compliance	00453	BRODART CO	PRQ_2515_BrodArt_Beyond Agile	2/21/2024	\$ 114.40
1010	Internal Audit and Compliance	00472	STATE AUDITOR'S OFFICE	PRQ_2541_SAO_Jamyeen_Robinson_H	3/4/2024	\$ 339.00
1020	General Counsel	00258	LONGHORN OFFICE PRODUCTS INC	PRQ_2164 Longhorn Office	1/12/2024	\$ 94.66
2010	External Relations	00395	QUORUM REPORT	PRQ_2441_Quorum_Report_AY24	1/24/2024	\$ 360.00
2010	External Relations	00397	FISH FISH & LONG	PRQ_2440_Telicon_AY24	1/24/2024	\$ 3,607.50
2020	Human Resources	00361	MSC INDUSTRIAL SUPPLY COMPANY	PRQ_2418_MSC Indus Supply	1/9/2024	\$ 2,204.46
2020	Human Resources	00270	WORKQUEST	PRQ_2383_WorkQuest	1/16/2024	\$ 103.88
2020	Human Resources	00423	ARTHUR J. GALLAGHER RISK MANAGEMENT SERV	PRQ_2477_SORM_AY24	2/1/2024	\$ 366.46
2030	Info Solutions and Services	00256	Coastal Commerce Group LLC	PRQ_2094_Coastal Comm Group LL	1/11/2024	\$ 5,284.46
2030	Info Solutions and Services	00323	CDW GOVERNMENT INC	PRQ_2396_CDW Government Inc	1/11/2024	\$ 340.16
2030	Info Solutions and Services	00333	DLT SOLUTIONS LLC	PRQ_2382_DLT Solutions	1/11/2024	\$ 2,609.60
2030	Info Solutions and Services	00391	GARTNER INC	PRQ_2432_Gartner_2024_LYoung	1/26/2024	\$ 3,950.00
2030	Info Solutions and Services	00381	SHI GOVERNMENT SOLUTIONS INC	PRQ_2408_SHI_Gov_Solutions_INC	1/29/2024	\$ 49,243.65
2030	Info Solutions and Services	00394	Coastal Commerce Group LLC	PRQ_2449_Coast Commerce Grp LL	1/29/2024	\$ 9,401.57
2030	Info Solutions and Services	00414	Staples Contract & Commercial	PRQ_2446_Staples Contract & C	1/31/2024	\$ 1,188.48
2030	Info Solutions and Services	00197	LOBLOLLY CONSULTING LLC	PRQ_2264 Loblolly Randy Bush	2/1/2024	\$ 44,634.00
2030	Info Solutions and Services	00404	SHI GOVERNMENT SOLUTIONS INC	PRQ_2390_SHI_Gov_Solutions	2/1/2024	\$ 4,694.18
2030	Info Solutions and Services	00420	LOBLOLLY CONSULTING LLC	PRQ_2438_Loblolly_R.Bush	2/5/2024	\$ 190,396.80
2030	Info Solutions and Services	00421	SISTEMA TECHNOLOGIES INC	PRQ_2445_SISTEMA	2/5/2024	\$ 190,396.80
2030	Info Solutions and Services	00199	DAMAN CONSULTING INCORPORATED	PRQ_2262 Daman Ajay Reddy	2/12/2024	\$ 46,400.00
2030	Info Solutions and Services	00448	TECHSMITH CORP	PRQ_2495_TechSmith Corp	2/26/2024	\$ 885.75
2030	Info Solutions and Services	00468	STATACORP LP	PRQ_2542_StataCorp LLC	3/5/2024	\$ 4,375.00
2030	Info Solutions and Services	00471	INSIGHT PUBLIC SECTOR INC	PRQ_2501_INSIGHT PUBLIC SECTOR	3/5/2024	\$ 1,067.40
2030	Info Solutions and Services	00076	DAMAN CONSULTING INCORPORATED	PRQ_2190_Daman_Angelique Ward	3/7/2024	\$ 150,240.00
2040	Financial Services	00355	MSC INDUSTRIAL SUPPLY COMPANY	PRQ_2370_MSC Industrial Supply	1/9/2024	\$ 1,271.14
2040	Financial Services	00356	WORKQUEST	PRQ_2373_WorkQuest Supplies	1/9/2024	\$ 416.56
2040	Financial Services	00372	FASTENAL COMPANY	PRQ_2367_Fastenal Company	1/11/2024	\$ 910.35
2040	Financial Services	00374	CFS PRODUCTS INC	PRQ_2372_CFS Products Inc.	1/18/2024	\$ 345.85
2040	Financial Services	00409	TEXAS STATE AGENCY BUSINESS ADMINISTRATO	PRQ_2468_TSABAA_membership_AY24	1/29/2024	\$ 100.00
2040	Financial Services	00192	WORKQUEST	PRQ_2301_Marita Washington	1/31/2024	\$ 30,736.00
2040	Financial Services	00413	DOCUMENT SOLUTIONS UT AUSTIN	PRQ_2447_DOCUMENT SOLUTIONS UT	1/31/2024	\$ 458.55
2040	Financial Services	00424	TEXAS COMPTROLLER OF PUBLIC ACCOUNTS	PRQ_2469_CPA_training_MHernand	2/1/2024	\$ 100.00
2040	Financial Services	00407	STATE HIGHER EDUCATION EXECUTIVE OFFICER	PRQ_2467_SHEEO_membership_AY24	2/5/2024	\$ 24,535.00
2050	Student Financial Aid Programs	00231	TEXAS STATE DISBURSEMENT UNIT/ATTORNEY G	IAC_Litigation (Abstract/Warrant)	1/18/2024	\$ 25,000.00
2050	Student Financial Aid Programs	00425	HOV SERVICES INC	PRQ_2485_HOV SERVICES INC	2/7/2024	\$ 1,574.09
2060	Communications	00466	WEB-HED TECHNOLOGIES, INC.	PRQ_2459_WEB-HED TECHNOLOGIES,	2/28/2024	\$ 1,736.98
3000	Academic Affairs Wkfr Edu	00392	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2448_TAIR_2024_MHumphries	1/26/2024	\$ 350.00
3000	Academic Affairs Wkfr Edu	00393	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2451_TAIR_2024_Liu	1/26/2024	\$ 350.00
3010	Digital Learning	00359	Bay View Analytics, LLC	SVC_Digital Learning Landscape Res	1/19/2024	\$ 10,000.00
3010	Digital Learning	00454	TXDLA INC	PRQ_2490_TxDLA_conference_AY24	2/26/2024	\$ 315.00
3010	Digital Learning	00465	TXDLA INC	PRQ_2492_TXDLA_conference_AY24	2/28/2024	\$ 3,510.00
3010	Digital Learning	00412	INSTITUTE FOR THE STUDY OF KNOWLEDGE MAN	SVC_1826_OERTX Repository	3/1/2024	\$ 149,000.00

Contracts executed January 4, 2024 - March 7, 2024 and those not included in previous reports

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Dept	Department	THECB No.	Supplier Name	Description	PO Approval Date	PO Total Amt
3020	Workforce Education	00296	LAMAR INSTITUTE OF TECHNOLOGY	GRT_2392_TRUE Grant_2024	1/3/2024	\$ 233,757.00
3020	Workforce Education	00281	COLLIN COUNTY COMMUNITY COLLEGE DISTRICT	GRT_2392_TRUE Grant_2024	1/4/2024	\$ 154,154.00
3020	Workforce Education	00280	COLLEGE OF THE MAINLAND	GRT_2392_Coll.of the Mainland	1/5/2024	\$ 250,000.00
3020	Workforce Education	00288	GALVESTON COLLEGE	GRT_2392_Galveston College	1/5/2024	\$ 250,000.00
3020	Workforce Education	00302	MCLENNAN COMMUNITY COLLEGE	GRT_2392_McLennan Community Co	1/5/2024	\$ 138,699.00
3020	Workforce Education	00304	NORTH CENTRAL TEXAS COLLEGE	GRT_2392_N Central TX CommColl	1/5/2024	\$ 250,000.00
3020	Workforce Education	00305	NORTHEAST TEXAS COMMUNITY COLLEGE	GRT_2392_Northeast TX Comm Col	1/5/2024	\$ 250,000.00
3020	Workforce Education	00313	TEXAS STATE TECHNICAL COLLEGE	GRT_2392_TSTC	1/5/2024	\$ 249,949.00
3020	Workforce Education	00318	WHARTON COUNTY JUNIOR COLLEGE	GRT_2392_Wharton County Junior	1/5/2024	\$ 250,000.00
3020	Workforce Education	00275	BRAZOSPORT COLLEGE	GRT 2392 Brazosport College	1/10/2024	\$ 190,625.00
3020	Workforce Education	00277	COASTAL BEND COLLEGE	GRT 2392 Coastal Bend College	1/10/2024	\$ 250,000.00
3020	Workforce Education	00298	LAMAR STATE COLLEGE-ORANGE	GRT 2392 LSC-Orange_Single	1/10/2024	\$ 250,000.00
3020	Workforce Education	00303	NAVARRO COLLEGE	GRT 2392 Navarro College	1/10/2024	\$ 250,000.00
3020	Workforce Education	00315	VICTORIA COLLEGE	GRT 2392 Victoria College	1/10/2024	\$ 250,000.00
3020	Workforce Education	00343	ALAMO COMMUNITY COLLEGE DISTRICT	GRT 2392 Alamo College Consor	1/10/2024	\$ 500,000.00
3020	Workforce Education	00286	FRANK PHILLIPS COLLEGE	GRT_2392_Frank Phillips Colleg	1/12/2024	\$ 211,000.00
3020	Workforce Education	00295	KILGORE COLLEGE	GRT 2392 Kilgore College	1/12/2024	\$ 177,120.35
3020	Workforce Education	00297	LAMAR STATE COLLEGE-ORANGE	GRT_2392_LSC-Orange Consortium	1/12/2024	\$ 500,000.00
3020	Workforce Education	00300	LAREDO JUNIOR COLLEGE	GRT_2392_Laredo Community Coll	1/12/2024	\$ 248,427.00
3020	Workforce Education	00308	SOUTH TEXAS COLLEGE - STC	GRT 2392 South Texas College	1/12/2024	\$ 250,000.00
3020	Workforce Education	00309	SOUTHWEST TEXAS JUNIOR COLLEGE	GRT_2392_Southwest TX JR Colle	1/12/2024	\$ 250,000.00
3020	Workforce Education	00310	TARRANT COUNTY COLLEGE DISTRICT	GRT 2392 Tarrant County Colleg	1/12/2024	\$ 237,454.00
3020	Workforce Education	00311	TEMPLE COLLEGE	GRT_2392_Temple College	1/12/2024	\$ 218,200.00
3020	Workforce Education	00312	TEXAS SOUTHMOST COLLEGE	GRT 2392 TX Southmost College	1/12/2024	\$ 249,570.00
3020	Workforce Education	00314	TYLER JUNIOR COLLEGE	GRT_2392_Tyler Junior College	1/12/2024	\$ 249,982.60
3020	Workforce Education	00316	WEATHERFORD JUNIOR COLLEGE	GRT_2392_Weatherford College	1/12/2024	\$ 250,000.00
3020	Workforce Education	00344	AUSTIN COMMUNITY COLLEGE	GRT_2392_AUSTIN COMMUNITY COLL	1/12/2024	\$ 138,341.82
3020	Workforce Education	00345	COLLIN COUNTY COMMUNITY COLLEGE DISTRICT	GRT_2392_COLLIN CCCD_Consortiu	1/12/2024	\$ 408,473.00
3020	Workforce Education	00285	EL PASO COUNTY COMMUNITY COLLEGE DISTRIC	GRT_2392_El Paso County CCCD	1/19/2024	\$ 147,204.68
3020	Workforce Education	00363	TEXAS WORKFORCE COMMISSION	IAC_2430_TWC Amendment No. 2	1/19/2024	\$ -
3020	Workforce Education	00301	LONE STAR COLLEGE SYSTEM DISTRICT	GRT 2392 Lone Star College Sys	1/23/2024	\$ 250,000.00
3020	Workforce Education	00370	PRECISION AIR	GRT 2404 Precision Air	1/24/2024	\$ 76,800.00
3020	Workforce Education	00291	HOUSTON COMMUNITY COLLEGE	GRT 2392 Houston Community Col	1/25/2024	\$ 483,910.00
3020	Workforce Education	00292	HOUSTON COMMUNITY COLLEGE	GRT 2392 Houston Community Col	1/25/2024	\$ 245,767.80
3020	Workforce Education	00436	Jason's Deli	PRQ_2500_Jasons_Deli_WE	2/7/2024	\$ 266.21
3020	Workforce Education	00462	TEXAS ASSOCIATION OF COLLEGE TECHNICAL E	PRQ_2499_TACTE_AY24	2/27/2024	\$ 3,000.00
3020	Workforce Education	00267	Department of Licensing and Regulation	GRT_2304 TDLR	2/28/2024	\$ 38,400.00
3020	Workforce Education	00437	NOBLE TEXAS BUILDERS, LLC	GRT_2457 Noble Texas Builders	2/28/2024	\$ 72,000.00
3030	College and Career Advising	00120	UNIVERSITY OF TEXAS AT AUSTIN	SVC_Amendment 3_BMS 19664	1/18/2024	\$ -
3030	College and Career Advising	00124	DELOITTE CONSULTING LLP C/O BANK OF AMER	SVC_Deloitte MTF 28989 No-Cost Ame	1/18/2024	\$ -
3030	College and Career Advising	00357	DELOITTE CONSULTING LLP C/O BANK OF AMER	SVC_Deloitte MTF2.0_Amend2_No Cost	1/19/2024	\$ -
3040	Academic and Health Affairs	00327	KAZUHIRO SAITOU	SVC_DR_TXST_Saitou	1/18/2024	\$ 500.00
3040	Academic and Health Affairs	00336	MATTHIEU R BLOCH	SVC_DR_TXST_Bloch	1/19/2024	\$ 500.00
3040	Academic and Health Affairs	00366	DANIEL MITTEER	SVC_2385_AGP Application Revie	1/19/2024	\$ 1,000.00
3040	Academic and Health Affairs	00127	TARRANT COUNTY HOSPITAL DISTRICT	GRT 2105 JPS Hospital FY24	1/24/2024	\$ 585,299.00
3040	Academic and Health Affairs	00384	TARRANT COUNTY HOSPITAL DISTRICT	GRT_2105 FPRP JPS Rural Rotati	1/24/2024	\$ 7,500.00
3040	Academic and Health Affairs	00387	UT HEALTH CENTER AT TYLER	GRT_2105 FPRP UTHSC Tyler RR 2	1/24/2024	\$ 10,000.00

Contracts executed January 4, 2024 - March 7, 2024 and those not included in previous reports

Contracts Executed by the Agency in Accordance with Board Rule 1.16

Dept	Department	THECB No.	Supplier Name	Description	PO Approval Date	PO Total Amt
3040	Academic and Health Affairs	00388	TEXAS INSTITUTE FOR GRADUATE MEDICAL EDU	GRT_2105 FP TIGMER Public Heal	1/24/2024	\$ 4,000.00
3040	Academic and Health Affairs	00125	COLUMBIA MEDICAL CENTER OF ARLINGTON	GRT 2105 HCA MC Arlington	1/29/2024	\$ 382,070.00
3040	Academic and Health Affairs	00385	TAMUS HEALTH SCIENCE CENTER	GRT_2105 FPRP TAMUHSC RR 2024	1/29/2024	\$ 20,000.00
3040	Academic and Health Affairs	00386	TEXAS TECH UNIVERSITY HEALTH SCIENCES CE	GRT_2105 FPRP TTUHSC RR 2024	1/29/2024	\$ 50,000.00
3040	Academic and Health Affairs	00047	UNIVERSITY OF TEXAS AT AUSTIN	SVC_TMHCC_UTAustin	2/1/2024	\$ 462,270.00
3040	Academic and Health Affairs	00367	MIKLE SOUTH	SVC_2387_AGP Application Revie	2/1/2024	\$ 1,000.00
3040	Academic and Health Affairs	00368	LATHA VALLURIPALLI SOORYA	SVC_2405_AGP Application Revie	2/1/2024	\$ 1,000.00
3040	Academic and Health Affairs	00369	JILL JACQUELINE LOCKE	SVC_2397_AGP Application Revie	2/1/2024	\$ 1,000.00
3040	Academic and Health Affairs	00371	JASON C PAPPAS	SVC_DR_Pappas_TXST	2/1/2024	\$ 500.00
3040	Academic and Health Affairs	00378	TODD KEMP	SVC_DR_TXST_Kemp	2/1/2024	\$ 500.00
3040	Academic and Health Affairs	00398	HON YUEN	SVC_SV-TaSU_Yuen	2/1/2024	\$ 1,000.00
3040	Academic and Health Affairs	00261	TEXAS ACADEMY OF FAMILY PHYSICIANS	GRT_2407 Texas Academy of Fam	2/8/2024	\$ 808,333.00
3040	Academic and Health Affairs	00262	TEXAS CHAPTER OF THE AMERICAN COLLEGE	GRT_2407 TX Chap Ameri College	2/12/2024	\$ 808,333.00
3040	Academic and Health Affairs	00444	LONGHORN OFFICE PRODUCTS INC	PRQ_2248_Longhorn Office Prod	2/14/2024	\$ 19.00
3040	Academic and Health Affairs	00263	TEXAS PEDIATRIC SOCIETY	GRT 2407 TPS SPP AY2024	2/15/2024	\$ 808,333.00
3040	Academic and Health Affairs	00416	PALLAVI CHITTURI	SVC_2443 Pallavi Chitturi	3/7/2024	\$ 500.00
4010	Data Management and Research	00439	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2482_TAIR_2024_Brian C	2/9/2024	\$ 350.00
4010	Data Management and Research	00440	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2483_TAIR_2024_Torca B	2/9/2024	\$ 350.00
4010	Data Management and Research	00441	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2484_TAIR_2024_Joy Dailey	2/9/2024	\$ 350.00
4010	Data Management and Research	00443	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2488_TAIR_24_TCox	2/14/2024	\$ 350.00
4010	Data Management and Research	00456	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2518_TAIR24_Christina_Zava	2/26/2024	\$ 400.00
4010	Data Management and Research	00457	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2519_TAIR24_Kimberly_Cruz	2/26/2024	\$ 400.00
4010	Data Management and Research	00458	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2520_TAIR24_Chrys_Doughert	2/26/2024	\$ 400.00
4020	Funding and Resource Planning	00375	TASSCUBO C/O ANGIE WRIGHT	PRQ_2422_TASSCUBO_AY24	1/9/2024	\$ 1,485.00
4020	Funding and Resource Planning	00027	BAYLOR COLLEGE OF MEDICINE	SVC_BCM Undergrad Medical Edu	1/12/2024	\$ 24,270,605.51
4020	Funding and Resource Planning	00438	TEXAS ASSOCIATION FOR INSTITUTIONAL RESE	PRQ_2487_TAIR_2024_Conference	2/9/2024	\$ 700.00
						\$ 37,621,377.13

AGENDA ITEM XI-C

Review of the “Fiscal Year 2024 Financial Report” to the Board

RECOMMENDATION: No action required

Background Information:

During each quarterly committee meeting, the Finance Department provides a financial report summarizing the agency’s fiscal-year-to-date budgetary and financial activities. This is a financial management report that is developed for use by both the agency and the board of the Texas Higher Education Coordinating Board. Staff may revise this report periodically to present the most relevant information.

Key points:

- This report reflects data through the second quarter of Fiscal Year 2024.
 - September 1, 2023, through February 29, 2024
- The report is distributed to the agency executive management monthly.
- Report overview:
 - Budget adjustments are primarily related to cross-biennium budget authority, federal fiscal year adjustments, and adjustments for collected budgets.
 - College Access Loan borrower level volume is trending down for Fiscal Year 2024 as the manageable debt loan limits effective September 1, 2023 begin to materialize.
 - One bond sale is planned for summer 2024 for new money bonds to fund student loans during the 2024-25 academic year. The level of bond funds needed is currently expected to be lower than our prior year proceeds due to the decrease in borrower volume.
 - This report reflects the strategy structure as outlined in the General Appropriations Act from the 88th Legislature.

Anthony Infantini, Chief Financial Officer, will present this item and be available to answer any questions.

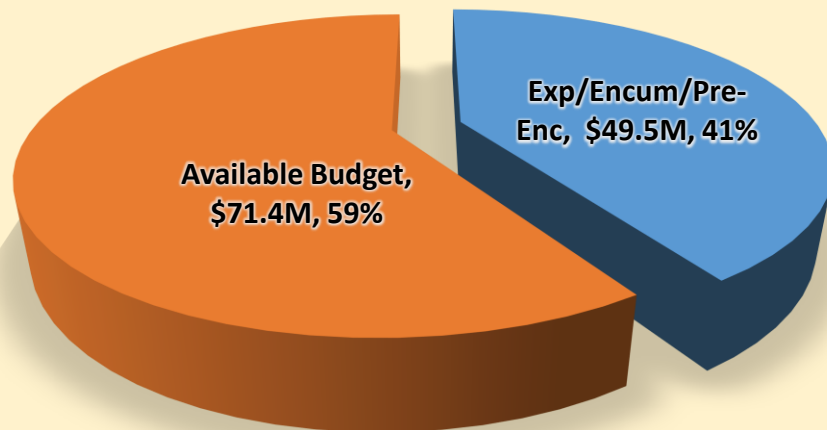


Monthly Financial Report for period ending 2/29/2024

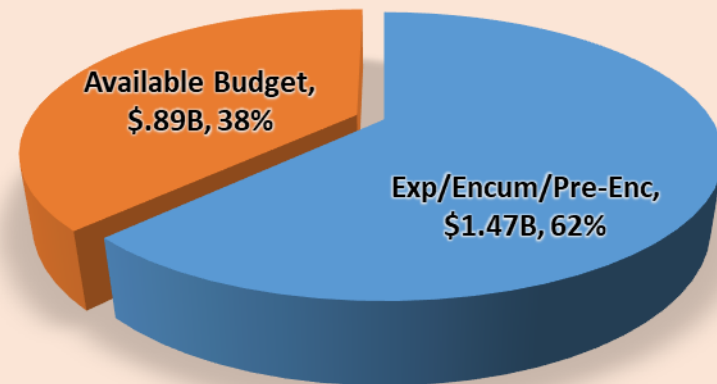
1. Operating/Programs	1
2. Federal Programs	4
3. Budget Adjustments	7
4. Cash Balance Summary.....	9
5. Loan Receivable Review	10

Operating and Programs Summary Period Ending: 2/29/2024

Operating Strategy (A) Budget



Programs Strategy (B through Z) Budget



Operating and Programs Budget

Period Ending: 2/29/2024

		Original Budget	Budget Adjusts. or Reclass	Adjusted Budget	FYTD Expense	FYTD Encumb	FYTD Pre-Encumb	Available Budget
A. Higher Education Support								
A.1.1	Agency Operations	65,962,790.00	3,123,342.00	69,086,132.00	22,302,417.49	15,879,154.60	18,031.69	30,886,528.22
A.1.2	Student Loan Programs	8,238,970.00	-	8,238,970.00	3,785,170.71	2,467,104.19	-	1,986,695.10
A.1.3	College Readiness and Success	14,887,640.00	(1,675,160.00)	13,212,480.00	1,903,381.56	673,122.01	150,000.00	10,485,976.43
A.1.4	Texas Oncourse Program	3,211,385.00	2,131,813.52	5,343,198.52	1,439,077.32	83,055.33	654.94	3,820,410.93
A.1.5	Innovation and Collaboration	20,000,000.00	73,476.00	20,073,476.00	794,945.17	13,510.00	750.00	19,264,270.83
A.1.6	Computer Science Pipeline	5,000,000.00	-	5,000,000.00	-	-	-	5,000,000.00
Total A		117,300,785.00	3,653,471.52	120,954,256.52	30,224,992.25	19,115,946.13	169,436.63	71,443,881.51
B. Affordability and Debt								
B.1. 1	Texas Grant Program	475,138,160.00	-	475,138,160.00	293,808,861.26	-	-	181,329,298.74
B.1. 2	Tuition Equalization Grants	97,913,339.00	-	97,913,339.00	64,160,379.00	-	-	33,752,960.00
B.1. 3	TEOG Public Community Colleges	111,000,445.00	-	111,000,445.00	50,763,232.19	-	-	60,237,212.81
B.1. 4	TEOG Pub State/Techincal Colle	11,122,093.00	-	11,122,093.00	9,479,960.00	-	-	1,642,133.00
B.1. 5	College Work Study Program	9,169,523.00	-	9,169,523.00	540,353.19	226,800.00	-	8,402,369.81
B.1. 6	License Plate Scholarships	247,400.00	17,980.50	265,380.50	-	-	-	265,380.50
B.1. 7	Educational Aide Program	481,616.00	-	481,616.00	95,293.00	-	-	386,323.00
B.1. 8	TX Armed Services Scholarships	7,335,000.00	-	7,335,000.00	3,538,486.00	-	-	3,796,514.00
B.1. 9	Open Educational Resources	231,025.00	-	231,025.00	6,156.75	-	149,325.00	75,543.25
B.1.10	Student Financial Aid	74,669,983.00	-	74,669,983.00	54,389,712.00	-	-	20,280,271.00
B.1.12	Senfronia Thompson Scholarship Program	500,000.00	-	500,000.00	-	-	-	500,000.00
B.1.13	HB 8 Swift Transfer	32,300,000.00	18,734,390.00	51,034,390.00	8,705,675.00	-	-	42,328,715.00
Total B		820,108,584.00	18,752,370.50	838,860,954.50	485,488,108.39	226,800.00	149,325.00	352,996,721.11
C. Industry Workforce								
C.1.1	Career/Technical EDU PGMS	42,681,391.00	1,425,558.14	44,106,949.14	7,538,482.54	29,279,017.37	329.46	7,289,119.77
C.1.2	Bilingual Education Program	1,099,482.00	-	1,099,482.00	(68,484.00)	-	-	1,167,966.00
C.1.3	Educational Loan Repayment	39,890,625.00	-	39,890,625.00	-	-	-	39,890,625.00
Total C		83,671,498.00	1,425,558.14	85,097,056.14	7,469,998.54	29,279,017.37	329.46	48,347,710.77
D. Industry Workforce - Health Related								
D.1. 1	Family Practice Residency	8,250,000.00	-	8,250,000.00	8,179,858.33	66,500.00	-	3,641.67
D.1. 2	Preceptorship Program	2,425,000.00	-	2,425,000.00	2,424,999.00	-	-	1.00
D.1. 3	GME Expansion	116,550,000.00	-	116,550,000.00	-	-	-	116,550,000.00
D.1. 4	Trauma Care Program	2,957,203.00	-	2,957,203.00	-	-	-	2,957,203.00
D.1. 5	Joint Admission Medical Progra	11,696,794.00	-	11,696,794.00	11,696,794.00	-	-	-
D.1. 6	ProfNurseShortageReductionPgm	22,700,000.00	-	22,700,000.00	(36,571.73)	-	-	22,736,571.73
D.1. 7	Child Mental Health Care Conso	15,377,324.00	929,649.66	16,306,973.66	-	-	-	16,306,973.66
D.1. 8	Forensic Psychiatry Fellowship Pgm	2,500,000.00	-	2,500,000.00	-	-	-	2,500,000.00
D.1. 9	Nursing Scholarships	12,500,000.00	-	12,500,000.00	-	-	-	12,500,000.00
D.1.10	Rural Resident Physician Program	1,500,000.00	-	1,500,000.00	-	-	-	1,500,000.00
D.1.11	Nursing Innovation Grant Program	6,000,000.00	-	6,000,000.00	-	-	-	6,000,000.00
Total D		202,456,321.00	929,649.66	203,385,970.66	22,265,079.60	66,500.00	-	181,054,391.06

04/24

Operating and Programs Budget (cont.)

Period Ending: 2/29/2024

		Original Budget	Budget Adjusts. or Reclass	Adjusted Budget	FYTD Expense	FYTD Encumb	FYTD Pre-Encumb	Available Budget
E. Baylor College of Medicine								
E.1.1	Baylor Coll of Medicine - UGME	38,446,836.00	-	38,446,836.00	20,129,918.05	7,088,115.24	-	11,228,802.71
E.1.2	Baylor Coll of Medicine - GME	9,002,575.00	-	9,002,575.00	9,002,575.00	-	-	-
E.1.3	BaylorCollMedPermEndowFund	1,425,000.00	-	1,425,000.00	437,077.63	987,922.37	-	-
E.1.4	BaylorCollMedPermHealthFund	1,914,193.00	-	1,914,193.00	497,977.52	1,416,215.48	-	-
E.1.5	Baylor Coll Med Hold Harmless	1,753,079.00	-	1,753,079.00	1,753,079.00	-	-	-
Total E		52,541,683.00	-	52,541,683.00	31,820,627.20	9,492,253.09	-	11,228,802.71
F. Tobacco Funds								
F.1.1	EARNINGS - Minority Health	1,066,551.00	5,479,811.92	6,546,362.92	-	-	-	6,546,362.92
F.1.2	EARNINGS - Nursing/Allied Heal	1,883,810.00	-	1,883,810.00	-	-	-	1,883,810.00
Total F		2,950,361.00	5,479,811.92	8,430,172.92	-	-	-	8,430,172.92
G. Research and Innovation								
G.1.1	Texas Research Incentive Progr	16,625,000.00	-	16,625,000.00	16,625,000.00	-	-	-
G.1.2	AUTISM Program	3,705,000.00	-	3,705,000.00	(89,495.93)	-	-	3,794,495.93
Total G		20,330,000.00	-	20,330,000.00	16,535,504.07	-	-	3,794,495.93
H. Salary Adjustments								
H.1.1	Salary Increases	1,391,298.00	(1,391,298.00)	-	-	-	-	-
Total H		1,391,298.00	(1,391,298.00)	-	-	-	-	-
Other Programs								
Z.1.1	Community Colleges	1,157,420,866.00	-	1,157,420,866.00	870,755,546.75	-	-	286,665,319.25
Total Z		1,157,420,866.00	-	1,157,420,866.00	870,755,546.75	-	-	286,665,319.25
Total Uses Of Revenue		2,458,171,396.00	28,849,563.74	2,487,020,959.74	1,464,559,856.80	58,180,516.59	319,091.09	963,961,495.26

Federal programs are reported separately on the next page.

Federal Programs Report 1

Period Ending: 2/29/2024

Project Group	Project Description / ALN / Fed Year	Award Start Date	Award End Date	Award Amount	Expenditures	Obligated	Unobligated Balance	Revenue/ Drawdown	Cash Balance
ARPA	ARPA CMHC CONSORTIUM-21.027-FFY22	11/8/2021	12/31/2024	113,082,887.00	113,082,885.00	-	2.00	113,195,223.00	112,338.00
ARPA	ARPA INTEREST REVENUE 21.027-FFY22	1/1/2022	12/31/2024	-	-	-	-	53,820.01	53,820.01
ARPA	ARPA RURAL VET GRANT PG-21.027-FFY22	11/8/2021	12/31/2024	1,000,000.00	205,760.00	-	794,240.00	205,760.00	-
ARPA	ARPA TX TRUE PROGRAM-21.027-FFY22	11/8/2021	11/7/2023	15,000,000.00	13,351,993.97	-	1,648,006.03	16,658,074.89	3,306,080.92
GEER I - 2nd Round	GEER DCS 84.425C-FFY20	1/1/2022	9/30/2022	6,199,566.00	6,199,566.00	-	-	6,199,566.00	-
GEER I - 2nd Round	GEER DATA INFR 84.425C-FFY20	1/1/2022	9/30/2022	10,290,422.57	9,418,146.50	89,628.33	782,647.74	9,418,146.50	-
GEER I - 2nd Round	GEER ONLINE LRN 84.425C-FFY20	1/1/2022	9/30/2022	10,865,065.30	10,663,958.99	-	201,106.31	10,660,958.10	(3,000.89)
GEER I - 2nd Round	GEER UPSKILL RSK 84.425C-FFY20	1/1/2022	9/30/2022	44,144,946.13	43,008,698.23	-	1,136,247.90	44,659,431.71	1,650,733.48
GEER I - 3rd Round	GEER ACCEL CRED 84.425C-FFY20	1/1/2022	9/30/2022	14,571,112.92	11,798,104.59	-	2,773,008.33	15,349,363.41	3,551,258.82
GEER I - 3rd Round	GEER ADV RESRCS 84.425C-FFY20	1/1/2022	9/30/2022	948,725.00	232,012.68	-	716,712.32	232,012.68	-
GEER I - 3rd Round	GEER COMCOLL CST 84.425C-FFY20	1/1/2022	9/30/2022	661,628.16	661,638.02	-	(9.86)	661,638.02	-
GEER I - 3rd Round	GEER COMPL GRNTS 84.425C-FFY20	1/1/2022	9/30/2022	5,832,129.76	4,460,519.65	-	1,371,610.11	4,723,156.42	262,636.77
GEER I - 3rd Round	GEER CRED REPOST 84.425C-FFY20	1/1/2022	9/30/2022	2,195,581.51	1,670,613.85	-	524,967.66	2,616,604.68	945,990.83
GEER I - 3rd Round	GEER GRADTX 2.0 84.425C-FFY20	1/1/2022	9/30/2022	4,715,071.04	3,989,475.90	-	725,595.14	4,497,515.00	508,039.10
GEER I - 3rd Round	GEER LEGACY DCS 84.425C-FFY20	1/1/2022	9/30/2022	2,126,659.23	1,163,840.08	-	962,819.15	1,163,840.08	-
GEER I - 3rd Round	GEER LEGCY MOD 84.425C-FFY20	1/1/2022	9/30/2022	1,507,929.02	1,420,585.68	-	87,343.34	1,420,585.68	-
GEER I - 3rd Round	GEER LRNANALYTIC 84.425C-FFY20	1/1/2022	9/30/2022	1,017,746.22	944,013.00	-	73,733.22	944,013.00	-
GEER I - 3rd Round	GEER STU ENGMT 84.425C-FFY20	1/1/2022	9/30/2022	3,291,852.00	3,017,057.83	-	274,794.17	3,017,057.83	-
GEER I - 3rd Round	GEER STU SUCCESS 84.425C-FFY20	1/1/2022	9/30/2022	1,876,574.94	1,701,692.88	-	174,882.06	1,701,692.88	-
GEER I - 3rd Round	GEER TOP TEN 84.425C-FFY20	1/1/2022	9/30/2022	65,000.00	65,000.00	-	-	65,000.00	-
GEER I - 3rd Round	GEER TRNSFR GRNT 84.425C-FFY20	1/1/2022	9/30/2022	9,900,000.00	9,618,286.84	50,000.00	231,713.16	9,978,286.84	360,000.00
GEER I - 3rd Round	GEER TRUE INSTITUTE 84.425C-FFY20	1/1/2022	9/30/2022	29,500,105.81	25,400,202.49	-	4,099,903.32	25,686,234.95	286,032.46
GEER I - 3rd Round	GEER TX LEAD SCH 84.425C-FFY20	1/1/2022	9/30/2022	11,146,917.76	11,146,917.76	-	-	11,146,917.76	-
GEER I - 3rd Round	GEER WORK BASED 84.425C-FFY20	1/1/2022	9/30/2022	5,333,974.63	4,408,775.52	-	925,199.11	4,618,117.75	209,342.23

Federal Programs Report 2 (continued)

Period Ending: 2/29/2024

Project Group	Project Description / ALN / Fed Year	Award Start Date	Award End Date	Award Amount	Expenditures	Obligated	Unobligated Balance	Revenue/ Drawdown	Cash Balance
GEER II	GEERII ADMIN/STAFFING-84.425C-FFY22	1/1/2022	9/30/2023	1,994,274.83	2,100,518.53	85,337.50	(191,581.20)	2,224,969.26	124,450.73
GEER II	GEERII ADVISE TX-84.425C-FFY22	1/1/2022	9/30/2023	3,145,356.05	2,375,871.50	-	769,484.55	3,582,308.93	1,206,437.43
GEER II	GEERII APPLY TX-84.425C-FFY22	1/1/2022	9/30/2023	3,706,851.47	3,701,359.58	5,491.89	(0.00)	3,702,629.07	1,269.49
GEER II	GEERII CCFINIMPL 84.425C-FFY22	1/1/2022	9/30/2023	150,000.00	44,088.77	38,114.84	67,796.39	66,919.03	22,830.26
GEER II	GEERII COMM DL TRAIN&R-84.425C-FFY22	1/1/2022	9/30/2023	-	-	-	-	222,011.40	222,011.40
GEER II	GEERII COLL RDN 84.425C-FFY22	1/1/2022	9/30/2023	2,700,000.00	2,695,000.00	-	5,000.00	3,970,000.00	1,275,000.00
GEER II	GEERII DCS-84.425C-FFY22	1/1/2022	9/30/2023	7,410,167.76	7,358,715.00	-	51,452.76	7,511,764.44	153,049.44
GEER II	GEERII DCS DMI 84.425C-FFY22	1/1/2022	9/30/2023	3,000,000.00	2,911,832.24	23,188.97	64,978.79	3,721,122.40	809,290.16
GEER II	GEERII DCS GAAP 84.425C-FFY22	1/1/2022	9/30/2023	4,145,210.32	3,127,762.51	770,867.22	246,580.59	4,906,917.38	1,779,154.87
GEER II	GEERII DATA CYBR 84.425C-FFY22	1/1/2022	9/30/2023	2,517,247.90	2,135,018.87	62,231.53	319,997.50	3,828,092.48	1,693,073.61
GEER II	GEERII DMI EDU & WKFRC-84.425C-FFY22	1/1/2022	9/30/2023	14,732,165.04	13,998,155.70	958,376.58	(224,367.24)	14,282,661.88	284,506.18
GEER II	GEERII EDU PREP 84.425C-FFY22	1/1/2022	9/30/2023	1,500,000.00	1,295,722.47	-	204,277.53	3,727,256.02	2,431,533.55
GEER II	GEERII-INTRST REV84.425C-FFY20	1/1/2022	9/30/2023	-	-	-	-	1,520,279.12	1,520,279.12
GEER II	GEERII LEADERSHIP PROG-84.425C-FFY22	1/1/2022	9/30/2023	1,647,994.94	1,620,088.94	-	27,906.00	1,647,994.94	27,906.00
GEER II	GEERII MAP MY PATH-84.425C-FFY22	1/1/2022	9/30/2023	3,267,948.01	3,267,948.01	-	(0.00)	3,267,948.01	-
GEER II	GEERII MY TX FUTURE-84.425C-FFY22	1/1/2022	9/30/2023	3,508,021.00	3,498,442.64	10,497.63	(919.27)	3,722,266.92	223,824.28
GEER II	GEERII NURSING INNOVAT-84.425C-FFY22	1/1/2022	9/30/2023	7,059,263.74	6,913,793.56	-	145,470.18	8,064,504.32	1,150,710.76
GEER II	GEERII NURSING OER-84.425C-FFY22	1/1/2022	9/30/2023	2,700,000.00	2,700,000.00	-	-	3,740,000.00	1,040,000.00
GEER II	GEERII NURSING LRP-84.425C-FFY22	1/1/2022	9/30/2023	2,700,000.00	2,055,700.20	-	644,299.80	2,761,408.14	705,707.94
GEER II	GEERII NURS SHORTG GRT-84.425C-FFY22	1/1/2022	9/30/2023	3,321,199.27	3,313,986.16	-	7,213.11	4,274,900.52	960,914.36
GEER II	GEERII SHARED SERV CTR 84.425C-FFY22	1/1/2022	9/30/2023	2,989,488.00	2,925,150.40	-	64,337.60	3,175,150.40	250,000.00
GEER II	GEERII SSI ACCEL&SCALE-84.425C-FFY22	1/1/2022	9/30/2023	16,210,218.39	15,726,263.89	0.02	483,954.48	20,026,483.56	4,300,219.67
GEER II	GEERII TRANSFER GRANTS-84.425C-FFY22	1/1/2022	9/30/2023	3,931,540.06	3,693,786.73	64,370.33	173,383.00	3,761,922.41	68,135.68

Federal Programs Report 3 (continued)

Period Ending: 2/29/2024

Project Group	Project Description / ALN / Fed Year	Award Start Date	Award End Date	Award Amount	Expenditures	Obligated	Unobligated Balance	Revenue/ Drawdown	Cash Balance
Perkins	PERKINS-LEADER-84.048-FFY23 (2 YEARS)	9/29/2022	9/30/2024	3,649,347.00	1,319,190.77	1,934,896.94	395,259.29	1,260,072.06	(59,118.71)
Perkins	PERKINS-LEADER-84.048-FFY24 (2 YEARS)	12/20/2023	9/30/2025	3,785,439.00	18,153.04	3,598,666.96	168,619.00	16,665.04	(1,488.00)
Perkins	PERKINS-ADMIN-84.048-FFY24	10/17/2023	9/30/2024	1,915,219.00	520,588.11	4,340.67	1,390,290.22	273,558.44	(247,029.67)
Perkins	PERKINS-FORMULA-84.048-FFY24	10/17/2023	9/30/2024	32,558,733.00	6,997,998.00	25,560,734.00	1.00	897,308.00	(6,100,690.00)
Perkins	PERKINS-NON-TRAD-84.048-FFY24	10/17/2023	9/30/2024	45,000.00	-	-	45,000.00	-	-
Other Programs	COREQ DE MODELS-84.305A-FFY22	8/1/2021	7/31/2025	112,067.00	11,236.15	-	100,830.85	11,234.82	(1.33)
Other Programs	HRSA STATE LOAN REPAYM-93.165-FFY23	9/1/2022	8/31/2025	2,501,552.27	255,807.01	-	2,245,745.26	309,837.81	54,030.80
Other Programs	SLDS ERC UPGRADES-84.372A-FFY21	3/1/2021	2/28/2024	375,000.00	114,332.49	195,717.45	64,950.06	96,896.93	(17,435.56)
Total				433,547,449.27	375,044,720.94	33,728,246.87	24,774,481.46	400,579,064.33	25,534,343.39

Agency Budget Year-to-Date Budget Adjustments 1 As of 2/29/2024

Strategy	Budget Adjustments By Strategy	PCA Code	Transaction Description	Increase	Decrease
Agency Operations					
A.1.1	Agency Operations	38003	Salary Allocation, College Work Study, DCS	1,158,342.00	-
	Agency Operations	38003	BU03 INCRS COLL BDGT TASFA; TRNSFR BDGT AGY OPS to EDA Match	-	(64,815.42)
	Data Center Services (DCS)	13960	Salary Allocation, College Work Study, DCS	1,950,000.00	-
	EDA Salary Match	38013	BU03 INCRS COLL BDGT TASFA; TRNSFR BDGT AGY OPS to EDA Match	64,815.42	-
	SHEEO FA Learning	46004	BU10 INCRS & ESTABLISH BDGTs PER CASH UB	15,000.00	-
				3,123,342.00	
College Readiness and Success					
A.1.3	My Texas Future	30019	Salary Allocation, College Work Study, DCS	-	(1,950,000.00)
	Student Success	30006	Salary Allocation, College Work Study, DCS	24,840.00	-
	TASFA Development	40106	BU03 INCRS COLL BDGT TASFA; TRNSFR BDGT AGY OPS to EDA Match	250,000.00	-
					(1,675,160.00)
Texas Oncourse Program					
A.1.4	OnCourse Initiative	40105	BU10 Budget Adjustments based on UB AY23 to AY24 Adj.	1,997,173.52	-
	OnCourse Initiative	40105	Salary Allocation, College Work Study, DCS	134,640.00	-
				2,131,813.52	
Innovation and Collaboration					
A.1.5	Open Education&Course Sharing	30021	Salary Allocation, College Work Study, DCS	36,336.00	-
	Student Success Programs	30020	Salary Allocation, College Work Study, DCS	37,140.00	-
				73,476.00	
College Work Study Program					
B.1.5	College Work Study Program	22339	Salary Allocation, College Work Study, DCS	2,750,000.00	-
	Work Study Mentorship Program	22349	Salary Allocation, College Work Study, DCS	-	(2,750,000.00)
				-	

Agency Budget

Year-to-Date Budget Adjustments 2 (continued)

As of 2/29/2024

Strategy	Budget Adjustments By Strategy	PCA Code	Transaction Description	Increase	Decrease
License Plate Scholarships					
B.1. 6	Abilene Christian Univ LP	66027	BU10 INCRS & ESTABLISH BDGTs PER CASH UB	1,489.81	-
	Austin College PLT	66016	UB BUDGET TO VARIOUS PROGRAMS	155.54	-
	Baylor Bear Crossover LP	66026	UB BUDGET TO VARIOUS PROGRAMS	1,305.03	-
	Baylor University PLT	66014	UB BUDGET TO VARIOUS PROGRAMS	934.88	-
	Boy Scout License Plates	66008	UB BUDGET TO VARIOUS PROGRAMS	316.43	-
	College for Texans L Plates	66002	UB BUDGET TO VARIOUS PROGRAMS	89.32	-
	Collegiate Crossover Lic Plate	66004	BU10 Budget Adjustments based on UB AY23 to AY24 Adj.	2,076.72	-
	Cotton Boll License Plates	66006	UB BUDGET TO VARIOUS PROGRAMS	1,446.51	-
	Girl Scout License Plates	66007	UB BUDGET TO VARIOUS PROGRAMS	170.19	-
	Houston CC License Plate	66025	UB BUDGET TO VARIOUS PROGRAMS	45.10	-
	Houston Rodeo License Plates	66005	UB BUDGET TO VARIOUS PROGRAMS	298.92	-
	Lubbock Christian Univ PLT	66020	UB BUDGET TO VARIOUS PROGRAMS	152.23	-
	MADD License Plate	66011	UB BUDGET TO VARIOUS PROGRAMS	132.41	-
	Omega Psi Phi License Plates	66013	UB BUDGET TO VARIOUS PROGRAMS	823.28	-
	Rice University PLT	66017	UB BUDGET TO VARIOUS PROGRAMS	618.57	-
	Schreiner University LP	66028	BU10 INCRS & ESTABLISH BDGTs PER CASH UB	448.97	-
	SMU Royalty License Plate	66012	UB BUDGET TO VARIOUS PROGRAMS	3,058.55	-
	Southern Methodist Univ PLT	66018	UB BUDGET TO VARIOUS PROGRAMS	374.21	-
	Southwestern University PLT	66022	UB BUDGET TO VARIOUS PROGRAMS	66.60	-
	St. Mary's University PLT	66021	UB BUDGET TO VARIOUS PROGRAMS	180.11	-
	Texas Christian Univ PLT	66019	UB BUDGET TO VARIOUS PROGRAMS	424.12	-
	TX Water Works License Plate	66001	UB BUDGET TO VARIOUS PROGRAMS	246.53	-
	Univ of Florida Crossover LP	66029	BU10 INCRS & ESTABLISH BDGTs PER CASH UB	3,036.40	-
	Univ of Mary Hardin Baylor PLT	66015	UB BUDGET TO VARIOUS PROGRAMS	67.03	-
	University of St. Thomas PLT	66023	BU10 Budget Adjustments based on UB AY23 to AY24 Adj.	23.04	-
				17,980.50	
Educational Loan Repayment					
B.1.13	HB8 Swift Transfer	46801	SWIFT Transfer Budget Adjustment AY24	18,734,390.00	-
				18,734,390.00	

Agency Budget

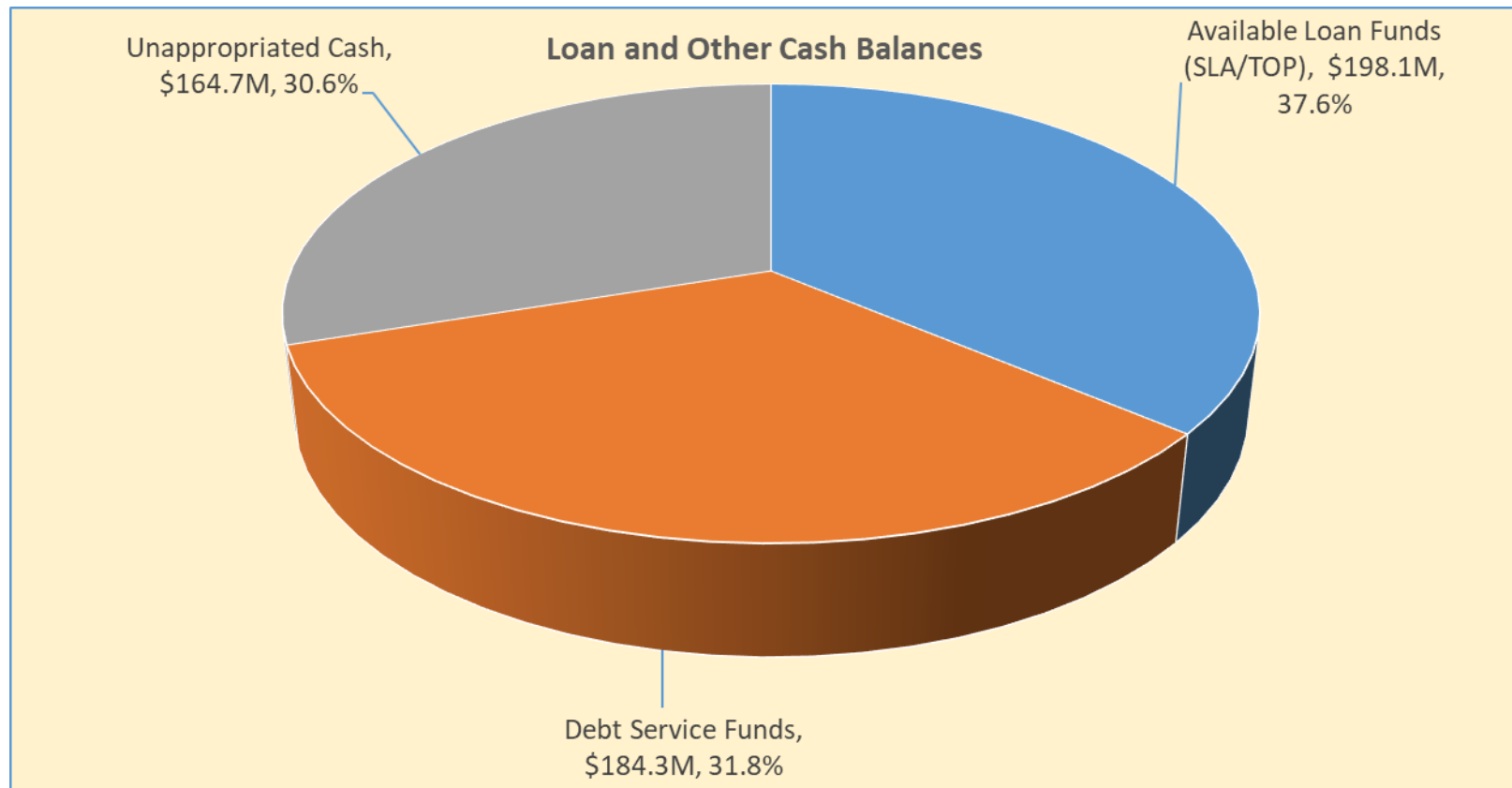
Year-to-Date Budget Adjustments 3 (continued)

As of 2/29/2024

Strategy	Budget Adjustments By Strategy	PCA Code	Transaction Description	Increase	Decrease
Career/Technical EDU PGMS					
C.1.1	GEER Work Based Learn 84.425C	32513	Move Budget from AY23 to AY24 PCA 32513	10,929.82	-
	GEERII CC Finance Impl 84.425C	32564	AY24 GEER II BUDGETS_EXP	38,114.84	-
	GEERII College Rdns 84.425C	32561	AY24 GEER II BUDGETS_EXP	148,000.00	-
	GEERII Data M Cybersec 84.425C	32563	AY24 GEER II BUDGETS_EXP	436,653.75	-
	GEERII DMI Edu & Wkfr 84.425C	32545	AY24 GEER II BUDGETS_EXP	1,456,793.52	-
	GEERII DMI Edu & Wkfr 84.425C	32545	GEER II DCS BDGT ADJ AM24026600	25,512.00	-
	GEERII Leadership Prog 84.425C	32544	GEER II BDGT ADJ AY23 to AY24	1,710,953.70	-
	GEERII Leadership Prog 84.425C	32544	GEER II DCS BDGT ADJ AM24026600	-	(152,005.06)
	GEERII Shared Serv Ctr 84.425C	32556	AY24 GEER II BUDGETS_EXP	28,317.40	-
	GEERII Transfer Grants 84.425C	32543	AY24 GEER II BUDGETS_EXP	68,135.68	-
	HRSA State Loan Repaym 93.165	56005	HRSA_EXP_BDGT_AY24	797,258.00	-
	Perkins Admin 84.048	52001	Perkins Admin and Leadership Alignment	500,000.00	-
	Perkins Leadership 2-Yr 84.048	52005	Perkins Admin and Leadership Alignment	-	(45,000.00)
	SLDS ERC Upgrades 84.372A	54005	Transfer Budget from AY23 to AY24 SLDS.	173,300.14	-
				5,196,963.79	
Educational Loan Repayment					
C.1.3	ARPA Rural Vet Grant Pg 21.027	32553	Rural Vet, Preceptorship, Minority Health Recon.	1,000,000.00	-
	Physician Ed Loan Repay Pgm	21949	CORRECT CAPPs FUNDS #S	17,767,492.00	(17,767,492.00)
				1,000,000.00	
Preceptorship Program					
D.1. 2	FP Statewide Preceptorship	23030	Rural Vet, Preceptorship, Minority Health Recon.	-	(1.00)
	Peds Statewide Preceptorship	23230	Rural Vet, Preceptorship, Minority Health Recon.	1.00	-
				-	
Child Mental Health Care Consortium					
D.1. 7	ARPA CMHC Consortium 21.027	32554	ADJ ARPA TCMHCC BDGT	419,002.00	-
	CMHC Consortium	32023	UB BUDGET TO VARIOUS PROGRAMS	929,649.66	-
				1,348,651.66	
EARNINGS - Minority Health					
F.1.1	Minority Health Research/Edu	13067	BU10 Budget Adjustments based on UB AY23 to AY24 Adj.	355,660.20	-
	Minority Health Research/Edu	13067	Rural Vet, Preceptorship, Minority Health Recon.	1,113,706.83	-
	Minority Health Research/Edu	13067	CORRECT Neg Balance Minority Health FY22,24	-	(355,660.20)
	Minority Health Research/Edu	13067	UB BUDGET TO VARIOUS PROGRAMS	4,366,105.09	-
				5,479,811.92	
Salary Increases					
H.1.1	Salary Increases	31001	Salary Allocation, College Work Study, DCS	-	(1,391,298.00)
					(1,391,298.00)
Total Budget Adjustments				34,039,971.39	

04/24

Cash Balance Summary Period Ending: 2/29/2024



Cash balances not related to grant programs

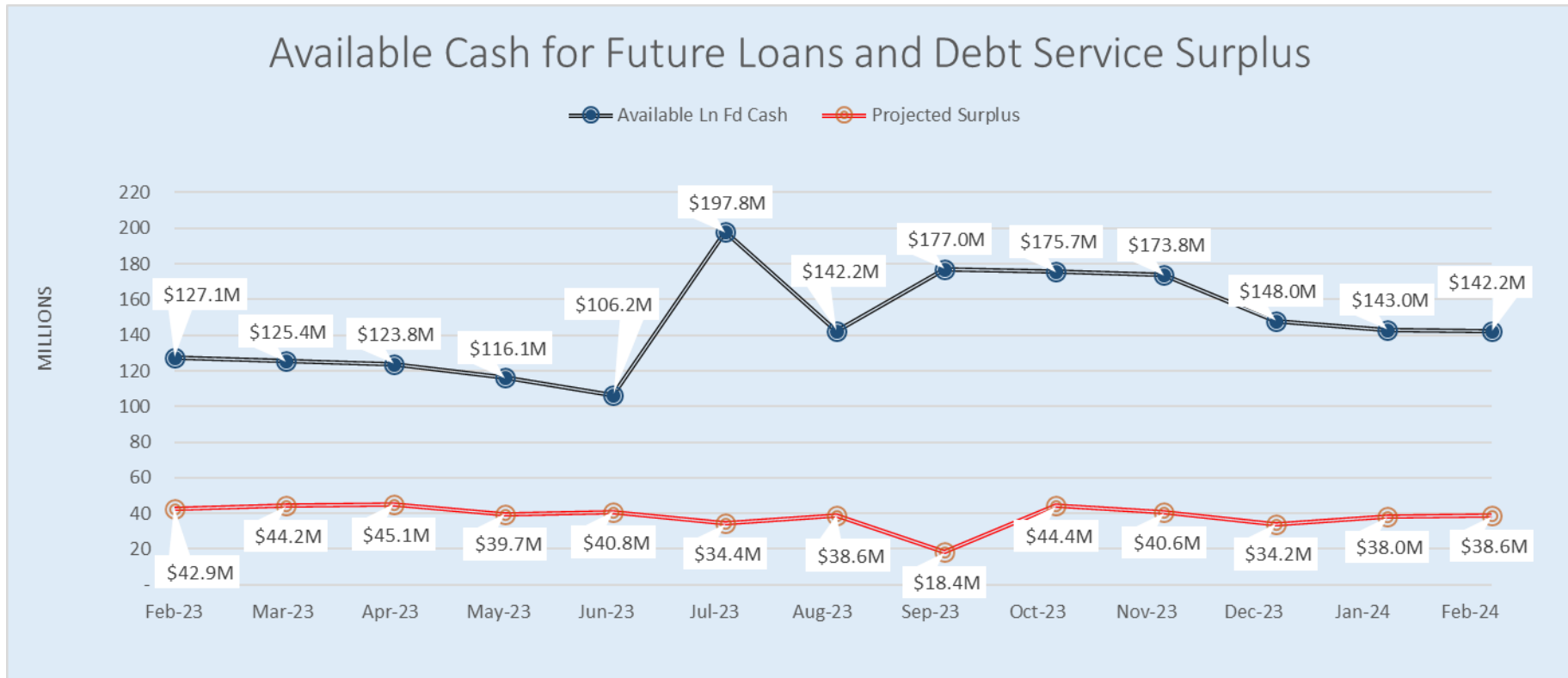
Loan Receivables Review

Period Ending: 2/29/2024

Monthly Loan Activity	Principal	Interest	Fees	TOTAL
Beginning Balances - 2/1/2024	\$ 1,668,828,575	\$ 234,845,445	\$ 27,326,973	\$ 1,931,000,993
Loan Disbursements	3,607,437	-	-	3,607,437
Loan Repayments	(7,759,267)	(5,219,682)	(118,726)	(13,097,675)
Loans Forgiven	3,566	(3,566)	-	-
Write off - Uncollectible	298	-	(298)	-
Judgments Assessed	361,330	(359,704)	(1,129)	497
Interest And Fee Accruals	-	6,325,784	163,849	6,489,633
Federal Interest Subsidy	-	(985)	-	(985)
Other Loan Adjustments	(168,093)	(12,364)	(786)	(181,243)
Total Changes - 2/29/2024	(3,954,729)	729,482	42,911	(3,182,336)
Ending Balances	\$ 1,664,873,846	\$ 235,574,927	\$ 27,369,883	\$ 1,927,818,657

Note: Loan balances are made up of predominantly Hinson-Hazlewood Loans. Other loan types include the B-On-Time, Texas Armed Services Scholarship, Teach for Texas programs and FORWARD loan.

Loan Cash and Debt Review Period Ending: 2/29/2024

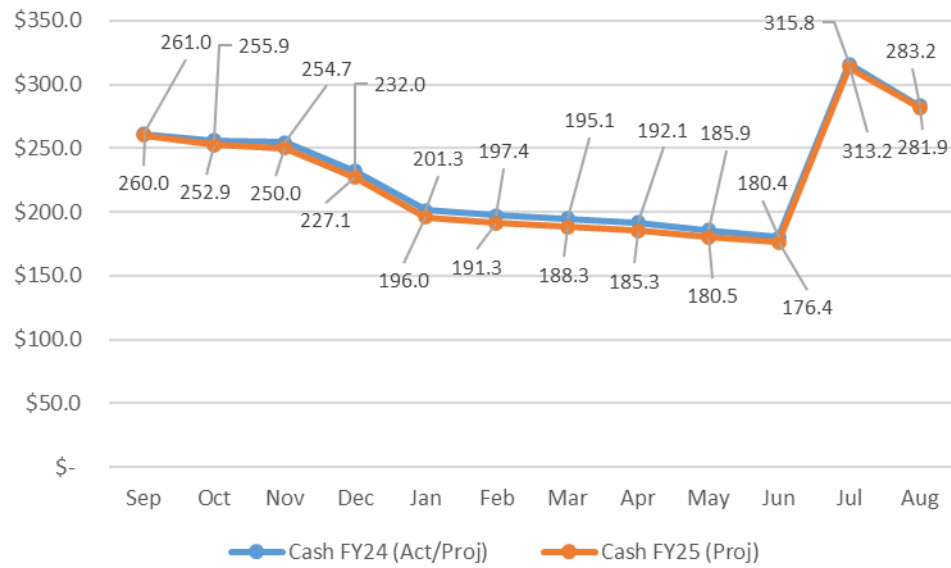


Loan Fund/Cash Flow	
Loan Fund Cash Balance (SLA/TOP)	\$ 198,062,163
Less: Indirect Admin Draws Remaining	\$ (15,521,826)
Less: Loan Fund Reserve	\$ (30,000,000)
Less: * Scheduled Loan Disbursements	\$ (10,382,237)
Available Cash for Future Loans	\$ 142,158,100
*Net unposted disbursements and certified Loans	

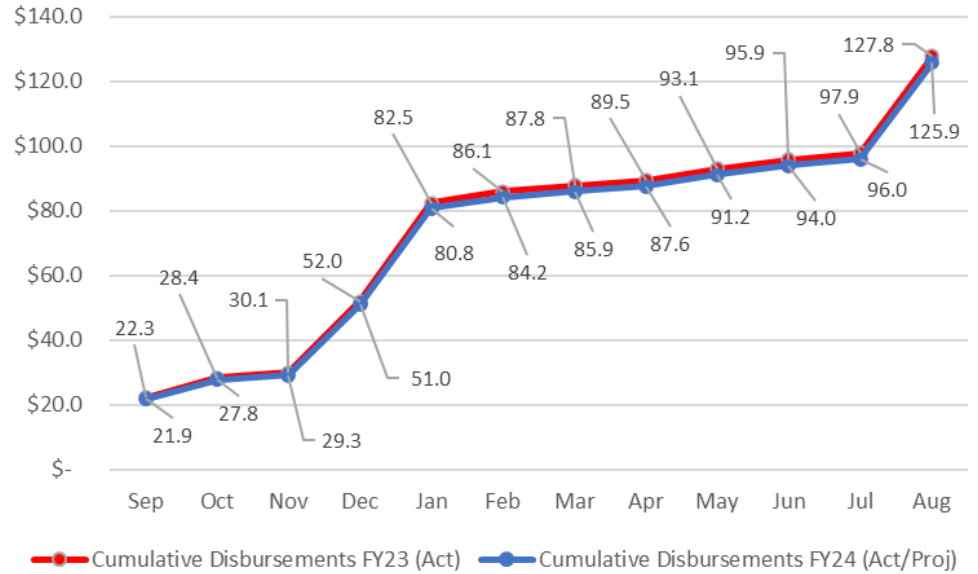
Debt Service Cash Flow	
Debt Service Fund Balance	\$ 184,262,658
Add: FY24 Proj Loan Repayments	\$ 89,147,635
Less: FY24 Pending Debt Payments	\$ (98,950,778)
Fund Excess/(Deficit)	\$ 174,459,515
Less: FY25 Debt Service Payments	\$ (135,861,881)
Over/(Under) Reserve Y/E 2024	\$ 38,597,634

Loan Forecasting and Trending Period Ending: 2/29/2024

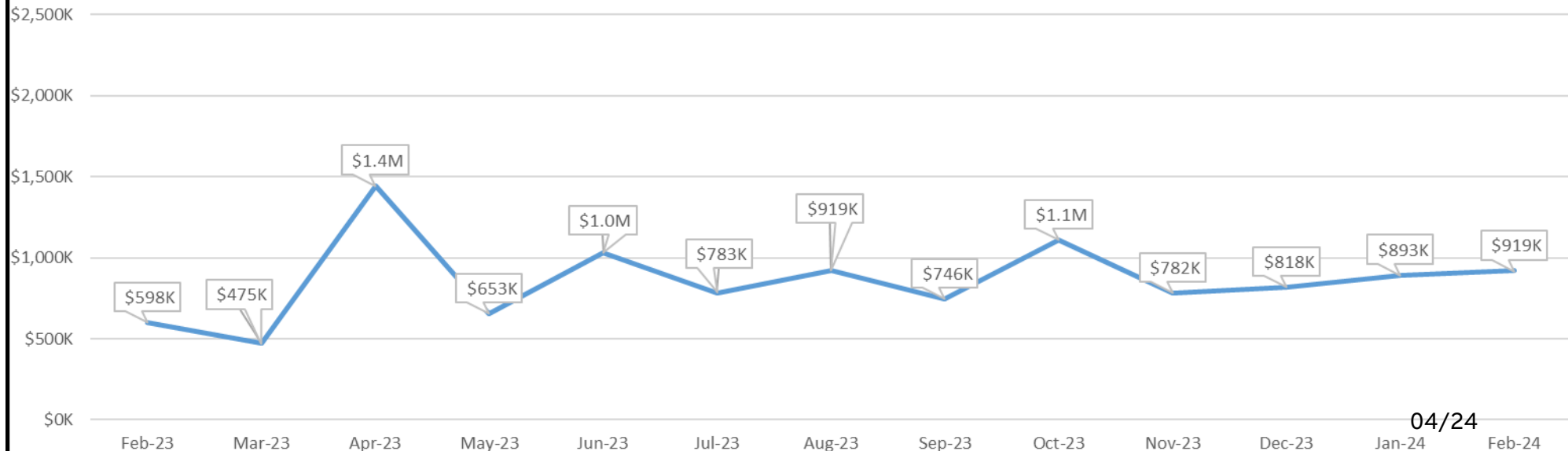
Loan Fund Cash Balance Forecast (\$M)



Cumulative Loan Disbursement Trending (\$M)



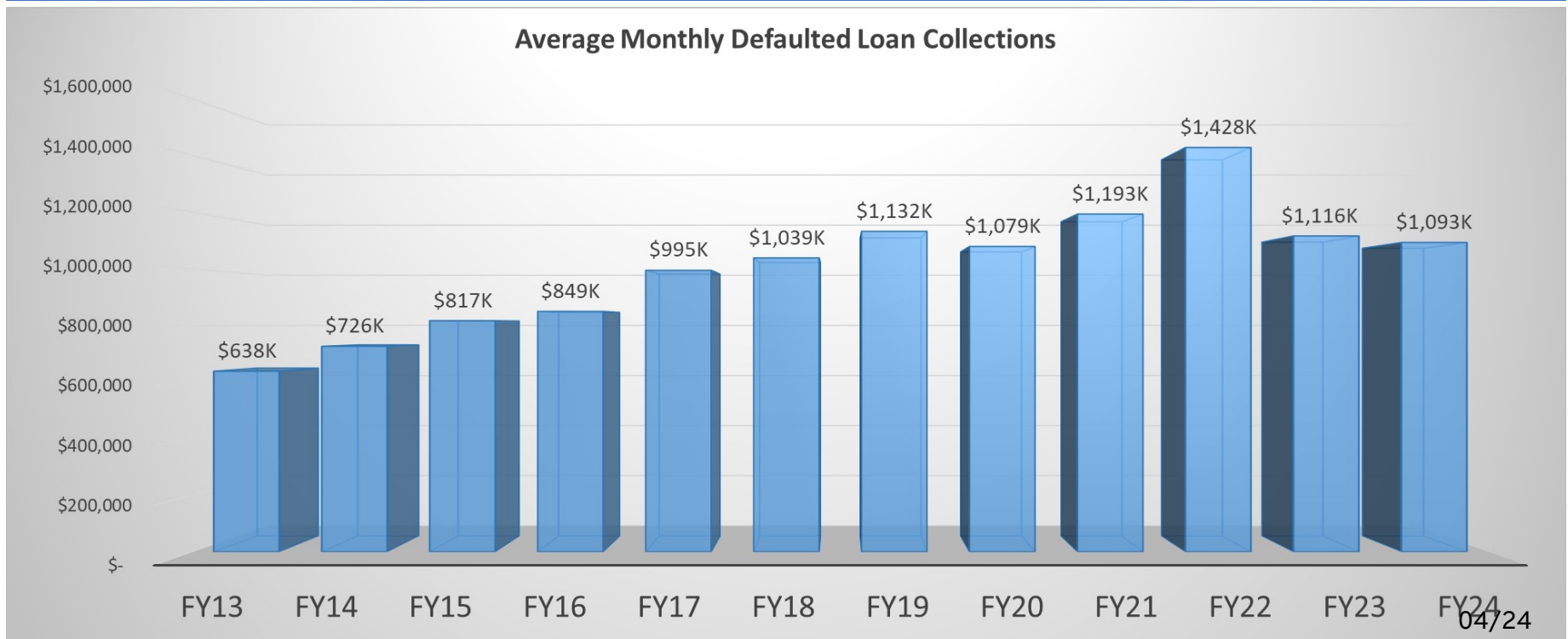
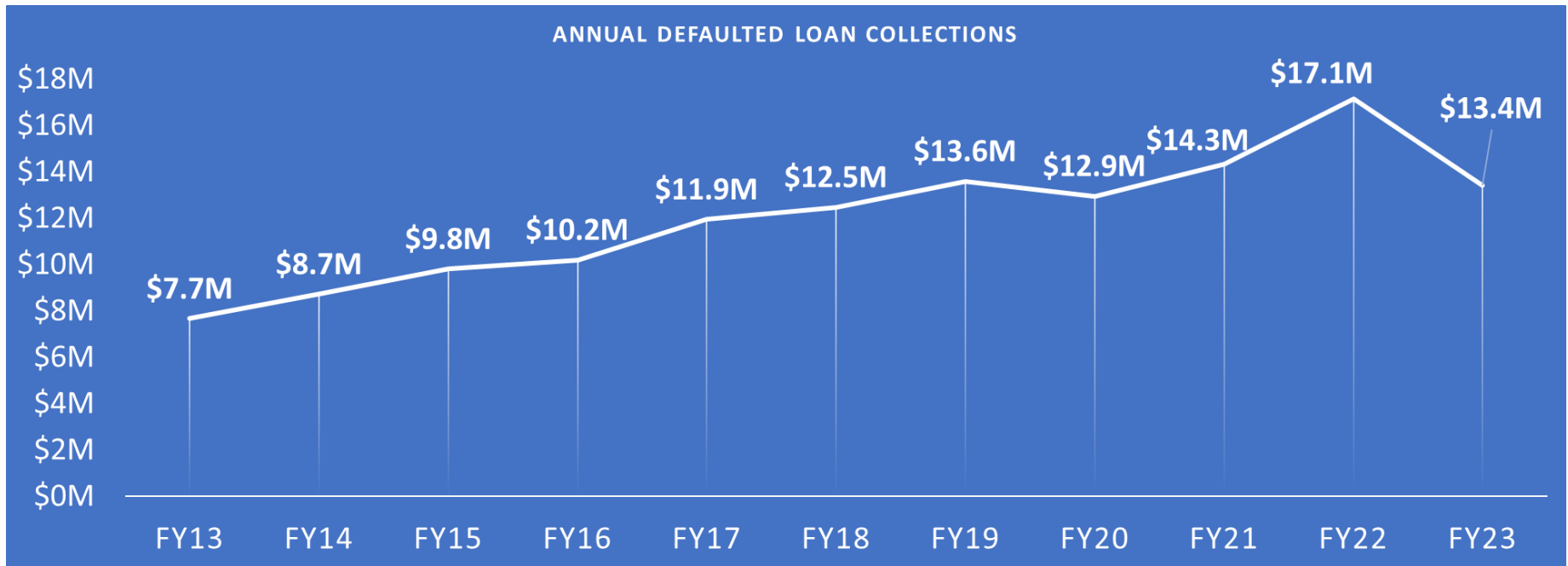
Student Loan Payment Clearing Account (\$K)



04/24

Defaulted Loan Collections Report

Period Ending: 2/29/2024



AGENDA ITEM XI-D

Auditor's update on Internal Audit reports and activities

RECOMMENDATION: No action required

Background Information:

Working on three internal audit projects.

Projects

1. Reporting phase for internal audit of the Texas Research Incentive Program.
2. Starting internal audit of Community College Finance key processes.
3. Continuing advisory project related to Community College Finance.

Fiscal Year 2024 Project Status as of April 2023	Stage of Project
Audit of Grant Research Funding - Texas Research Incentive Program	Reporting
Audit of Community College Finance key processes	Planning
Grant funds administration – Review and advisory services	Not started
Information Security – Review and advisory services	Not started
Audit of Contact Administration	Not started
Advisory services related to Community College Finance	Ongoing
Review of State's <i>Building a Talent Strong Texas</i> Strategic Plan (Carry-over from Fiscal Year 2023)	Canceled

Other Internal Audit Activities

- Starting risk assessment for internal audit plan for Fiscal Year 2025
- External auditor coordination
 - Financial statement audit (KPMG) Fiscal Year 2023
- Recruiting a vacant Senior Internal Auditor position.

Arby Gonzales, Assistant Commissioner for Internal Audit and Compliance, will present this item and be available to answer questions.

AGENDA ITEM XI-E

Auditor's update on state and federal compliance monitoring reports and activities

RECOMMENDATION: No action required

Background Information:

State Compliance Monitoring

The state Compliance Monitoring team completed 10 projects and a corrective action status report during the reporting period since the January 2024 Agency Operations Committee meeting. The final reports are attached.

Formula funding projects and other reports

1. "A Compliance Monitoring Desk Review of Formula Funding at University of Houston - Victoria" (no findings)
2. "A Compliance Monitoring Onsite Review of Formula Funding at The University of Texas Health Science Center at Houston" (no findings)
3. "A Compliance Monitoring Onsite Review of Formula Funding at the University of North Texas" (no findings)
4. "A Compliance Monitoring Desk Review of Formula Funding at The University of Texas Permian Basin" (no findings)
5. "A Compliance Monitoring Follow-Up Review of Formula Funding at Austin Community College" (no findings)

Financial aid projects and other reports

6. "A Compliance Monitoring Desk Review of the Tuition Equalization Grant at Southwestern Adventist University" (two findings)
7. "Compliance Monitoring Corrective Action Status Report – April 2024"

Sexual misconduct reporting projects - reports submitted in CAWS agenda, included here for cross-reference purposes only

8. "A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3" (no observations)

9. “A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3” (no observations)
10. “A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University” (two observations)
11. “Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapters E-2 and E-3” No penalties were assessed in this review period

Fiscal Year 2024 Project Status as of April 2024	Stage
San Jacinto College (FF)	Planning
Stephen F. Austin (TEXAS)	Planning
Midwestern State University (TEXAS)	Planning
Lamar State College - Orange (TEOG)	Planning
Dallas College (TEOG)	Planning
Texas Lutheran University (TEG)	Planning
Grayson College (TEOG)	Planning
Odessa College (TEOG)	Planning
University of Dallas (TEG)	Planning
Ranger College (FF)	Planning
Collin County Community College (Collin College) (FF)	Planning
McMurry University (TEG)	Planning
Midland College (TEOG)	Planning
West Texas A&M University (TEXAS)	Planning
Jacksonville College (TEG)	Planning

Other state compliance monitoring activities

- Fiscal Year (FY) 2025 risk assessment and FY 25 plan
- Complaint-resolution assistance
- Hiring and training new compliance specialist

Federal Compliance Monitoring

Federal compliance monitoring activities

- CLA Single Audit assistance for ARPA grant review
- Single audit reviews planning FY 2023
- Perkins reviews planning/fieldwork FY 2022
- GEER FY 2022 subrecipient monitoring reviews – planning/fieldwork

Arby Gonzales, Assistant Commissioner for Internal Audit and Compliance, and Paul Maeyaert, Director of Compliance for Internal Audit and Compliance, will present this item and be available to answer questions.



1801 N. Congress Ave., Suite 12.200, Austin,
TX 78701

Mail: PO Box 12788, Austin, TX 78711-2788

Phone: 512-427-6101

Fax: 512-427-6127

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

March 11, 2024

Dr. Bob Glenn
President
University of Houston - Victoria
3007 N. Ben Wilson Street
Victoria, Texas 77901

Re: *A Compliance Monitoring Desk Review of Formula Funding at University of Houston - Victoria*, Report No. THECB-CM-FF-24-003.

Dear Dr. Glenn,

I am attaching the final report on *A Compliance Monitoring Desk Review of Formula Funding at University of Houston - Victoria*, Report No. THECB-CM-FF-24-003. There were no observations resulting from this engagement.

Summary

University of Houston - Victoria complied with relevant Coordinating Board (THECB) rules and regulations for the Formula Funding (FF) program and with Texas Administrative Code (TAC), Title 19, Part 1, Chapter 13, Subchapter F, Sections 13.100.

Our review included tests of relevant CBMOCS and CBM008 enrollment data reported and certified by the University of Houston - Victoria.

Our work included procedures to verify:

- Student tuition payment was received in accordance with requirements;
- Reported course enrollment was eligible for formula funding;
- Evidence of academic credentials were maintained to support instructor qualifications; and
- Information Security Controls related to student information were sufficient for the limited purpose of our review.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in April 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this review, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arby James Gonzales". The signature is fluid and cursive, with the first name "Arby" being the most prominent.

Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

PERFORMED BY:

Ms. Shebah Washington, Compliance Specialist
CC:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Ms. Sarah Keyton, Deputy Commissioner, Administration
Ms. Melissa Henderson, Chief of Staff
Ms. Nichole Bunker-Henderson, General Counsel

Funding and Resource Planning

Ms. Emily Cormier, Assistant Commissioner

The University of Houston - Victoria

Ms. Denise Hernandez, Registrar
Mr. Randy Faulk, IT Director
Ms. Jamie Summerlin, Interim Director of Institutional Research and Effectiveness
Ms. Claire Fletcher, Sr. Institutional Research Analyst

The University of Houston System Office

Dr. Renu Khator, Chancellor, UH System
Mr. Tilman J. Fertitta, Chairman, UH System Board of Regents
Mr. Philp Hurd, Chief Audit and Compliance Executive, UH System

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director



1801 N. Congress Ave., Suite 12.200, Austin,
TX 78701
Mail: PO Box 12788, Austin, TX 78711-2788
Phone: 512-427-6101
Fax: 512-427-6127

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

March 11, 2024

Dr. Giuseppe N. Colasurdo
President
The University of Texas Health Science Center at Houston
7000 Fannin St.
Houston, Texas 77030

Re: *A Compliance Monitoring Onsite Review of Formula Funding at The University of Texas Health Science Center at Houston, Report No. THECB-CM-FF-24-007*

Dear Dr. Colasurdo,

Attached is the final report on *A Compliance Monitoring Onsite Review of Formula Funding at The University of Texas Health Science Center at Houston*, Report No. THECB-CM-FF-24-007. There were no observations resulting from this engagement.

This Compliance Monitoring onsite review report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in April, 2024.

If you have any questions or comments, please let me know.

Sincerely,

Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

EXECUTIVE SUMMARY

The University of Texas Health Science Center at Houston complied with relevant Coordinating Board (THECB) rules and regulations for enrollment data used for formula funding and with Texas Education Code, Title 3, Subtitle B, Chapter 61, Section 61.035.

Our consideration of internal control was for the compliance purposes described in the objective/scope section and was not designed to identify all deficiencies in internal control.

We reviewed the following areas:

Reported Semester Credit Hours were Eligible for Formula Funding

No reportable findings were noted.

Student Tuition Payments were Received in Accordance with Requirements

No reportable findings were noted.

Reported Enrollment were Eligible for Formula Funding

No reportable findings were noted.

Onsite Review Scope, Objective, and Methodology

Our onsite review included tests of enrollment data reported and certified by The University of Texas Health Science Center at Houston, and focused on the following enrollment data and time periods:

- CBM001 (Student Report) – Summer semester 2022, and Fall semester 2022, and Spring semester 2023.

Our work included procedures to verify:

- Reported semester credit hours were eligible for formula funding;
- Student tuition payment was received in accordance with requirements;
- Reported enrollment and contact hours reported were eligible for formula funding; and
- Information Security Controls related to student information were sufficient for the limited purpose of our review.

The methodology included objectively reviewing and analyzing various forms of documentation, conducting interviews and observations, and performing other tests of controls necessary to achieve the objectives of the onsite review. THECB used random sampling to determine the extent to which The University of Texas Health Science Center at Houston accurately reported semester credit hour data.

Background

The Texas Education Code §61.059(b) – directs the Board 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. As a specific element of the periodic review, the board shall study and recommend changes in the funding formulas based on the role and mission statements of institutions of higher education.”

The funding formulas are allocations; institutions of higher education have the authority to spend funds appropriated through the formulas in the manner deemed most appropriate; the formula models include enrollment as a major driver; and not all appropriations are made through the formulas.

Texas Administrative Code §1.13(b)(2) states, “The purpose of the Board's risk assessment process and compliance methodologies is to maximize the effectiveness of monitoring funds allocated by the Board and data reported to the Board. The agency-wide, risk-based compliance monitoring function is established for... (B) data reported by institutions of higher education to the Board and used by the Board for funding or policymaking decisions, including data used for formula funding allocations, to ensure the data are accurately and consistently reported.”

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist

cc:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Ms. Sarah Keyton, Deputy Commissioner, Administration
Ms. Melissa Henderson, Chief of Staff
Ms. Nichole Bunker-Henderson, General Counsel

Funding and Resource Planning

Ms. Emily Cormier, Assistant Commissioner

The University of Texas Health Science Center at Houston

Mr. Robert Jenkins, University Registrar
Ms. Stephanie Snedden, Associate Registrar
Ms. Sue Thomey, University Bursar
Ms. Emily Wells, Assistant Director, Campus Enterprise Applications and Academic Technology
Mr. Daniel Sherman, Vice President and Chief Audit Officer

The University of Texas System

Mr. Kevin P. Eltife, Chairman, Board of Regents
Mr. James B. Milliken, Chancellor
Mr. J. Michael Peppers, Chief Audit Executive, System Audit Office

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director

Fred Farias III, O.D.
CHAIR

March 11, 2024

Donna N. Williams
VICE CHAIR

Dr. Neal J. Smatresk
President

S. Javaid Anwar
SECRETARY OF THE BOARD

University of North Texas
1155 Union Circle #311277
Denton, TX 76203

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Re: *A Compliance Monitoring Onsite Review of Formula Funding at the
University of North Texas; Report No. THECB-CM-FF-24-001*

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

Dear Dr. Smatresk,

Attached is the final report on *A Compliance Monitoring Onsite Review of
Formula Funding at the University of North Texas*, Report No. THECB-CM-FF-
24-001. There were no observations resulting from this engagement.

This Compliance Monitoring report will be presented to the THECB Committee
on Agency Operations, a standing committee of the THECB Board, in April,
2024.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

EXECUTIVE SUMMARY

University of North Texas complied with relevant Coordinating Board (THECB) rules and regulations for enrollment data used for formula funding and with Texas Education Code, Title 3, Subtitle B, Chapter 61, Section 61.035.

Our consideration of internal control was for the compliance purposes described in the objective/scope section and was not designed to identify all deficiencies in internal control.

We reviewed the following areas:

Reported Semester Credit Hours were Eligible for Formula Funding

No reportable findings were noted.

Student Tuition Payments were Received in Accordance with Requirements

No reportable findings were noted.

Reported Enrollment were Eligible for Formula Funding

No reportable findings were noted.

Instructors of Record met Applicable Requirements

No reportable findings were noted.

Onsite Review Scope, Objective, and Methodology

Our onsite review included tests of enrollment data reported and certified by the University of North Texas, and focused on the following enrollment data and time periods:

- CBM0CS (Census Student Schedule Report) – Summer 2022, Fall 2022, and Spring 2023 semesters; and
- CBM008 (Faculty Report) – Summer 2022, Fall 2022, and Spring 2023 semesters.

Our work included procedures to verify:

- Reported semester credit hours were eligible for formula funding;
- Student tuition payment was received in accordance with requirements;
- Reported enrollment were eligible for formula funding;
- Evidence of academic credentials were maintained to support required instructor qualifications; and
- Information Security Controls related to student information were sufficient for the limited purpose of our review.

The methodology included objectively reviewing and analyzing various forms of documentation, conducting interviews and observations, and performing other tests of controls necessary to achieve the objectives of the onsite review. THECB used random sampling to determine the extent to which the University of North Texas accurately reported semester credit hour data.

Background

The Texas Education Code §61.059(b) – directs the Board 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. As a specific element of the periodic review, the board shall study and recommend changes in the funding formulas based on the role and mission statements of institutions of higher education.”

The funding formulas are allocations; institutions of higher education have the authority to spend funds appropriated through the formulas in the manner deemed most appropriate; the formula models include enrollment as a major driver; and not all appropriations are made through the formulas.

Texas Administrative Code §1.13(b)(2) states, “The purpose of the Board's risk assessment process and compliance methodologies is to maximize the effectiveness of monitoring funds allocated by the Board and data reported to the Board. The agency-wide, risk-based compliance monitoring function is established for... (B) data reported by institutions of higher education to the Board and used by the Board for funding or policymaking decisions, including data used for formula funding allocations, to ensure the data are accurately and consistently reported.”

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist
Mr. Scott Langenbeck, Compliance Specialist

cc:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Ms. Sarah Keyton, Deputy Commissioner, Administration
Ms. Melissa Henderson, Chief of Staff
Ms. Nichole Bunker-Henderson, General Counsel

Funding and Resource Planning

Ms. Emily Cormier, Assistant Commissioner

University of North Texas

Mr. Shannon Goodman, Vice President for Enrollment
Mr. Clayton Gibson, Vice President for Finance & Administration/CFO Ms.
Shari Schwartz, Sr. Associate Vice President for Enrollment, Registrar Mr.
Chris Foster, Associate Vice President for Student Accounting

University of North Texas System

Ms. Laura Wright, Chair, Board of Regents
Dr. Michael R. Williams, Chancellor
Ms. Ninette Caruso, Chief Audit Executive and Chief Enterprise Risk
Officer

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director

Fred Farias III, OD, MS, FAAO
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

March 11, 2024

Dr. Sandra Woodley
President
The University of Texas Permian Basin
4901 East University
Odessa, Texas 79762

Re: *A Compliance Monitoring Desk Review of Formula Funding at The University of Texas Permian Basin*, Report No. THECB-CM-FF-24-002.

Dear Dr. Woodley,

I am attaching the final report on *A Compliance Monitoring Desk Review of Formula Funding at The University of Texas Permian Basin*, Report No. THECB-CM-FF-24-002. There were no observations resulting from this engagement.

Summary

The University of Texas Permian Basin complied with relevant Coordinating Board (THECB) rules and regulations for the Formula Funding (FF) program and with Texas Administrative Code (TAC), Title 19, Part 1, Chapter 13, Subchapter F, Sections 13.100.

Our review included tests of relevant CBMOCS and CBM008 enrollment data reported and certified by The University of Texas Permian Basin.

Our work included procedures to verify:

- Student tuition payment was received in accordance with requirements;
- Reported course enrollment was eligible for formula funding;
- Evidence of academic credentials were maintained to support instructor qualifications; and
- Information Security Controls related to student information were sufficient for the limited purpose of our review.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in April 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this review, please let me know.

Sincerely,

A handwritten signature in blue ink, reading "Arby James Gonzales". The signature is fluid and cursive, with the first name "Arby" being the most prominent.

Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

PERFORMED BY:

Mr. Jitendra Singh, Compliance Specialist

CC:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Funding and Resource Planning

Ms. Emily Cormier, Assistant Commissioner

The University of Texas Permian Basin

Dr. Raj Dakshinamurthy, Provost, Senior VP for Academic Affairs

Dr. Joe Sanders, Assistant Vice President for Enrollment Mgmt. and Registrar

Dr. Becky Spurlock, Senior VP of Student Affairs and Enrollment Mgmt.

Ms. Stephanie Sherman, Associate Registrar

Ms. Dyan Hudson, Chief Audit Executive ad Interim

Mr. Bradley Shook, Vice President of Information Technology

The University of Texas System Office

Mr. James B. Milliken, Chancellor, UT System Board of Regents

Mr. Kevin P. Eltife, Chairman, UT System Board of Regents

Ms. Stacey Napier, Chairman, UT System Board of Regents

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director

**Texas Higher
Education**
COORDINATING BOARD

1801 N. Congress Ave., Suite 12.200, Austin,
TX 78701

Mail: PO Box 12788, Austin, TX 78711-2788

Phone: 512-427-6101

Fax: 512-427-6127

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

January 26, 2024

Dr. Russell Lowery-Hart
Chancellor
Austin Community College
5930 Middle Fiskville Rd.
Austin, Texas 78752

Re: *A Compliance Monitoring Follow-Up Review of Formula Funding at Austin Community College*, Report No. THECB-CM-FF-23-005F

Dear Dr. Lowery-Hart,

Attached is the final report on *A Compliance Monitoring Follow-Up Review of Formula Funding at Austin Community College*, Report No. THECB-CM-FF-23-005F. There were no observations resulting from this engagement.

Austin Community College implemented the recommendation in our prior report *A Compliance Monitoring Audit of Formula Funding at Austin Community College*, Report No. THECB-CM-FF-23-005, issued May 1, 2023.

Management has implemented the audit recommendation by:

- Capturing and retaining student information system audit logs or change history, for critical data used for formula funding.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in April, 2024.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist
c:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Ms. Melissa Henderson, Chief of Staff
Ms. Sarah Keyton, Associate Commissioner for Administration
Ms. Nichole Bunker-Henderson, General Counsel

Funding and Resource Planning

Ms. Emily Cormier, Assistant Commissioner

Austin Community College

Dr. Barbara P. Mink, Chair, Board of Trustees
Ms. Monique Umphrey, Provost/ EVC for Academic & Student Affairs
Ms. Jenna Cullinane Hege, Vice Chancellor, Institutional Research & Analytics
Mr. Jason Marshall, Chief Information Officer
Ms. Connie Wall, Director of Institutional Reporting

Texas Association of Community Colleges

Dr. Ray Martinez, III, President and Chief Executive Officer

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

February 15, 2024

Ms. Ana Maria Patterson
President
Southwestern Adventist University
100 W. Hillcrest Street
Keene, Texas 76059

Re: *A Compliance Monitoring Desk Review of the Tuition Equalization
Grant at Southwestern Adventist University*, Report No. THECB-CM-
FA-23-025

Dear Ms. Patterson,

Attached is the final report on *A Compliance Monitoring Desk Review of the Tuition Equalization Grant at Southwestern Adventist University*, Report No. THECB-CM-FA-23-025. We made two observations from this engagement, one related to information technology controls, and one related to separation of duties. Your responses have been incorporated into the report.

Summary

We were unable to address our review objective to determine the accuracy of the Tuition Equalization Grant awards reported by Southwestern Adventist University (SWAU) because key financial aid data was unreliable due to access control issues. Improving its information security controls over student information and developing a risk assessment can help SWAU ensure the reliability and integrity of data used for financial aid decision making purposes. We adjusted this project from an audit to a desk review because of the IT controls issues we identified.

We will perform a follow-up review to evaluate SWAU's corrective action to address the recommendations.

The evidence we obtained during the project provides a reasonable basis for the reportable observations and recommendations based on the review objectives.

We will present this Compliance Monitoring desk review report to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in April 2024.

Please let me know if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arby James Gonzales". The signature is fluid and cursive, with the first name "Arby" being more prominent.

Arby James Gonzales, CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Detailed Observations, Recommendations and Management's Responses

1. Strengthening information security controls over key data can help Southwestern Adventist University (SWAU) improve reliability and integrity of data used for financial aid purposes.

Developing internal controls and risk management policies can help SWAU better safeguard personally identifiable and confidential information.

The institution did not provide sufficient documentation regarding information technology control policies and procedures indicating that internal control and risk management standards have been fully implemented.

An institution should identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of student information that could result in the unauthorized disclosure, misuse, alteration, destruction, or other compromise of such information and assess the sufficiency of any safeguards in place to control these risks. At a minimum, an institution's risk assessment should include consideration of risks in each relevant area of their operations and periodically perform additional risk assessments and the sufficiency of safeguards.

The Federal Trade Commission (FTC) has ruled that colleges are subject to the provisions of the Financial Services Act's Security Provisions. Under federal financial aid agreements and the Gramm-Leach-Bliley Act (GLBA), (See FTC 16 CFR 314.1-5), schools must protect student financial aid information. The GLBA requires institutions to, among other requirements:

- a) Develop, implement, and maintain a written information security program;
- b) Designate the employee(s) responsible for coordinating the information security program;
- c) Identify and assess risks to customer information;
- d) Design and implement an information safeguards program;
- e) Select appropriate service providers that are capable of maintaining appropriate safeguards; and
- f) Periodically evaluate and update their security program.

Other state and federal requirements support the need for sufficient internal controls:

- 1. Federal grant rules strongly suggest the implementation of internal controls as described in "Standards for Internal Control in the Federal Government," commonly referred to as the "Green Book", per 2 CFR (Code of Federal Regulations) Section 200.303.
- 2. Family Educational Rights and Privacy Act (FERPA) Title 34, Code of Federal Regulations, Subtitle A, Part 99, Subpart D, Section 99.31 [34 CFR 99.31(a)(1)(ii)] requires that "An educational agency or institution must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests."
- 3. The Program Participation Agreement relating to financial aid between Southwestern Adventist University and the THECB requires that Southwestern Adventist University administer all THECB Program funds in accordance with state and federal laws.

Recommendation #1:

Develop policies and procedures, including a risk assessment, to meet the requirements of the Federal Trade Commission, the Gramm-Leach-Bliley Act, and other referenced guidance that pertain to internal controls and institutional information security systems.

Management Response:

Southwestern Adventist University was only aware of the requirements as noted in FTC 16. C.F.R. 314.4 under the provisions of the Financial Services Act's Provisions and the Gramm Leach-Bliley Act (GLBA) and published as 88FR 77508 when the auditor brought this to our attention. While we do not currently have a formal written security program in place, we want to assure you that we are committed to ensuring the safety and security of our organization, our employees, and our data. We recognize the importance of a robust security framework in today's digital landscape, and we are actively working towards establishing a comprehensive written security program to adhere to federal grant rules as described in "Standards for Internal Control in the Federal Government referred to as the "Green Book", per 2 CFR Section 200.303.

To date, we have been following industry best practices to secure our systems and sensitive information. Our team has been diligent in implementing security measures and protocols wherever possible to mitigate risks and protect our assets. However, we acknowledge the need for a more structured and documented approach as noted in the Family Educational Rights and Privacy Act (FERPA) Title 34, Code of Federal Regulations, Subtitle A, Part 99 Subpart D, Section 99.31 [34 CFR 99.31 (a)(1)(ii)].

We are pleased to inform you that we have initiated the process of building a formal security program document that aligns with industry standards and regulatory requirements. This document will encompass all aspects of security, including data protection, network security, physical security, incident response, and employee training. Our dedicated team is collaborating closely to ensure that this program is thorough, effective, and tailored to our specific needs. We anticipate that this security program document will be completed within the next two months. During this time, we will be rigorously reviewing and refining our security policies and procedures to ensure they meet the highest standards of security excellence. We are committed to transparency in our efforts and will keep you updated on our progress.

We understand that security is a critical concern for our stakeholders, and we take this responsibility seriously. Rest assured; we are actively working towards establishing a formal security program that will provide a clear roadmap for safeguarding our organization's assets. Administration made an executive decision on January 23, 2024 to designate Mr. Keith Beucler who is currently our Associate ITS Director as our Chief Information and Security Officer as per 16 C.F.R.314.4(a) since he holds a master's degree in cybersecurity and currently completing his doctoral work in cybersecurity. He will have the responsibilities to implement and enforce the information security program, and will have the necessary authority, resources, and access to carry out his work. He will ultimately report to the VP for Institutional Research and Effectiveness who is tasked with overall compliance for all regulations and policies for Southwestern Adventist University, by way of the Director ITS, Mr. Charles Lewis.

Southwestern Adventist University is committed to meeting the requirement of 16 C.F.R.

314.4 thus we have decided to do the following:

1. Add a half time position in the ITS department to relieve Mr. Beucler of other responsibilities so he can have more dedicated time to fulfill said requirements as soon as possible.

2. Add an additional \$40,000 in ITS annual budget to invest in state-of-the-art security equipment and software, hiring external security consultants for comprehensive assessments and training and awareness programs for staff and students.

Administrator Responsible for the Corrective Action: Dr. Marcel Sargeant, VP for Institutional Research and Effectiveness

2. Improving security access to the student information system can help ensure separation of duties among SWAU staff and compliance with federal requirements.

For the fiscal year 2023, SWAU used the OpenCUAS system to maintain student financial aid data. One Security Profile in the OpenCUAS system, Student Financial Services Staff, has create/modify/delete access to both student accounts and financial aid data which creates a lack of separation of duties among employees that create student accounts and those that disburse financial aid. Currently, SWAU uses Ellucian Colleague to maintain student financial aid data. Employees in the new system continue to have access to both student accounts and financial aid data.

Five of 12 employees tested had been assigned the Student Financial Services Staff security profile.

FERPA (34 CFR 99.31(a)(1)(ii)) requires that "An educational agency or institution must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests." In addition, the Gramm-Leach-Bliley Act (GLBA), (See FTC 16 CFR 314.1-5) requires institutions to, among other requirements:

- a) Develop, implement, and maintain a written information security program;
- b) Designate the employee(s) responsible for coordinating the information security program;
- c) Identify and assess risks to customer information;
- d) Design and implement an information safeguards program;
- e) Select appropriate service providers that are capable of maintaining appropriate safeguards; and
- f) Periodically evaluate and update their security program.

Recommendation #2:

Improving controls over security access to all systems that maintain student data by implementing appropriate separation of duties among staff can help SWAU better protect financial aid and other student data from unauthorized use and comply with 34 CFR 99.31 (FERPA) and the Gramm-Leach-Bliley Act (GLBA), (See FTC 16 CFR 314.1-5).

Management Response:

Southwestern as of 2022 Fall moved away from OpenCUAS and is currently using Ellucian Colleague. This system allows for the control of employee's access as noted in the Family Educational Rights and Privacy Act (FERPA) Title 34, Code of Federal Regulations, Subtitle A, Part 99 Subpart D, Section 99.31 [34 CFR 99.31 (a)(1)(ii)]. This means that employees working in the Federal Financial Aid office will only have the access based on their security clearance called persona that will allow to the administrative rights to view, edit or modify students' records. Student Accounts employees will only have access to carry out the task as required of them. The business office has access to approve and post the disbursement of funds to students' accounts; however, they do not have access to the financial aid staff persona for students' accounts.

As was noted in our response to recommendation 1 in our corrective plan as outlined in our response to recommendation 1, the same plan, personnel and budget will be implemented so we can adhere to [34 CFR 99.31 (a)(1)(ii)]. The personas as created for these employees will be according to the Federal grant rules and FERPA since Texas Higher Education and Coordinating Board requires that Southwestern Adventist University administers all THECB Program funds in accordance with state and federal laws, so they will be no opportunity for misuse and/or abuse as noted the findings of the auditor.

Administrator Responsible for the Corrective Action: Dr. Marcel Sargeant, VP for Institutional Research and Effectiveness

PERFORMED BY:

Ms. Grace Wicke, Compliance Specialist
Ms. Jamyen Robinson-Hall, Senior Compliance Specialist
c:

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Ms. Sarah Keyton, Deputy Commissioner, Administration
Ms. Melissa Henderson, Chief of Staff
Ms. Nichole Bunker-Henderson, General Counsel

Student Financial Aid Programs

Dr. Charles W. Contéro-Puls, Assistant Commissioner
Ms. DeChà Reid, Senior Director, Financial Aid Services

Southwestern Adventist University

Mr. Elder Carlos Craig, Chairman, Board of Trustees
Dr. Carlos Charnichart, Vice President for Financial Administration
Mr. Duane A. Valencia, Financial Aid Director – Student Financial Services
Dr. Marcel Sargeant, Vice President for Institutional Research & Effectiveness

Independent Colleges and Universities in Texas

Ms. Elizabeth Puthoff, President

State Auditor's Office

Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattsson, Assistant Director

Compliance Monitoring Corrective Action Status Report - April 2024

<u>Project</u>	<u>Issue date</u>	<u>Recommendation</u>	<u>Expected</u>	<u>Status</u>
Coastal Bend College (Perkins)	5/12/2022	Update Inventory Control Policy	Oct-23	Not Verified
Coastal Bend College (Perkins)	5/12/2022	Establish Centralized Inventory Control	Oct-23	Not Verified
South Plains College (TEOG)	9/19/2022	Update existing degree eligibility review	May-23	Completed, Not Verified
South Plains College (TEOG)	9/19/2022	Return \$3310 to THECB	May-23	Completed, Not Verified
Howard County Junior College (TEOG)	12/16/2022	Update TEOG Tuition Matching procedures	Dec-22	Not Verified
Howard County Junior College (TEOG)	12/16/2022	Corrective Plan to reimburse students	Sep-23	Not Verified
Wayland Baptist University (TEG)	12/16/2022	Update Selective Service review procedures	Dec-22	Not Verified
Wayland Baptist University (TEG)	12/16/2022	Return \$5130 to THECB	Dec-22	Completed, Not Verified
Austin Community College (FF)	5/1/2023	Update Information Security controls	Jun-23	Verified
Paul Quinn College (TEG)	9/15/2023	Update financial aid reporting procedures	Jul-24	Not Verified
Southwestern Christian College (TEG)	9/15/2023	Strengthen Information Security controls	Jun-24	Not Verified
Southwestern Christian College (TEG)	9/15/2023	Update financial aid reporting procedures	Feb-24	Not Verified
Southwestern Christian College (TEG)	9/15/2023	Update existing degree eligibility procedures	Oct-23	Not Verified
Southwestern Christian College (TEG)	9/15/2023	Return \$7800 to THECB	Oct-23	Not Verified
Jarvis Christian University	11/1/2023	Update TEG policies for disb/ cash mgmt	May-24	Not Verified
Houston Christian University	2/14/2024	Update Sexual Misconduct policies	Feb-24	New
Southwestern Adventist University	2/15/2024	Strengthen IT controls	Jul-24	New
Southwestern Adventist University	2/15/2024	Improve separation of duties	Jul-24	New

LEGEND	
New	Recommendation is newly reported.
Verified	Verified - Recommendation has been verified as implemented.
Completed, Not Verified	Completed, Not Verified - Recommendation has been completed but has not been tested and verified as implemented.
Not Verified	Not verified - Recommendation is in progress or pending verification.
Verified as not Implemented	Verified as not implemented - Verification determined that either no corrective action was taken, or the corrective action taken did not mitigate the identified risk.

**Texas Higher
Education
COORDINATING BOARD**

1801 N. Congress Avenue, Suite 12.200, Austin, TX 78701
Mail: PO Box 12788, Austin, TX 78711-2788
Phone: 512-427-6101
Fax: 512-427-6127

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

February 14, 2024

Dr. Jennifer Kent
President
Victoria College
2200 E. Red River Street
Victoria, TX 77901

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Dr. Kent,

Attached is the final report on a compliance monitoring review of requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College. There were no observations to the requirements contained in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3.

Summary

Victoria College substantially complied with requirements contained in Texas Education Code, Title 3, Subtitle A, Chapter 51, Subchapter E-3.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing compliance with specific HB-1735 compliance and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institutions of higher education (IHE). We collaborated with AAWE and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the IHE's compliance with the requirements of HB-1735 for IHEs.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the Academic Affairs and Workforce Education (AAWE) office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the IHE to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Complied
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Complied
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents".	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies;	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
	(2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or (3) hospitals or other medical resource providers.	
51.290 (1) and (2)	Provides for at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Ms. Shebah Washington, Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Academic & Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Victoria College

Mr. V. Bland Proctor, Chairman, Board of Trustees

Ms. Terri Kurtz, Executive Director of Human Resources and XI Coordinator

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director

**Texas Higher
Education
COORDINATING BOARD**

1801 N. Congress Avenue, Suite 12.200, Austin, TX 78701

Mail: PO Box 12788, Austin, TX 78711-2788

Phone: 512-427-6101

Fax: 512-427-6127

Fred Farias III, O.D.
CHAIR

February 9, 2024

Donna N. Williams
VICE CHAIR

Dr. Vincent R. Solis

S. Javaid Anwar
SECRETARY OF THE BOARD

President

Cage M. Sawyers
STUDENT REPRESENTATIVE

Brazosport College

500 College Drive

Lake Jackson, TX 77566

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

Dr. Solis,

Attached is the final report on a compliance monitoring review of requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College. There were no observations to the requirements contained in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3.

Summary

Brazosport College substantially complied with requirements contained in Texas Education Code, Title 3, Subtitle A, Chapter 51, Subchapter E-3.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing compliance with specific HB-1735 compliance and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institutions of higher education (IHE). We collaborated with Academic & Health Affairs (AHA) and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the IHE's compliance with the requirements of HB-1735 for IHEs.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the AHA office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the IHE to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Complied
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Complied
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents".	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies; (2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
	(3) hospitals or other medical resource providers.	
51.290 (1) and (2)	Provides for at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Mr. Scott Langenbeck, Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Ms. Melissa Henderson, Chief of Staff

Ms. Sarah Keyton, Associate Commissioner for Administration

Ms. Nichole Bunker-Henderson, General Counsel

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Academic & Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner, Academic & Health Affairs

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Brazosport College

Mr. Robert Perryman, Chair, Board of Regents

Dr. Brad McGonagle, Vice President of Human Resources & Title IX Coordinator

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director



1801 N. Congress Avenue, Suite 12.200, Austin, TX 78701
 Mail: PO Box 12788, Austin, TX 78711-2788
 Phone: 512-427-6101
 Fax: 512-427-6127

Fred Farias III, O.D.
 CHAIR

Donna N. Williams
 VICE CHAIR

S. Javaid Anwar
 SECRETARY OF THE BOARD

Cage M. Sawyers
 STUDENT REPRESENTATIVE

Richard L. Clemmer
 Stacy A. Hock
 Emma W. Schwartz
 Ashlie A. Thomas
 Welcome Wilson, Jr.
 Daniel O. Wong

Harrison Keller, Ph.D.
 COMMISSIONER OF HIGHER
 EDUCATION

February 14, 2024

Dr. Robert B. Sloan
 President
 Houston Christian University
 7502 Fondren Rd
 Houston, TX 77074

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University; Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Dr. Sloan,

Attached is the draft report on *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University*. Below is a summary of our results.

Summary

Houston Christian University (HCU) substantially complied with requirements in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3. However, there were two requirements where HCU did not completely comply. Specifically, HCU had policies related to TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3; however, it could not provide documentation to support that:

1. The Board of Trustees approved its policy, as required by Section 51.282 (a)(2)), and
2. It reviewed policies at least biennially, as required by Section 51.282 (f).

Documenting the Board of Trustees' approval of the policy and establishing at least a biennial review of the policy could help HCU better ensure it complies with all requirements. HCU staff agreed with the observations during the project and committed to remedying them moving forward.

Contents of the report include:

- Table 1: Subchapter E-3 Compliance Requirements and Summary Results
- DETAILED REPORT
- Table 2: Potential Penalties for Substantial Noncompliance

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

We greatly appreciated HCU staffs' assistance, collaboration, and cooperation during this review. Please let me know if you have any questions or comments.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Could not provide documentation to support that the Board of Trustees approved the policy.
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Could not provide documentation to support that it reviewed policies at least biennially.
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents."	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies; (2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or (3) hospitals or other medical resource providers.	Complied
51.290 (1) and (2)	Provides at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

DETAILED REPORT

Houston Christian University substantially complied with the requirements codified in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3. However, it can improve its compliance with two of eighteen requirements, specifically:

- Section 51.282 (a)(2), related to board approved policy; and
- Section 51.282 (f), related to biennial review and governing board approval of any policy revisions.

The Compliance Monitoring team greatly appreciates the cooperation and assistance provided by Houston Christian University and Academic and Health Affairs (AHA) staff members during this review. We look forward to our ongoing collaborative efforts to ensure HCU's compliance.

Detailed Observations, Recommendations, and Management Responses:

Incorporating the Board of Trustees to approve E-3 policy requirements and establishing biennial review of policy revisions could help HCU better comply with requirements.

Observation 1.

HCU could not provide documentation to support that the Board of Trustees approved a policy that covers the required elements for its sexual assault and reporting (Title IX) policy. (51.282(a)(2))

Recommendation:

HCU should include a provision in its sexual assault and reporting (Title IX) policy that ensures Board of Trustees approval.

Management Response:

HCU has added a provision in its sexual assault and reporting (Title IX) policy to ensure Board of Trustees approval. The policy will be approved by the Board of Trustees at the next board meeting on February 20, 2024.

Observation 2.

HCU could not provide documentation to support that it has a process in place to conduct a biennial review of its Title IX policy that is approved by the Board of Trustees. (51.282(f))

Recommendation:

HCU should include a provision in its Title IX policy that ensures it conducts a biennial review and revisions are approved by the Board of Trustees.

Management Response:

HCU has added a provision in its sexual assault and reporting (Title IX) policy to ensure there is a biennial review of the Title IX policy and revisions are approved by the Board of Trustees.

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institution. We collaborated with AHA and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the institution's compliance with the requirements for institutions.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the Academic and Health Affairs office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the institution to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Academic and Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Houston Christian University

Rev. Garry Blackmon, Chair, Board of Trustees

Ms. Sandra Mooney, Chief Financial Officer/Chief Operating Officer

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director

Fred Farias III, O.D.
CHAIR

Donna N. Williams
VICE CHAIR

S. Javaid Anwar
SECRETARY OF THE BOARD

Cage M. Sawyers
STUDENT REPRESENTATIVE

Richard L. Clemmer
Stacy A. Hock
Emma W. Schwartz
Ashlie A. Thomas
Welcome Wilson, Jr.
Daniel O. Wong

Harrison Keller, Ph.D.
COMMISSIONER OF HIGHER
EDUCATION

February 14, 2024

Dr. Harrison Keller
Commissioner of Higher Education
1801 N. Congress Avenue
Suite 12.200
Austin, TX 78701

Re: *Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapters E-2 and E-3*

Dr. Keller,

Attached is the final report of our *Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapters E-2 and E-3*. This information will be presented at the April 2024 Committee on Academic and Workforce Success.

All institutions we reviewed were in substantial compliance with Subchapters E-2 and E-3. However, some postsecondary educational institutions (PEIs) did not comply with specific requirements. Specifically:

- 11 of 218 PEIs we tested under Subchapter E-2 did not timely file the annual Chief Executive Officer (CEO) Certification by the October 31, 2023 due date established by the coordinating board.
- One of three PEIs we tested under Subchapter E-3 could not provide documentation to support that:
 - The Board of Trustees approved its policy, as required by Section 51.282 (a)(2)), and
 - It reviewed policies at least biennially, as required by Section 51.282 (f).

Contents of the report include:

- Subchapter E-2 results in Table 1;
- E-3 compliance requirements in Table 2;
- Potential Penalties for Substantial Noncompliance in Table 3; and
- Individual reports of E-3 compliance are included as Attachments 1, 2, and 3.

The E-2 and E-3 requirements became effective on September 1, 2019.

If you have any questions or comments, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arby James Gonzales". The signature is fluid and cursive, with the first name "Arby" being particularly prominent.

Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Table 1: E-2 CEO Certifications Not Timely Filed¹

Institution Type/Number	Institution	Date Received by Coordinating Board
Public Universities		
1	The University of Texas Permian Basin	11/01/2023
Private Universities		
2	Huston-Tillotson University	11/01/2023
3	LeTourneau University	11/02/2023
4	Parker University	11/2/2023
5	Texas Lutheran University	11/02/2023
6	Houston Christian University*	11/30/2023
7	Southwestern Christian College	11/30/2023
Community Colleges		
8	Amarillo College	11/08/2023
9	Brazosport College*	11/16/2023
10	Temple College	11/3/2023
11	Victoria College*	11/15/2023
<i>*See the final reports for these PEIs as Attachments 1, 2, and 3.</i>		

¹ Texas Education Code Chapter 51 Subchapter E-2, Sec. 51.258 (a) The chief executive officer of each postsecondary educational institution shall annually certify in writing to the coordinating board that the institution is in substantial compliance with this subchapter. THECB requires the CEO Certification to be filed no later than October 31st each year based on Rule 3.19(a).

Table 2: Subchapter E-3 Compliance Requirements

Item Number	Bill Reference by Section	Policy Compliance Requirements
1	51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.
2	51.282 (a)(2)	Board-approved policy.
3	51.282 (b)(1)	Included in student handbook and personnel handbook.
4	51.282 (b)(2)	Dedicated webpage and clearly linked to the IHE homepage.
5	51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.
6	51.282 (d)	Prevention and outreach program that addresses required elements.
7	51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.
8	51.282 (f)	Biennial review and governing board approval of policy revisions.
9	51.283	Electronic reporting option for an enrolled student or an IHE employee.
10	51.284	Provides "Amnesty for Students Reporting Certain Incidents".
11	51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the IHE's decision whether it will investigate the alleged incident.
12	51.286	A disciplinary process for certain violations.
13	51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.
14	51.288	Trauma-informed investigation training to each peace officer employed by an IHE.
15	51.289 (1), (2), and (3)	IHE has an MOU with one or more of the following: (1) local law enforcement agencies; (2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or (3) hospitals or other medical resource providers.
16	51.290 (1) and (2)	Provides for at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.
17	51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.
18	51.293	Protocols address equal access for students enrolled at or employees of an IHE who are persons with disabilities.

Table 3: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

Attachment 1: *A Compliance Monitoring review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College*

February 9, 2024

Dr. Vincent R. Solis
President
Brazosport College
500 College Drive
Lake Jackson, TX 77566

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Dr. Solis,

Attached is the final report on a compliance monitoring review of requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Brazosport College. There were no observations to the requirements contained in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3.

Summary

Brazosport College substantially complied with requirements contained in Texas Education Code, Title 3, Subtitle A, Chapter 51, Subchapter E-3.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing compliance with specific HB-1735 compliance and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institutions of higher education (IHE). We collaborated with Academic & Health Affairs (AHA) and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the IHE's compliance with the requirements of HB-1735 for IHEs.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the AHA office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the IHE to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Complied
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Complied
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents".	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies; (2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
	(3) hospitals or other medical resource providers.	
51.290 (1) and (2)	Provides for at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Mr. Scott Langenbeck, Compliance Specialist

THECB

Board Members

Commissioner's Office

Dr. Harrison Keller, Commissioner of Higher Education

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Academic & Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Brazosport College

Mr. Robert Perryman, Chair, Board of Regents

Dr. Brad McGonagle, Vice President of Human Resources & Title IX Coordinator

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director

Attachment 2: *Compliance Monitoring review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College*

February 14, 2024

Dr. Jennifer Kent
President
Victoria College
2200 E. Red River Street
Victoria, TX 77901

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College; Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Dr. Kent,

Attached is the final report on a compliance monitoring review of requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Victoria College. There were no observations to the requirements contained in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3.

Summary

Victoria College substantially complied with requirements contained in Texas Education Code, Title 3, Subtitle A, Chapter 51, Subchapter E-3.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

If you have any questions or comments, please let me know.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing compliance with specific HB-1735 compliance and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institutions of higher education (IHE). We collaborated with AAWE and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the IHE's compliance with the requirements of HB-1735 for IHEs.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the Academic Affairs and Workforce Education (AAWE) office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the IHE to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Complied
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Complied
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents".	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies;	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
	(2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or (3) hospitals or other medical resource providers.	
51.290 (1) and (2)	Provides for at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Ms. Shebah Washington, Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Academic & Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Victoria College

Mr. V. Bland Proctor, Chairman, Board of Trustees

Ms. Terri Kurtz, Executive Director of Human Resources and XI Coordinator

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director

Attachment 3: *Compliance Monitoring review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University*



1801 N. Congress Avenue, Suite 12.200, Austin, TX 78701
 Mail: PO Box 12788, Austin, TX 78711-2788
 Phone: 512-427-6101
 Fax: 512-427-6127

Fred Farias III, O.D.
 CHAIR

Donna N. Williams
 VICE CHAIR

S. Javaid Anwar
 SECRETARY OF THE BOARD

Cage M. Sawyers
 STUDENT REPRESENTATIVE

Richard L. Clemmer
 Stacy A. Hock
 Emma W. Schwartz
 Ashlie A. Thomas
 Welcome Wilson, Jr.
 Daniel O. Wong

Harrison Keller, Ph.D.
 COMMISSIONER OF HIGHER
 EDUCATION

February 14, 2024

Dr. Robert B. Sloan
 President
 Houston Christian University
 7502 Fondren Rd
 Houston, TX 77074

Re: *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University; Summary Results – Compliance Requirements – Texas Education Code, Chapter 51, Subchapter E-3*

Dr. Sloan,

Attached is the draft report on *A Compliance Monitoring Review of Requirements related to Sexual Harassment, Sexual Assault, Dating Violence, and Stalking at Houston Christian University*. Below is a summary of our results.

Summary

Houston Christian University (HCU) substantially complied with requirements in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3. However, there were two requirements where HCU did not completely comply. Specifically, HCU had policies related to TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3; however, it could not provide documentation to support that:

1. The Board of Trustees approved its policy, as required by Section 51.282 (a)(2)), and
2. It reviewed policies at least biennially, as required by Section 51.282 (f).

Documenting the Board of Trustees' approval of the policy and establishing at least a biennial review of the policy could help HCU better ensure it complies with all requirements. HCU staff agreed with the observations during the project and committed to remedying them moving forward.

Contents of the report include:

- Table 1: Subchapter E-3 Compliance Requirements and Summary Results
- DETAILED REPORT
- Table 2: Potential Penalties for Substantial Noncompliance

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Workforce Success, a standing committee of the THECB Board, on April 24, 2024.

We greatly appreciated HCU staffs' assistance, collaboration, and cooperation during this review. Please let me know if you have any questions or comments.

Sincerely,



Arby James Gonzales CPA, CFE
Assistant Commissioner, Internal Audit and Compliance

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.282 (a)(1)(A)	A "Definitions" page and details prohibited behavior.	Complied
51.282 (a)(2)	Board-approved policy.	Could not provide documentation to support that the Board of Trustees approved the policy.
51.282 (b)(1)	Included in student handbook and personnel handbook.	Complied
51.282 (b)(2)	Dedicated webpage and clearly linked to the institution homepage.	Complied
51.282 (c)	Requires each entering freshman or undergraduate transfer students to attend an orientation on the institution's policy.	Complied
51.282 (d)	Prevention and outreach program that addresses required elements.	Complied
51.282 (e)(1) and (2)	Protocol addresses counseling resources and must allow course drop.	Complied
51.282 (f)	Biennial review and governing board approval of policy revisions.	Could not provide documentation to support that it reviewed policies at least biennially.
51.283	Electronic reporting option for an enrolled student or an institution employee.	Complied
51.284	Provides "Amnesty for Students Reporting Certain Incidents."	Complied
51.285 (a) and (c)	Procedures for documenting a victim request not to investigate and to notify the victim of the institution's decision whether it will investigate the alleged incident.	Complied
51.286	A disciplinary process for certain violations.	Complied
51.287	Protocol for when a student withdraws or graduates with pending disciplinary charges.	Complied
51.288	Trauma-informed investigation training to each peace officer employed by an institution.	Complied

Table 1: Subchapter E-3 Compliance Requirements and Summary Results

Bill Reference by Section	Policy Compliance Requirements	Compliance Assessment
51.289 (1), (2), and (3)	Institution has an MOU with one or more of the following: (1) local law enforcement agencies; (2) sexual harassment, sexual assault, dating violence, or stalking advocacy groups; or (3) hospitals or other medical resource providers.	Complied
51.290 (1) and (2)	Provides at least one or more responsible employee, confidential employee, and student advocate. Responsible employee for the purposes of Title IX; (1) Confidential employee to whom enrolled students may speak confidentially; and (2) Student advocate is an enrolled student to whom an enrolled student may speak confidentially.	Complied
51.291	Addresses confidentiality adheres to these requirements stipulated in this sub-section.	Complied
51.293	Protocols address equal access for students enrolled at or employees of an institution who are persons with disabilities.	Complied

DETAILED REPORT

Houston Christian University substantially complied with the requirements codified in Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, Subchapter E-3. However, it can improve its compliance with two of eighteen requirements, specifically:

- Section 51.282 (a)(2), related to board approved policy; and
- Section 51.282 (f), related to biennial review and governing board approval of any policy revisions.

The Compliance Monitoring team greatly appreciates the cooperation and assistance provided by Houston Christian University and Academic and Health Affairs (AHA) staff members during this review. We look forward to our ongoing collaborative efforts to ensure HCU's compliance.

Detailed Observations, Recommendations, and Management Responses:

Incorporating the Board of Trustees to approve E-3 policy requirements and establishing biennial review of policy revisions could help HCU better comply with requirements.

Observation 1.

HCU could not provide documentation to support that the Board of Trustees approved a policy that covers the required elements for its sexual assault and reporting (Title IX) policy. (51.282(a)(2))

Recommendation:

HCU should include a provision in its sexual assault and reporting (Title IX) policy that ensures Board of Trustees approval.

Management Response:

HCU has added a provision in its sexual assault and reporting (Title IX) policy to ensure Board of Trustees approval. The policy will be approved by the Board of Trustees at the next board meeting on February 20, 2024.

Observation 2.

HCU could not provide documentation to support that it has a process in place to conduct a biennial review of its Title IX policy that is approved by the Board of Trustees. (51.282(f))

Recommendation:

HCU should include a provision in its Title IX policy that ensures it conducts a biennial review and revisions are approved by the Board of Trustees.

Management Response:

HCU has added a provision in its sexual assault and reporting (Title IX) policy to ensure there is a biennial review of the Title IX policy and revisions are approved by the Board of Trustees.

Review Objective, Scope and Methodologies

Our review objective was limited to reviewing and reporting requirements as codified in TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-3 for the institution. We collaborated with AHA and agreed that for the initial reporting cycle, our audit scope would be limited to certain criteria as noted in the Summary of Results section in this report.

We further agreed that our role would be to remain neutral in policy matters while providing an objective review regarding the nature and extent of the institution's compliance with the requirements for institutions.

We reviewed the information submitted to the THECB, requested follow up information as needed, and performed limited testing to address the review objective.

Background

This review was included in the 2023 Compliance Monitoring Plan. Policy guidance and direction is centralized in the Academic and Health Affairs office under the Director, Private Postsecondary Institutions who also acts as the agency's Title IX Coordinator for Institutions.

The 86th Legislature enacted HB-1735, amending Texas Education Code (TEC), Title 3, Subtitle A, Chapter 51, by adding Subchapter E-3 requiring each postsecondary education institution to adopt a policy on sexual harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution. Further, Section 51.292(a) authorizes the coordinating board to assess an administrative penalty for failure of the institution to show substantial compliance with the act.

Additionally, Section 51.292(f) requires the THECB to annually submit its report to the governor, the lieutenant governor, the speaker of the house of representatives and the standing legislative committees with primary jurisdiction over legislation concerning sexual assault at postsecondary educational institutions. The report will include a summary of the postsecondary educational institutions found not to be in substantial compliance as provided by this section and any penalties assessed under this section during the calendar year preceding the date of the report. The initial report is to be filed not later than September 1, 2021. No penalties were assessed in this review period.

Table 2: Potential Penalties for Substantial Noncompliance

Statute and Rule Violations	Institutional Failure to Maintain Substantial Compliance Related to	Potential Annual Penalty
Tex. Educ. Code §51.282; §3.4	Policy Requirements	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Accessibility	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Orientation for Students	\$5,000
Tex. Educ. Code §51.282; §3.4	Outreach Program for Students and Employees	\$5,000
Tex. Educ. Code §51.282; §3.4	Policy Review	\$5,000
Tex. Educ. Code §51.283; §3.7	Electronic Reporting Option	\$5,000
Tex. Educ. Code §51.284; §3.5(e)	Amnesty for Students Reporting Certain Incidents	\$30,000
Tex. Educ. Code §51.285; §3.19	Victim Request Not to Investigate	\$5,000
Tex. Educ. Code §51.286; §3.10	Disciplinary Process for Certain Violations	\$30,000
Tex. Educ. Code §51.287; §§3.11, 3.30	Student Withdrawal or Graduation Pending Disciplinary Charges	\$30,000
Tex. Educ. Code §51.288; §3.12	Trauma Informed Investigation Training	\$5,000
Tex. Educ. Code §51.289; §3.13	Memoranda of Understanding Required	\$5,000
Tex. Educ. Code §51.290; §§3.14, 3.15	Responsible and Confidential Employee; Student Advocate	\$30,000
Tex. Educ. Code §51.291; §3.17	Confidentiality	\$60,000
Tex. Educ. Code §51.293; §3.16	Equal Access	\$5,000

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Dr. David Troutman, Deputy Commissioner, Academic Affairs

Ms. Sarah Keyton, Deputy Commissioner, Administration

Ms. Melissa Henderson, Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Academic and Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner

Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for Higher Education Institutions

Houston Christian University

Rev. Garry Blackmon, Chair, Board of Trustees

Ms. Sandra Mooney, Chief Financial Officer/Chief Operating Officer

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director

End of Attachments

PERFORMED BY:

Ms. Jamyen Robinson-Hall, Senior Compliance Specialist
Ms. Shebah Washington, Compliance Specialist
Mr. Scott Langenbeck, Compliance Specialist

THECB**Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education
Dr. David Troutman, Deputy Commissioner, Academic Affairs
Ms. Sarah Keyton, Deputy Commissioner, Administration
Ms. Melissa Henderson, Chief of Staff
Ms. Nichole Bunker-Henderson, General Counsel

Academic and Health Affairs

Ms. Elizabeth Mayer, Assistant Commissioner
Ms. Cathie Maeyaert, Director, Private Postsecondary Institutions/Title IX Coordinator for
Higher Education Institutions

State Auditor's Office

Internal Audit Coordinator

Sunset Advisory Commission

Mr. Eric Beverly, Executive Director

Office of the Governor-Budget and Policy Division

Ms. Sarah Hicks, Budget and Policy Director

Legislative Budget Board

Mr. Christopher Mattson, Assistant Director