

SUPPLEMENTAL MATERIALS

AGENDA ITEM X-I (3)

Consideration and possible action to adopt amendments to Board Rules, Chapter 4, Subchapter B, Sections 4.22, 4.23, 4.27, 4.29, 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) proposed adoption of amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter B, §§4.27, 4.32, and 4.34, with changes to the proposed text as published in the February 16, 2024, issue of the *Texas Register* (49 TexReg 830) and will be republished. Sections 4.22, 4.23, 4.29, and 4.39, are adopted without changes and will not be republished.

These amendments encourage the transferability of lower division course credit among institutions of higher education, and especially 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 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.

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 following comments were received regarding the adoption of the amendments.

Comment: South Texas College submitted a 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 a “Texas Direct” associate degree 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 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 associate degree. 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 general academic teaching Institution. The Coordinating Board will provide additional guidance for institutions in an FAQ and other mechanisms for communicating with institutions.

Comment: San Jacinto College submitted the following comments:

§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 prior to proposing amendments to implement this suggestion.

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.” First, 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. Second, 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 two 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. Rule 4.32(b)(3)(G) includes a provision requiring a receiving institution to 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. The Coordinating Board has provided additional clarification in §4.34(c) and §4.34(d) permitting an institution to add directed electives, but requiring a two-year phased period for directed electives. 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 nine 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 three 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.

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.